MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M

ROLL NUMBER

DESCRIPTION

1015

2007 HOUSE APPROPRIATIONS

HB 1015

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015 DOCR Budget Overview

House Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: January 5, 2007

Recorder Job Number: 650

Committee Clerk Signature

Minutes:

Chairman Svedjan called the House Appropriations Committee to order.

Dave Krabbenhoft, Director of Finance and Administration, Department of Corrections, distributed a hard copy of his PowerPoint presentation (Attachment A). Mr. Krabbenhoft reviewed each slide. The Executive Recommendation for 2007-09 is $199.5 million compared to $129.1 million for 2005-07.

Mr. Krabbenhoft describes DOCR's two divisions, Juvenile and Adult (Ref. 3:58), and the services within each. The Youth Correctional Center (YCC) provides Plant, Food, Medical, Treatment, Education, Security/Supervision, Work Programs, and Training Services. He also reviews the total budget recommendation and significant budget changes.

Mr. Krabbenhoft: This biennium, the budget was put together to end with zero special funds for a beginning balance in the 07-09 biennium. We have to make up for that money somehow if we're going to continue the level of services we have. We are also losing some federal money that is expiring, the grants aren't being renewed, and those types of things.

Chm. Svedjan: How much of that is lost federal dollars?

Mr. Krabbenhoft: I don't have that with me; I'm guessing $150, 000 - $200,000.

Chm. Svedjan: So when you're talking "federal fund," you're really talking "special funds."

Mr. Krabbenhoft: No, special funds, we get kids who come from detention and we charge them a rate and that is special funds.

Rep. Aarsvold: Do you get tuition from the school districts?

Mr. Krabbenhoft: No.

Mr. Krabbenhoft proceeds with a similar review of Juvenile Services Community (JCS) (Ref. 22:17).

Rep. Carlson: Re: Inflation/Workload of $100,000, what number was used for inflation and how much of that is spread throughout the budget where you add and inflator in? (Ref. 25:43)

Mr. Krabbenhoft: I don't have that specifically, but we can get you the breakdown on that.

Rep. Carlson: The reason I ask is we always ask what does it cost if we don't change a thing to open the doors the next biennium compared to what new programs are being added? I have a hard time figuring out what that number is. (Ref. 27:16)

Mr. Krabbenhoft: For the overview I didn't want to get too specific. We will break that down further when we get into subcommittee. It's not an across the board number.

Mr. Krabbenhoft continued with a review of Adult Services Field Services (FSD) (Ref. 28:49). Mr. Krabbenhoft explained that DOCR created a fee to counties for offenders who leave ($150). We use that money to get offenders if they violate the terms. We have enough money in that account and would like to suspend this. DOCR is looking to expand female transition/community placement program as the number of female inmates increases. The treatment services are key to managing the inmate population. Mr. Krabbenhoft reviewed the Executive Recommendation and significant budget changes.

Rep. Klein: On average, how many people does each parole officer supervise?

Warren Emmer: Depends on who they are supervising.

Mr. Krabbenhoft continued with a review of the Prisons Division (PD) including the different correctional facilities in North Dakota, the executive Recommendation and the significant budget changes. (Ref. 40:52).

Mr. Krabbenhoft: DOCR is proposing a change on how payments are made to New England (Ref. 49:34). New England will be full all biennium so we would like to make equal payments every month rather than per diem. This would help avoid spikes that we are seeing in the budget now.

Rep. Wald: What do you pay the people who work at Roughrider Industries (RRI)?

Mr. Krabbenhoft: They're paid $1.00 - $1.40 per hour.

Rep. Wieland: Earlier you said there were no costs for RRI, now you say there are work programs at $12.8 million (Ref. 52:38)

Mr. Krabbenhoft: All the money RRI spends is money they generate from selling products. The only way they will spend $12.8 million is if they generate $12.8 million. There are no general funds in the RRI line at all. It's all other funds.

Dave Krabbenhoft pointed out the summary of DOCR budget by request (Attachment B) and reviewed the "2007-2009 Estimated DOCR Inmate Population" handout (Attachment C) broken down by male and female inmates (Ref. 68:29).

Mr. Krabbenhoft reviewed the itemized costs for building and new construction and projects. (Attachment D) (Ref. 73:31).

Chm. Svedjan: On new construction side, to what extent does that include facilities other than the existing prison?

Mr. Krabbenhoft: It does include costs for a complete complex.

Chm. Svedjan: But it wouldn't include MRCC?

Mr. Krabbenhoft: No, it would. It doesn't have land acquisition costs and utility establishment costs.

Rep. Carlson: Regarding the remodeling project, how many total beds would we have? (Ref. 75:39).

Mr. Krabbenhoft: 792.

Rep. Carlson: How many with new construction?

Mr. Krabbenhoft: 950.

Rep. Carlson: So there is a difference in the number of beds between the two when you compare the numbers?

Mr. Krabbenhoft: Yes. The reason is that the remodeling project keeps MRCC in tact. That's 150 beds.

Rep. Carlson: If there was some remodeling money for MRCC, it would have to be added to this if you want to compare apples to apples, because you're putting money in down there, as well as your remodeling project, correct?

Mr. Krabbenhoft: We asked in our request for $2.2 million for a multipurpose building and that didn't make the cut.

Rep. Wald: Any new plans on releasing low risk prisoners to decrease the prison population?

Leann Bertsch, Department of Corrections: We are doing that the maximum now. The number of inmates released has increased. We have probably already released those that meet our criteria. There is not much more room for release without risking public safety.

Rep. Skarphol: Can we get a list of the types of inmates in our prisons?

Ms. Bertsch: We are working on a profile of our inmate population now.

Rep. Wald: Do you work with judges on short sentenced offenders?

Ms. Bertsch: We have an ongoing relationship. Meet with justices on a regular basis. A good dialog exists.

Rep. Skarphol: How effective are suspended sentences?

Ms. Bertsch: Out of my realm.

Chm. Svedjan thanked DOCR for the overview and recessed the Committee until 10:30 am.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 10, 2007 - Time: 8:30 am

Recorder Job Number: 850

Committee Clerk Signature Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman opened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Leann Bertsch, Director of the Department of Corrections and Rehabilitation, presented testimony. (Written copy of testimony attached) Refer: 000:51 – 013:37

Tim Schuetzle, Prisons Division Director and Warden of ND State Penitentiary, presented testimony. (Written copy attached) Refer: 14:12

The budget is for three secure facilities that make up thee Department of Corrections and Rehabilitation (DOCR) Prisons division; the North Dakota State Penitentiary (NDSP), the Missouri River Correctional Center (MRCC) in Bismarck, and the James River Correctional Center (JRCC) in Jamestown, along with an allocation of the DOCR Central Office.

Introduced staff persons who will be presenting testimonies.

1. <u>2005-2007 Biennium Highlights</u>

a. Current Population Levels

Number of inmates incarcerated in the Department of Corrections rose by 42 inmates in thee first 18 months of this biennium. Female population skyrocketed. Report and discussion on count in each correctional facility. Refer: 017 – 30:00

b. 2005-2007 Budget Forecast

Asking for a deficiency payment of $3.9 million due to: 1. Higher number of female inmates. 2. Increased medical costs. 3. Increases in amount needed to expend for boarding male inmates. 4. Higher numbers of inmates kept inside the three facilities and a higher cost for food. Discussion on energy and utilities costs, programs, and numbers. Refer: 30:07 –.

Dave Krabbenhoft gave an explanation on the deficiency. Refer: 036:27 – 037:40

Tim Schuetzle continued:

c. Staffing and Salaries

New Positions

Of the authorization of 18 new positions, 14 new treatment professionals were hired. More done internally with the doctors and dentists on board.

Data shows treatment reduces recidivism rate. Refer: 037:45 – 041:07

Staff Turnover

High staff turnover is not only an issue with counselors, but with Correctional Officers as well. Sex offender counselors are difficult to train. Prison population has grown and the state population has not. Losing trained staff. Counselors trained are attractive to counties. Testimony and discussion on training and staff. Refer: 42:00 - 051:00

Staff Salaries

There was approximately 1.75 million dollars in this budget for equity raises for correctional officers, parole officers, and DOCR staff. Details will be given as to spend down. Refer: 52:00 – 055:00

d. Capital Construction Projects during 2005-2007

To be detailed later by Warden Don Redmann.

II. 2007-2009 Biennial Budget The Budget recommendation for the Prison Division, excluding Rough Rider Industries is $125,514,464, an increase of approximately $58 million dollars in general funds. This includes the $42 million to renovate the existing State Penitentiary and 14 million more for the cost of operations. Significant Changes include: Refer: 055:12

a. Employee Compensation - $4.42M

07-09 Compensation adjustment $2.1

Position Reclassification $592,000

07-09 Health Insurance $1.1M

05-07 Continuation $629,000

Questions and answers regarding the budget changes, equity, turnover rates, salaries, and reclassification of workers. Refer: 055:20 – 062:00

b. Additional Staff - $982,000

Executive Budget includes a total of 14.3 new positions in the Prisons division cost center however, 3.3 of these new positions are actually cost allocation for new positions that will go to the DOCR Central Office including eleven new positions for the Prisons Division.

JRCC Lieutenants – 5 FTE

Chaplains – 2 FTE (nondenominational)

Administrative Assistant I, Treatment Department – 1.25 FTE

1 Office Assistant III and .5 Office Assistant I in the Medical Department

1 Registered Nurse – NDSP (most expensive)

.25 Instructors-NDSP/MRCC

Food Service and Correction Officer workers to be reclassified which is part of the increase.

Budget breakdown explained. Standards for FTEs discussed. History of positions explained.

Refer: 063:00 – 086:00

c. DWCRC Housing payment - $2.1 million increase

Number of female inmates has grown faster than we projected. Now have a pharmacy at New England. Refer: 088:06 – 090:00

Dave Krabbenhoft, Prisons Division, talked about the increased beds and capacity. Refer: 090:00

Tim Schuetzle continued and talked about chaplain services and volunteer service.

Chairman Pollert: Acknowledged Hazen High School visitors.

d. Food Services ($1.2M) and Medical Services ($2.0M)

Anticipate more patients at State Hospital. Different meals for different inmates. Medical costs exceed budget due to increased costs for services and a more unhealthy prison population created mostly from methamphetamine use. Health education given. No contracting of food services. Hiring of inmates to do food services. Refer: 094:43 – 100:00

e. Inmate Electronic Medical Filing System - $1M

Includes 1 million dollars for the software and implementation of an electronic filing system for inmate's medical records. The most price quote for the Syscon software was $720,491. The remainder of the requested appropriation would be for paying a temporary work force required to load all the paper files into the system. Stated one-time cost but continuing costs for license. Refer: 100:41 – 107

f. Equipment – 1.1 million

Recommendation includes 1.1 million for equipment expenditures next biennium, however approximately $550,000 of this total is equipment requested by Rough Rider Industries, and would not be paid for with general funds. Cost items by facility:

NDSP (total $258,000) A new digital x-ray machine and scanner.

MRCC ($69,000 total) Security cameras, utility vehicle and Bobcat.

JRCC ($256,000 total) An ion track screening machine, new x-ray machine and a self propelled articulating boom lift. Refer: 107:44 – 112

g. Extraordinary Repairs - $1.8 million

Requesting 1.8 million for extraordinary repairs in an established 10-year schedule time frame.

NDSP ($1.1 million) Overhaul of stand-by generator, repair to RRI building roof, NDSP network and surveillance upgrade, perimeter security surveillance, and ADA access issues/elevator.

JRCC ($600,000) Warden Redmann from JRCC to review.

MRCC (42,000) Repair dining hall roof, heat pump replacement, and road and parking lot maintenance.

Refer: 112:00 – 114

h. Capital Project - $42M for renovating existing prison

The Prisons Division completed a needs assessment of the physical plant issues faced by our department. Due to increased inmate population, many inmates are boarded outside of the three prisons. (Handout of booklet North Dakota Penitentiary Building Project)

Building plan is for $42 million renovation project of the current penitentiary which would expand the inside perimeter, add a new reception building and a 75 – 100 bed orientation dorm, a 225 bed cell house, a 90 bed Administrative Segregation unit, a 20 bed infirmary and

clinic area in the middle of the facility, and location changes to the south tower, laundry and warehouse buildings (needed to moved to accommodate space for the new construction). After this new construction, there would be 794 useable beds. This plan has been approved by the Governor and the members of the Legislative Interim Budget Committee. Overview explanation. 550 beds presently with 244 more equals 794 beds. Need for single beds. Eighty acres available for expansion. Room for MRCC on this land. The total cost would be $41.6 million. Questions and discussion. Refer: 114:30 – 144:00

Disadvantages and advantages given for expansion plan: Questions and discussion. Refer: 144:42 – 153:46

Pam Sharp, Director of OMB, testified. (Handout – Fact Sheet Regarding Penitentiary Options) Reviewed costs, infrastructure and capacity of a new building on site and a completely new facility. The projected cost of the new facility does not include the demolition of the old facilities. Questions and explanation. Refer: 154:01 – 164:02

Hearing adjourned until 2 o'clock.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 10, 2007 - Time: 2:00 pm

Recorder Job Number: 895

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman opened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Don Redmann, Warden of the James River Correctional Center (JRCC), testified. (Written testimony provided) The history and services provided of the JRCC were explained.

Capital Improvements and Repairs

The new dorm project added 20 beds to the facility bringing the total to 359 useable beds. Average daily count has been approximately 385 inmates.

Staffing

Budget includes the addition of five lieutenant positions for JRCC. 10 million dollars has been placed in thee budget to help address inequities of pay.

Next Biennium

JRCC has requested $596,075 for additional extraordinary repairs.

Equipment

The total equipment request is for $256,000.

Refer: 00.00 – 1730

Questions and discussion. Refer: 17:31 – 27:58

Keith Grabowska, Director of MRCC, testified. History of the center was given. Questions on "Sturdy Products," inmate population, and the farm at the MRCC . Reference: 28:40 – 36:50

Dennis Fracassi, Director of Rough Rider Industries, testified. (Written copy of testimony provided) Overview of the program given. Mission: "our goal is to prepare inmates to become taxpayers instead of tax burdens." Concern about moving MRCC is jobs. "What are we going to do with these guys?" Refer: 37:14 – 46:22

Dave Krabbenhoft, Director of Administration of Central Office, Department of Corrections and Rehabilitation, testified. (Handout attached) Explanation of the purpose and history of the Central Office in consolidated services. Questions and answers. Refer: 46:25 – 66:38

Meeting adjourned.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 11, 2007 - Time: 8:30 am

Recorder Job Number: 937

Committee Clerk Signature Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman opened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Testimony began with **Warren R. Emmer, Director of the Department of Corrections and Rehabilitation, Field Services Division.** (Copies of testimony attached)

Introduced people who will be testifying, explained what was in the packet and what would be covered.

I) **Field Services Nationwide**, 600,000 offenders will be released annually from every prison. Some point in their sentence, 93% of all the prisoners will be released. Seventy-five percent have a chemical problem. One in 6 suffers mental illness. Five million people are on parole and probation. Women are now more than men. The Division of Field Services manages all community corrections programs delivered for, or under the direction of, the Department of Corrections. The clientele we manage are high risk; they are all prison eligible.

II) We are achieving our goal. Parole revocation rates remain incredibly low. Stabilization of the population of men going to prison. Key things to consider: 1. Impact of parole; 2. Impact of our assessment center program; and 3. Court's increased use of felony probation sentences. Explanation of trend lines and reviewed charts in packet. Question asked about the difference between parole and probation. Answer: Probation is under the jurisdiction of the court and parole is under the jurisdiction of the parole board. Explained sentences. Refer: 09:31 – 23:54

III) North Dakota offender demographics (as of December 31, 2006)

Served 4,813 offenders: 4,233 are on probation (court jurisdiction), 372 on parole (Parole Board jurisdiction), and 589 are interstate transfer cases. Explanation of the prison's population and the management. Refer: 24:00 – 35:00

Staff Testimonials:

Jennifer College, Parole Officer III, Fargo District, testified in support of the bill. She stated that there is no such thing as a low risk offender. "Write more reports today." Many meth users are IV users. Treatment for meth users is different than from other addicts. Refer: 37:50 - 44:28

Barb Breiland, Program Manager/Officer, Sex Offender Program, testified. Over 300 sex offenders presently supervised. We now have 7 sex offender specialists in the state. Sex offenders are continually being assessed. Have technology - GPS is a tool. Explained supervision and monitoring. Sex offenders have to learn about their behavior. High risk is committed – very few are paroled. Work with other states. Questions and explanations. Refer: 45:10 – 79:00

Pat Bonham, Programs Manager for the Department of Corrections and Deputy Clerk for the Parole Board, testified. Job is to work on the preparation and release for people coming out of prison. Refer: 79:10

Barb Breiland continued with questions and answers regarding numbers of sex offenders, women offenders, work with state hospital, and sex offender education. Refer: 80:00 – 89:59

Meeting adjourned for break.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 11, 2007 - Time: 10:10 am

Recorder Job Number: (No recording)

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Corey Schlinger, Parole Officer III of Field Services, testified. He stated in his 11 years of experience he has seen changes and differences with parolees. There is a lack of respect for the court with drug use - no one shows up for court and appointments. Meth use has consumed many lives. The officers are now finding more guns in possession and they have to wear vests and carry guns. They have to make numerous attempts to find their people. Officer Schlinger stated he has 40 high-risk persons.

Warren Emmer, Director of the DOCR, Field Services Division, testified and answered questions. He stated that the caseloads are lower than nationally.

Kerry Wicks, Clinical Director of Residential Services at the North Dakota State Hospital, testified. (Copy of testimony attached) He commented on how the Tompkins Rehabilitation

and Corrections Center evolved ... in operation since 1999 ... with the support of the DOCR and Department of Human Services. It is a program that does the best job possible to keep offenders from returning to prison.

Marcy Conmy - Fisher, Director of the Bismarck Transition Center, testified and gave the history of the Transition Center ... opening in 1962 with 163 beds at present (includes 8 female beds).

Keith Gilleshammer, Executive Director of Centre, Inc. (Halfway House in Mandan), testified. He stated that community programs are successful and the parolee much more willing to give treatment programs a chance. "More treatment is the mantra."

Nancy McKenzie, Social Worker from the Department of Human Services, testified. When they get a DOCR referral, the family is involved as much as possible.

Warren Emmer, Director of the DOCR, Field Services Division stated that testimony would be proved regarding the Teen Challenge program. Question was asked to whether the programs are court ordered ... they are self-select programs.

Representative Bette Grande testified in support of the Teen Challenge program. She encouraged looking closely at enhancing dollars. The programs have helped a lot of people in society and there has been an 80% success rate. The program is in all 50 states ... started in NY. Facilities in Mandan and in Bismarck.

Rod Backman, Lobbyist representing North Dakota Teen Challenge, (written testimony provided) testified. He stated it is a "faith-based recovery program." Questions and discussion followed.

John Olson, Chairman of the ND Parole Board, testified. John stated the ND Parole Board reviews about 200 cases each month. There 6 members appointed by the governor. Their main concern is public safety. There is 21% of revocation of parole violators. ND is one of the

safest sates in the country. Transitional beds pay off. Involve churches in faith based methods.

Warren Emmer, Director of the DOCR, Field Services Division, continued reviewing his written testimony sheets. (Copy attached)

Andi Johnson, Director of Sharehouse in Fargo, testified in support of the bill. Copy of her written testimony to be sent at later date.

Meeting adjourned until 1:45 pm.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 11, 2007 - Time: 1:45 pm

Recorder Job Number: 971

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Lisa Bjergaard, Director, Division of Juvenile Services, began the testimony. (Copy of Overview attached) Refer: 00:55 Introduction of staff members and persons from the Youth Correctional Center attending the hearing.

Lisa Bjergaard continued testimony regarding demographic changes in youth. Recidivism data ranges between 24% and 37% and the lowest nationally.

Community Services

Upon commitment to the Youth Correctional Center, we are responsible for the treatment of the youth. Refer: 10:31 – 13:20

Questions and discussion about length of stay, numbers of who have returned, or went to prison. Six percent of youth who had been in the correctional center end up in prison. Cost is about $12 per day. Refer: 20:05. (Handout given on Fact Sheet)

Lisa Bjergaard continued about in home tracking and treatment programs. Refer: 25:30 – 35:50

Youth Correctional Center

YCC assumes responsibility for the detention, rehabilitation, instruction and safekeeping of juveniles committed to the institution.

Resident Care: Demographics - Behavioral Health Programming - Mental Health and Substance Abuse, and Physical Health issues information was provided. Refer: 36:00 – 50:00

Education: The Read Right program has been implemented. Questions and discussion on the education and number of students. Refer: 50:31 – 55:00

Plant Services: There is a need to get some roofs fixed. Refer: 55:05 – 57:04

Meeting adjourned with the agency overview.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 22, 2007 - Time: 2:00 pm

Recorder Job Number: 1580

Committee Clerk Signature Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Dave Krabbenhoff, DOCR, began with the testimony and explanation on the Budget Detail of the Central Office - All Divisions. (Copy attached)

Questions and discussion on salaries and wages ... guidelines for reallocation ... deficiencies ... problem with reclassification system ... requested pay grade system ... Food Service Director ... Licensed Dietician ... losing employees to other state agencies ... equity fund ... ND salary ranges and grades explanation (copy of handout attached). **Dave Krabbenhoff** reviewed and answered on the "Budget By Traditional Line" on the handout. Explanation on temporary employees going FTE and answered questions on the proposed Treatment Director position. Refer: 49:40

Leann Bertsch, Director, DOCR, continued with additional information on the Treatment Director position and the program. Questions and discussion. Refer: 54:00

Dave Krabbenhoff reviewed IT Software and Equipment ... Significant Changes ... "Distribution by Division" handout ... DOCR Position Reclassification ... "DOCR Optional Request and Recommendation" ... status of sex offenders ... extraordinary repairs. Questions and discussion.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 23, 2007 - Time: 8:30 am

Recorder Job Number: 1620

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Randy Miller, Business Manager of the Youth Correctional Center, gave handouts on the program narrative of the Youth Correctional Center and the Executive Budget Recommendation. (attached) Began with the **Division Administration** ... explanation of program costs ... material expenditures ... significant changes ... reclassifications ... details of the department ... salary increase ... fringe benefits ... permanent salaries ... special funds ... cost and population at YCC .

Lisa Bjergaard, Director of Juvenile Services, gave an explanation on the juvenile population ... average count at 90. Questions and discussion on direction of money and number of beds. Refer: 31:00

Randy Miller continued with the budget on **Plant Services** explaining (and with discussion) the utilities cost ... extraordinary repairs ... lawn mower ... problem with flat roofs ... land and buildings ... security lighting ... roof replacements ... gym repair ... miscellaneous repairs ... videos in classroom ... fuel source .... Other equipment ... broom ... clothes dryers.

Adjournment for break.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 23, 2007 - Time: 10 am

Recorder Job Number: 1642

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Joe Morrisette, OMB, explained the handout on extraordinary repairs.

Keith Rasmusson, Physical Plant Director, YCC, began testifying by answering questions regarding leafy roofs ... explanation on the material of the roofs ... repairs done on the cottage roofs ... demolition of thee storage building ... hours on the mower.

Randy Miller, Business Manager of the Youth Correctional Center, continued with **Food Services** explanation with questions and discussion regarding difference between meals at YCC compared to State Hospital ... Food Service Director ... costs per meal at $3.61 ... building, grounds, and maintenance ... milk dispensing machines ... federal funds for school.

Medical Services (Refer: 28:37) explanation with questions and discussion on medical director ... salaries increases ... professional services used ...pharmacy ... residents'

insurance ... on-site cost sharing of equipment ... use of physician ... optometry equipment ... federal funding ... losing funds ...

Lisa Jahner, Juvenile Justice Specialist, testified about the decreased Juvenile Accountability Block Grant. Refer: 050:30

Randy Miller continued with the budget explanation answering questions regarding daily rates ... rate analysis. **Treatment Services** was explained. **Professional Services and Educational Services.** Questions and discussion regarding single coordinator ... individual plans ... comparison on teachers' salaries ... legislative intent resulting in decrease ... Title I funds decrease ... youngest resident ... use of foundation monies ... miscellaneous supplies. **Professional Development** explanation. Refer: 83:00. **Security and Supervision** (Refer: 86:20) explanation with questions and discussion regarding turnover rate ... permanent FTEs and temporary positions ... turnover rates 66.7% ... significant changes ... total beds ... clinical specialist ... block grant money.

Adjournment until afternoon.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 23, 2007 - Time: 2 pm

Recorder Job Number: 1720

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Randy Miller, Business Manager of the YCC, handed out the inflationary workload changes and a Teacher Salary Study (attached) with an explanation. He began on the budget with the **Work Program** explaining and answering questions regarding WIA and YEP programs needing supervision ... training involved ... travel.

Dave Krabbenhoft, DOCR, answered questions regarding land by the YCC. He continued with the **Juvenile Community Services** with the help of **Lisa Bjergaard,** giving an explanation and answering questions regarding youth ... transportation ... monitoring ... sheriff transport fees ... salaries permanent ... operating fees and services ... operating fees and services ... supervision ... function of offices ... IT data processing ... temporary salaries ... fringe benefits .... Availability of temporaries ... clerical staff ... rent and utilities.

Dave Krabbenhoft continued with the explanation (with the help of **Lisa Bjergaard**) on the **Treatment Program** with questions and explanation regarding tracker statewide program ... mentoring ... contracting ... day treatment programs ... in-home family therapy ... discipline ... success ratio ... operating fees - general and federal funds.

Information on grants, benefits and claims - how and where the funds are going was given by **Lisa Jahner** with questions and discussion. She gave a handout on the JABG funding and answered questions.

Dave Krabbenhoft explained the budget on **Training**.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 24, 2007 - Time: 8:30 am

Recorder Job Number: 1740

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Dave Krabbenhoft, DOCR, began on the "**Field Services Division**" of the budget. (Copy of handout attached) He began answering questions on the unfilled position ... breakdown of salaries ... retirements or buyouts ... FTE vacant position ... special fund ... temporary salaries.

Warren Emmer, Director of Field Services, Dept. of Corrections & Rehabilitation, talked about **Professional Development** answering questions about interstate compact

Dave Krabbenhoft continued explanation on the salaries ... temporary salaries ... workload GPS ... raises given ... definancies.

Victim Services and CVC was explained and asking for authority to use general funds.

Charles Placek, Program Manager of the Crime Victims Program, answered regarding amounts paid ... oldest claims ... average size of claims. Discussion and questions continued with **Dave Krabbenhoft** regarding restitution in arrears ... risk management ... $515,855 appropriated ... request to spend money in this biennium ... Legislative Council opinion given on Emergency Clause ... OMB opinion given on options to add or amend ... programs being switched ... option of delayed bill ... whether spent or not will not affect deficiency.

Institutional Offender Services was reviewed with questions regarding FTEs and the sex offender division.

Recess.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 24, 2007 - Time: 10 am

Recorder Job Number: 1754

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Dave Krabbenhoft, DOCR, began explaining **"Interstate Compact"** and answered questions regarding training ... special funds ... contingency in counties.

Supervision, the next section was explained and discussion with questions answered regarding Temporary Full Time to Full Time ... 7new positions ... parole officers openings ... supervision ... surveillance officers ... parole officers salaries ... people on parole - workload.

Dave Krabbenhoft gave a handout on **"Offenders on Community Supervision"** with continued discussion and answered questions regarding caseloads ... amount of state funding ... number of previous officers ... community corrections agent.

Continued explanation on **Travel and IT Equipment** discussion and questions regarding digital radio ... state radio converting ... funding for 68 radios replacement ... new FTEs ... office space.

Significant Changes was reviewed with discussion regarding supervision fees and problems collecting ... expense for FTEs.

Treatment (Refer: 43:20) was reviewed and explained.

Leann Bertsch answered questions with discussion regarding new drug courts - Minot and Grand Forks ... cost per day ... new positions

Dave Krabbenhoft continued with the Significant Changes. Questions and discussion regarding programs ... deficiencies ... cost per bed ... treatment requirements ... Tompkins Program ... trend of management ... transition facilities costs ... cost per day for electronic monitoring ... female transition ... Halfway House and Quarter House ... future strategies ... community service spend down report ... new program - male transition center ... Rugby Correctional Center ... correction strategy ... lowest recidivism rate in nation ... good news story.

Adjournment until pm.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 24, 2007 - Time: 2 pm

Recorder Job Number: 1833

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Public Testimony:

Bonnie Palecek, speaking on behalf of ND Council on Abused Women's Services & Coalition Against Sexual Assault in North Dakota. (Handout "Crime Victims Compensation Performance Report Data") She spoke about their concern about the Crime Victims Compensation Fund. Concerned about the public perception that money was no longer available through this fund, hence the urgency of a permanent solvency fix. The fund compensates victims of violent crime for damages they have experienced as a result of that crime. Insurance must be billed first. Funds to any individual are capped at $25,000 per violent crime. Fund is comprised of Federal and State money. Providers have to wait a year for their reimbursement. This fund was included in the Governor's Budget. In 2006, there were

302 applications. Questions and discussion followed regarding providers rate ... whether council is a corporation or non-profit - being non profit.

Becky Keller, of the Legislative Council, stated that a delayed bill could be done or, turn it back and appropriate it back into the current bill - 1015. We think the best solution would be is to do an amendment in 1015 that allows them to keep that money and not have to put back with an emergency clause. Refer: 2:10 - 18:56.

Tim Schuetzle, Prisons Division Director, provided answers to previous questions. (Handout attached) Discussion with referrals to attachments and questions during testimony. Refer: 18:56 - 51:00

Public Testimony:

Keith Gillshammer, Executive Director for Center, Inc, who have the Halfway House and the Quarter House, spoke about the electronic monitoring program. Questions and discussion regarding the possibility of an outside party doing the monitoring ... shortage of addition counselors ... specifics of licensing ... code of statutes. Refer: 52:00 - 60:00

Dave Krabbenhoft, of DOCR, gave handouts **"Projected Male Inmate Growth Rate," and "New Arrivals, Releases and One Day Counts"** and explained.

He began the explanation of the **Field Services Division Budget Detail.** Reviewed and answered questions. Refer: 75:00

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 25 2007 - Time: 8:30 am

Recorder Job Number: 1868

Committee Clerk Signature Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Dave Krabbenhoft, DOCR, began explaining the budget for the **Prisons Division - Plant Services for the state pen** which included costs for the proposed NDSP building project for $42 million. (Handouts attached) The cost service is for the daily operation of all the plants, grounds, services, and equipment. Material expenditures are 90% of the budget and salary fringe is 4%. He continued to explain building grounds, utilities, spend down report, and capital projects. Questions and answers on repairs and extraordinary repairs ... IT communications ... miscellaneous supplies.

Dave continued to explain extraordinary repairs ... state pen powerhouse ... deferred maintenance.

Dick Froelich, Plant Services Director, answered questions regarding security systems and project costs that need to be done even if the remodeling is not done, but would not be needed if a new prison is built ... standby generator ... water and sewer lines ... windows ... roofs replacement ... fence ... electricity ... entrances ... fuel sources. Refer: 31:00 - 69:07

Dick began explaining the plant services at JRCC. He explained and answered questions regarding a water heater ... sensors on the walls ... roofs repair ... sprinklers ... tunnels containing asbestos beneath the buildings where the pipes and valves are ... lifts ... replace razor wire ... road buildup ... vehicles used ... sewer line replacement in kitchen.

Dick continued with extraordinary repairs at MRCC and explained. Needs were dinning hall roof ... heat pump system ... repairs ... items addressed would be needed in four years.

Adjournment until 10:25.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 25 2007 - Time: 10:30 am

Recorder Job Number: 1931

Committee Clerk Signature Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Chairman Pollert acknowledged students from Wilton High School.

Dick Froelich, Plant Services Director, began explaining the **"Equipment Over $5,000"** list. There questions and discussion regarding the replacement of a mower ... equipment used in other areas ... price differences ... "mules" ... vehicles needed.

Dave Krabbenhoft continued with **Capital Payments** and the bond debts that need to be paid

Chairman Pollert opened the discussion with **Dave Krabbenhoft and Warden Schueltzle** on the $42 million renovation for the state penitentiary. Questions were asked about number of beds ... individual cells ... projected populations ... stated there would be 1,259 beds after renovation ... 60 cells in treatment ... dates when units constructed ... new prison - all double bunk ... renovation of prison and closing MRCC ... cost of 6 million to build MRCC on state

pen grounds ... new prison costs reviewed ... comparison ... moving Rough Rider Industries

cost ... life span of buildings.

No questions on Food Services.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 26, 2007 - Time: 8:30 am

Recorder Job Number: 2001

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Chairman Pollert acknowledged students from Wilton High School.

Dave Krabbenhoft briefly talked about the Deficiency Report and continued with **Prisons Divisions - Treatment Services.** He gave an explanation and answering questions on the empty positions ... entry level addition counselors ... IT Contractual Services ... Professional Services.

Education Services was reviewed and questions answered regarding federal funds ... FTEs .... transfers.

Security/Supervision was explained and questions answered regarding FTEs ... operating fees ... numbers to county jails ... how many temporary salaries ... need for 6 more correctional officers.

Joe Morrisette, of OMB, explained the request for more FTEs.

Pat Foley, Central Office, gave a handout (attached) of **"DOCR Prisons Division Inmate Population Information."** He reviewed and explained the chart.

Colby Brown, Operations Administrator at Dakota Women's Correctional Rehab Center in New England, gave a handout (attached). Gave highlights of what the Center is doing. Refer: 079:00 Questions were asked regarding the corrections officers ... treatment programming ... parenting skills ... drug additions ... cognitive restructuring. Colby talked about the Education program, Spiritual program, Volunteers program, technology, medical department, Prairie Industries, and quality assurance.

Susan Ritter, Financial Administrator, of the Southwest Multi-County Corrections Center, began her testimony. (Written testimony attached) Questions were asked regarding whether the "industries" were self funding ... comparison of '05 to '07 ... contract housing rate reflective ... deficiencies ... additional housing.

Dave Krabbenhoft explained in answer to a question of "why so far off" stating the budget was an estimate before the crossover and when the actual figures came in, it was never addressed. No adjustments were made to the budget. That issue coupled with the growing female population made the huge problem of the deficiency.

Chairman Pollert requested more information and continue next Wednesday to review the budget.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 26, 2007 Time: pm

Recorder Job Number: 2063

Committee Clerk Signature Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Chairman Pollert acknowledged students from Wilton High School.

Terry Traynor, Association of Counties, testified with information on county correctional facilities. Final survey was conducted in October, 2006 to look at the capacity of the Grade 1 facilities. There are 3 grades of facilities ... Grade 1 is up to a year, Grade 2 is 30 days, and Grade 3 is a 96-hour holding type of facility. We only looked at this time at Grade 1 facilities. There are 16 different facilities in the state that meet this classification. There were 1,245 beds total beds. Every facility takes state prisoners. In July, 2008, we will see a jump of about 200 beds in the state. Refer: 10:00 - 25:57

Representative Kerzman asked a question if counties could house jail prisoners in the state penitentiary. It was answered that the jail prisoners would have to be segregated from the long-term prisoners.

Continued discussion regarding counties taking state prisoners ... some facilities being built for economic development ... building for long-term ... rates in county jails reflecting services provided ... Rugby facility signed federal government contract ... other facilities having federal contacts.

Dave Krabbenhoft continued reviewing the budget with **Medical Services**. Refer: 36:00. Questions and discussion regarding salaries ... identifying where professional employees were ... open positions.

IT Contractual Services were reviewed.

Professional Services reviewed with questions and discussion regarding Medicaid rate ... ... $1,000 per year per inmate for drugs and medical supplies ... consolidated drug purchases ... part of buying multi-state buying group ... some states collaborating.

Significant Changes reviewed with questions and discussion regarding HIPPA compliant ... computer system for medical system.

Mark Molzer, Enterprise Project Management Officer for Information Technology Department, testified regarding the computer system project for $1 million.

Questions and discussion regarding the electronic medical file ... would be able to transfer records.

Chairman Pollert stated information was requested about possible state land for building a new state prison.

Gary Preszler, Commissioner for State Land Department, presented information regarding school lands that are in close proximity to Bismarck in Burleigh County. Arial maps were used

and tracts were described as to access and roads. Land appraisal values were given. Questions and discussion regarding exchange of land ... voltage lines ... assessment of potential hazards which might encumber sale ... Morton County land mentioned ... concern NIMBY (not in my back yard) effect ... value of state pen land at $5 million ... electricity and sewer lines explained ... more land tracts explained with their values. Refer: 097:46

Adjournment for the day.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 26, 2007 - Time: pm

Recorder Job Number: 2064

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Chairman Pollert acknowledged students from Wilton High School.

Dave Krabbenhoft continued with the budget. The **"Equipment Over $5000"** was reviewed and explained by **Warden Schuetzle**.

The **Work Programs Budget Detail** was reviewed next and explained ... making payments to the inmates for their jobs.

Training Programs was reviewed and explained ... provides preservice and employment training for Prisons Division staff. Questions and discussion regarding digital radio repeater.

Dennis Fracassi, Director of Rough Rider Industries, testified and explained their budget is all special funds. Questions and discussion on being self sufficient ... rebuilding or remodel ... private industry feeling for "Workforce" ... building modular homes ... not enough jobs ... cost

involved in project ... handle own security ... new warehouse being moved ... moving MRCC and operation ... separate facilities ... 4 positions requested.

Leann Bertsch gave a handout and copy of testimony from **Kerry Wicks, Clinical Director of the Tompkins Rehabilitation and Corrections Center at the North State Hospital.** Data from a program evaluation of the Tompkins Rehabilitation and Corrections Center. (Attachment)

Warden Schuetzle referred to several handouts regarding equipment and repairs. (Attachment) He stated that if a new prison is built, what would still be needed is indicated. Warden stated that the total state penitentiary land is 80 acres valued at $5 million and the prison is setting on 25 acres.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: January 31, 2007 - Time: 10:15 am

Recorder Job Number: 2383

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, Vice Chairman, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Susan Ritter, Administrator of the SWMCC, began the testimony, referred to the handout of major expenditures and reviewed. There had been a net increase of $398,697.90.

Salaries and new positions were explained and questions answered regarding PERS qualification. It was explained that the facility is a joint-powers agreement among six counties. Want to enhance administration with an electronic filing system ... need to replace computers. Needs were reviewed on Buildings and Grounds. Question on Inmate Expense.

Colby Brown, Operations Coordinator of SWMCCC, responded stating what the expenses were. For 126 inmates in SWMCCC, the cost per day was determined to be $4. Refer: 15:00

Tim Schuetzle, Warden of State Penitentiary, stated their Inmate Expenses were more as it is determined that it costs $18 per day per offender.

Susan Ritter continued with the Education expenses. Want to add additional education programs ... explained treatment/vocation program. Question as whether program is similar to the Tompkins Program.

Colby Brown stated program not identical but modeled after the penitentiary's program.

Discussion. Refer: 21:20

Susan Ritter explained the expenses with Security ... a metal detector needed ... cameras ... vehicle, Food Services ... supplies, Facility expenses ... implement efficiencies, stated Medical expenses decreased, Industry and Debt Services ... going down. Total budget at $7,955,877.43, a 5% increase. Question on deficiencies and discussion on budget numbers. Refer: 25:00 - 32:47

Dave Krabbenhoft, DOCR, answered a question regarding occupancy rate stating the SWMCCC daily rate is $89.41 and the budget is $115 daily rate. The average occupancy rate is 120. Continued discussion about the statutory authority, negotiated rate, and the amount of the budget.

Susan Ritter continued to explain the budget and the time of operation during the fiscal year. Continued discussion regarding beds ... confusion about the amount previously budgeted and the amount the SWMCCC is requesting.

Dave Krabbenhoft gave an explanation on how the figures were first adjusted ... what rates were agreed in the current contract with 120 inmates ... Emergency Commission in case of a deficiency ... projecting population of females and costs going up ... number of beds and occupancy.

Chairman Pollert: Asked for any questions on the penitentiary.

Representative Wieland: Had questions about the existing buildings on the penitentiary grounds ... maintenance building, motor pool, and armory ... sizes?

Tim Schuetzle responded and indicated what buildings would be abandoned if a new prison were to be built. Refer: 59:00 - 63:24

Dave Krabbenhoft handed out additional information regarding Job Reclassifications and explained. Also handed out a graph "Salary Range Quartile Distribution" and "Estimated Female Population" and explained.

Charles Placek, Program Manager of Field Services, handed out reports on "Crime Victims Compensation Program" and "Crime Victims Compensation Performance Report Data." Explained what makes up fees ... last biennium's expenditures ... why short on Crime Victims Fund ... relationship with parole officers and defender accounts.

Chairman Pollert gave instructions on making amendments.

Meeting adjourned.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: February 6, 2007 Time 9:30 am

Recorder Job Number: 2894

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Chairman Pollert: Requested amendments be brought forward.

Representative Ekstrom: Proposed an amendment to the Crime Victims Compensation Fund ... clear up back log of bills. Also, a study resolution.

Chairman Pollert: Proposed DOCR develop a plan for medical system reporting.

Representative Kerzman: Questioned the amount in the equity pool.

Sheila Peterson, OMB, explained how the system worked with spending the equity pool money. Agency dollars are spent first.

Dave Krabbenhoft, DOCR, explained how they had spent the money they received during the last biennium. Employees receiving funds from the method of distribution decided upon.

Discussion continued regarding the $237,107 on the Green Sheet which was the "reclass money", language intent, salary ranges, and putting money into equity pool.

Representative Wieland: Under Field Services, amendment to remove FTE and funding. Refer: 24:54

Representative Metcalf: Handout distributed ... explanation on salaries of parole officers and the amount of work involved. Motion to add a minimum of 5 more officers for a total of 11. Discussion on salaries of parole officers, kinds of caseloads and number of FTEs.

Chairman Pollert: Proposed amendment under Field Services ... Code no. 709000. Refer: 37:20.

Joe Morisette, OMB, gave an explanation as to the variety of the expenses per officer.

Representative Kreidt: Proposed an amendment regarding "Teen Challenge" ... adding $100,000 to $250,000.

Dave Krabbenhoft, DOCR, explained the difference with Teen Challenge (self select) and Halfway House (transition place). He stated the two are coming together. Refer: 40:20

Warren Emmer, DOCR, talked about the Teen Challenge and the Halfway House. He stated the programs deliver ... the population has gotten worse ... needs are critical ... triage more cases.

Continued discussion on Teen Challenge ... front-end program ... numbers will increase. Refer: 45:00 - 62:40

Representative Bellew: Amendment proposed to raise supervision fees from $40 monthly to $45 a month in Field Services.

Discussion.

Representative Wieland: Proposed amendment for removing funding from one line to another.

Chairman Pollert: Continued to YCC.

Representative Wieland: Amending to reduce $170,000 to $100,000 for lighting, et cetera.

Chairman Pollert: Take out new roofs amendment proposed ... Maple Cottage and Hickory Cottage roofs. Optometry equipment to be taken off.

Chairman Pollert: Continued to Adult Services

Representative Wieland: Proposed amendment to get a handle on Food and Clothing to separate costs. Requested a breakdown on costs. Discussion.

Adjourned until 3:15 this pm.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: February 6, 2007 Time 3 pm

Recorder Job Number: 2981

Committee Clerk Signature Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman opened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Chairman Pollert asked for a discussion on Food Services.

Dave Krabbenhoft, of DOCR, gave an explanation and reviewed the handout. There questions regarding meal costs and why TRRCC meals cost more.

The committee discussed moving MRCC to the State Penitentiary site … people inactive and loss of jobs there.

Chairman Pollert gave instructions on doing amendments.

The committee will meet again in the morning.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: February 7, 2007 Time 10:00 am

Recorder Job Number: 3011

Committee Clerk Signature Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Chairman Pollert: Requested amendments be brought forward.

Representative Wieland: Proposed amendment removing Item #20 on the green sheet which is providing funding for **prison expansion project**. Add a new prison project on site one-time funding of $85 million General Funds. Intent: Construct new population cells - as many single cells as possible. Refer: 03:00 - 04:57

Discussion: Questions and answers regarding the proposed amendment and other amendments. Refer: 05:15 - 06:00

Chairman Pollert: Stated he would like an amendment on extraordinary repairs on Item #21 on the Green Sheet. Discussion.

Dave Krabbenhoff of DOCR was asked to explain "contract housing" at SWCC in New England. Discussion on $89.41 cost per person, differences in facilities, and possible amendments to the Green Sheet.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: February 9, 2007 Time 7:00 am

Recorder Job Number: 3252

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Chairman Pollert: Began the review of the completed proposed amendments.

Becky Keller, Legislative Council, indicated which fund would be coming out of Special Funds.

Item #1 on Juvenile Services removes security lighting. Discussion. **Roll call vote: 5 yes and 3 no. Passed.**

Item #2 on YCC roof projects. Discussion. **Roll call vote: 5 yes and 3 no. Passed.**

Item #3 on YCC removes optometry equipment. **Roll call vote: 5 yes and 3 no. Passed.**

Item #4 transfer funds to YCC. **Voice vote: Passed.**

Item #5 removes 1.5 FTE. **Voice vote: Passed.**

Item #6 add 5 parole officers. Discussion. **Roll call vote: Yes 3 and 5 no. Failed.**

Item #7 removes 3 FTE parole officers including operating expense. Discussion.

Roll call vote: 5 yes and 3 no. Passed.

Item #8 removes $95,114 Field Services operating expense for 7 - FTEs. Discussion.

Representative Wieland: Made a motion that we remove $47,500. Continued discussion.

Roll call vote: 5 yes and 3 no on the motion.

Amended Amendment #8: Roll call vote: 8 yes 0 no. Passed.

Item #9 on Teen Challenge funding. **Roll call vote: 5 yes and 3 no. Passed.**

Item #10 on replacing Field Services General Funds. **Roll call vote: 6 yes and 2 no.**

Passed.

Item #11 on Rough Rider Industries. **Voice vote: Passed.**

Representative Wieland passed out his Amendments to House Bill 1159 which will do what had talked about in Item #16.

Adjournment until this afternoon.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: February 9, 2007 Time 10:45 am

Recorder Job Number: 3313

Committee Clerk Signature Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

All division members present: **Representatives Larry Bellew, James Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.**

Chairman Pollert: Began the review of the completed proposed amendments.

Representative Wieland stated the proposed amendments to House Bill No. 1159 could be used for HB 1015.

Becky Keller, Legislative Council, explained the "intent language" of the amendments regarding the possible moving of MRCC.

There was discussion on the costs involved in the moving of MRCC to the state penitentiary grounds and the prospect of selling land where the MRCC is located now.

Warden Schuetzle stated what was useable land and what could be sold, and his opinions.

Continued discussion on the prospect of moving MRCC, the buildings and the present land holdings and its value. It was stated the MRCC would not be moved for next two years.

Representative Wieland stated that it was his concern that if the MRCC would be moved, that it be done before we spend some money on the present site. Complex issue and can be handled in another session. Refer: 007:00 - 040:00

Motion was made to remove the Bobcat of $30,000 from the **#12 Item. Voice Vote - passed.**

Roll call vote and the amended amendment for #12: Yes 5 and 3 no.

Item #13 removes range and hood. **Voice vote - Passed.**

Item #14 MRCC removing amount for parking lot repair. **Voice vote - Passed.**

Item #15 removes 42 million for expansion project for prison. Discussion. **Roll call vote: 6 yes and 2 no.**

Item #16 adding $85 million for present site. Bonding discussion. It was suggested that $42 be put in as cash and $43 million bonded. A motion was made to take $5 million off the amount. **Roll call vote: 4 yes and 5 no. Failed.**

Roll call vote for the $85 million funds for new facility on present site. 6 yes and 2 no.

Item #17 removing funds for 2 chaplains to FTE. Discussion. **Roll call vote: 5 yes and 3 no.**

Item #18 removing funds for extraordinary repairs. **Roll call vote: 6 yes and 2 no.**

Items #19 and #27 adding equity dollars to salaries. Discussion. **Roll call vote: 5 yes and 3 no.**

Item #20 for Rugby facility guaranteed payments which have been negotiated. Discussion.

Roll call vote: Yes 7 and No 1.

Amendment No. #78015.0102 on reporting. Voice vote passed.

Item #21 regarding Crime Victims Compensation. Discussion. Substitute motion made to "use $515,855 for catch-up and pay off bills and leave where it is at." **Roll call vote on #21 amended: 5 yes and 3 no.**

Item #22 motion or vote not needed.

Item #23 for reporting system to allow separation of food and clothing items. **Voice vote all in favor.**

Item #24 not needed.

Item #25 moving MRCC. **Roll call vote: 4 yes and 4 no.**

Item #26 selling MRCC land. Substitute motion selling south side land. **Roll call vote: 2 yes and 6 no.**

Item #28 is one-time funding. **Voice vote passed.**

Amendment #78015.0105 stating other monies may be accepted for a new prison facility.

Roll call vote: 5 yes and 3 no.

Adjournment until morning.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☐ Check here for Conference Committee

Hearing Date: February 12, 2007

Recorder Job Number: 3386

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman reopened the hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

Handout of amendments reviewed.

Becky Keller, Legislative Council, explained the amendments as proposed.

Representative Nelson made a motion to accept the amendments.

Representative Bellew seconded the motion.

Discussion.

Roll call vote: 5 yes and 3 no.

Representative Nelson made a motion for a "Do Pass" on HB 1015.

Representative Wieland seconded the motion.

Roll call vote: 6 yes and 2 no.

Carrier: Representative Wieland

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: February 13, 2007

Recorder Job Number: 3467

Committee Clerk Signature Holly N. Arnold

Minutes:

Chm. Svedjan called the House Appropriations Committee to order. There are two sets of amendments -- .0106 and .0107.

Rep. Wieland motioned to adopt .0106. Rep. Kreidt seconded the motion.

Rep. Wieland described amendment .0106 (Ref. 0:45).

Rep. Kempenich: What's the time frame for the $85 million? (Ref. 11:14). What could they do with the interest if they didn't expend it?

Rep. Wieland: I believe the majority would not be spent in this biennium, although I would hope that some would start. Before we can get into the actual construction, there needs to be plans, bidding, specifications, etc.

Rep. Kempenich: Wondering if we should have language to roll any proceeds from the $85 million?

Rep. Carlson: Wouldn't that money stay in the general fund until the money was requested so the interest would automatically roll back into the general fund?

Chm. Svedjan: I think it does.

Rep. Kerzman: I hope we can resist these amendments. The problem I have with these amendments is there are a few areas – I think we should put more equity into the corrections officers. Also, the actual facility. I have amendments to offer. (Ref. 15:20)

Chm. Svedjan: It sounds like you may request a minority report. We'll take a roll call vote on .0106 to help us identify who signs the majority and minority reports. Then we'll ask you to offer your amendment.

Rep. Glassheim: Could you outline what you would get for the additional $43 million?

Rep. Wieland: You would get something completely different, not just an addition to what is on the $42 million renovation (Ref. 18:14). The $85 million includes: new DOCR Administration building, administration outside the fence, facility operations and visiting, new medical facility, 960 beds, new programs building, recreation area, food services, observation tower, new warehouse, training building, and armory. Not replaced: Roughrider, maintenance and motor pool buildings, energy plant.

Rep. Glassheim: How many beds would be newly constructed?

Rep. Wieland: None of the existing area will remain. There are a total of 950 beds that will be put in. This has to do with a security, safety and efficiency issue. The pod design is easier to add to and maintain.

Rep. Glassheim: So what' left will remain?

Rep. Wieland: That the intent (Section 7 of Amendment .0106).

Rep. Carlson: In discussions with the Governor's office, the $43 million was for demolishing the east cell block and the medical thing – but were quick to admit that they would put $6 million into adding a minimum security wing onto that $42 million and then closing the MRCC (Ref. 24:09). When I look at the numbers, I'm assuming that they were really going to do that

so this $43 million was really $49 million because the new prison is going to include beds for that minimum security and MRCC closing, is it not?

Chm. Svedjan: No, it's not in there now. I think we have an amendment coming.

Rep. Carlson: So the 950 beds doesn't include MRCC or it does?

Rep. Wieland: There is space in there, yes, for MRCC if we wanted to do that, within the 950.

Rep. Carlson: So the $42 million should really be $49 million compared to the $85 million, would house the same number of people.

Chm. Svedjan: That's right.

Rep. Ekstrom: The life span of these buildings is between 75 and 100 years. Does your $85 **million have the cost of the $6 million of removing the 1908 building?**

Rep. Wieland: The cost of tearing that building down was $1.5 million, not $6 million.

Rep. Ekstrom: Over the next ten years, DOCR has allocated $6 million for extraordinary repairs on existing buildings. So, for a smaller amount of money, we can maintain the buildings. The question here is which one of these buildings is coming down. That ought to be evaluated. I'm most concerned that we have no drawings, no plans, no specs – we don't know what this looks like or how it will be accomplished.

Rep. Metcalf: There needs to be a separate and segregated rehabilitation portion in this new prison. I hope the final plans include this. I may change my stance on this bill if it is not.

Rep. Ekstrom: What is the estimate of what we would gain from the sale of MRCC?

Rep. Wieland: I believe $7.8 million.

Rep. Wald: Where would I find New England in this amendment?

Rep. Pollert: There was discussion of dropping the funding at $7.9, but you will not see it in any of these amendments because there wasn't enough support to drop the funding.

Rep. Wald: So there's $7.9 million still in the budget?

Rep. Pollert: Yes.

Rep. Glassheim: Re: beds – what does a bed cost under the pod method?

Rep. Wieland: DOC architect to construct the beds alone: 28,000 ft^2 is $4.41 million ($155 per ft^2). Costs are higher for maximum security.

Rep. Gulleson: I will resist the recommendation for a new prison. This has suddenly become a priority and should be near the bottom. (Ref. 36:38)

Rep. Carlisle: The Governor's proposal tearing down the east cell house and remodeling goes to 2014. Now if that's forward planning somebody's going to have to re-explain it to me. That's why we got involved with the new prison.

Rep. Kempenich: The warden didn't agree when they built the last time that they should be doing something different. The core of that system was old when they put those new buildings up twenty years ago. We keep surrounding old stuff with a new system and at some point we need to address this and I'd like to see something that would last a while.

Rep. Wieland: DOCR architect said we are going to rebuild this prison. You can do it now or wait and do it later.

Rep. Metcalf: I'm concerned about the Field Service people – we've dropped three people out of there system. I resist taking these officers out.

Rep. Ekstrom expressed her concern with the cutting of three officers. It is a safety issue.

Rep. Glassheim expressed his amazement that this bill is going forward. You are going to take $43 million from the general fund that you don't need to spend now or for several years. We heard Rep. Weisz say we need money for transportation. We don't have unlimited funds as much as we're doing well. This is $43 million for this purpose, then there's some other purpose you're not using it for. You're getting no net gain. You're emptying buildings that have twenty or thirty years of life left. This is not a high priority. It's not a necessity.

Rep. Skarphol: We spent $31 million patching up this facility over the past years and there comes to be a point when patching no longer pays. Some of us do feel it is necessary for the protection of the guards.

Rep. Kerzman reviewed the ages of the buildings currently on the prison grounds and the people out there are more interested in salaries than a new facility.

Rep. Ekstrom: The $31 million we put into the buildings were for normal maintenance. There's always going to be necessary repairs.

Rep. Pollert: There were discussions in section about lowering some of the salaries. That did not happen.

Rep. Carlson: From a contractor's point of view, I look at what's going to cost more money – tearing down the east cell block and adding something on to old facility – where are we going to be with the taxpayers ten years from now? In my analysis, we're going to spend as much money or more money continually remodeling that facility than we are to redo the concept. Ten years from now, remodeling will cost more money because of the value of the dollar. I'm convinced that when you spend the taxpayer's money, it prudent to look at the big picture over a long period of time and what this Committee came up with is the right decision.

Rep. Kroeber: Re: public policy, all of us are making cuts at agencies at home. Spending $43 million for the same number of prisoners to be housed, I think the public policy will speak well at staying at the executive recommendation.

Rep. Kerzman: I wouldn't call tearing down the east cell block a remodeling project. That will be a new facility.

Rep. Carlson: I would wager that when you bid that out (referring to the $43 million) that number will not be right. They are assuming their number is right and our number is wrong.

Rep. Glassheim: Re: $42 million – worst thing would be torn down, about ¼ of the beds would be completely new, wasn't that the plan by DOCR? It wasn't to rehab the east cell block. It was to tear it down and build a net gain of a couple of hundred beds, built new. (Ref. 53:00)

Rep. Carlson: If we do not do something about getting rid of the two facilities in Bismarck, we're making a mistake. If we build or remodel and still have MRCC it's wrong. If we're going to spend the money and remodel, then let's make sure we can move all those prisoners, get rid of that piece of land and put all that money into the project and move the prisoners to the pen where they belong.

The motion to adopt amendment .0106 to HB 1015 carried by a roll call vote of 15 ayes, 8 nays and 1 absent and not voting and the amendment was adopted.

Rep. Pollert motioned to adopt amendment .0107. Rep. Kempenich seconded the motion.

Rep. Ekstrom: Are these beds for MRCC included in the $85 million? (Ref. 56:25)

Rep. Wieland: They are included.

Rep. Kroeber: If those 100+ beds are included in that, then how many beds are in the new proposed facility?

Rep. Wieland: 960

Rep. Kroeber: How many are there now?

Rep. Wieland: 550, and they are going to be adding 200+, so they'd end up with 794.

Rep. Pollert: Then you add the 150 beds in and you'll get to the 940/950.

Rep. Wald: How is the land zoned?

Rep. Wieland: I believe the intended zoning is residential.

Rep. Ekstrom asked if any land could be used for residential or is it wetlands.

Rep. Pollert: There are 985 acres of land at MRCC. Of that $7.85 million comes from the sale of 785 acres but there are some wetlands and that's not included in the 785 acres.

Rep. Metcalf: Is there a law in place that ensures that when land is sold the money stays in the state coffers?

Rep. Wald: The state of North Dakota sold some land for a fairground and at that time the law said we had to have two appraisals from two registered appraisers and it could not be sold for less than the appraised price.

Rep. Metcalf: I'm concerned with the language concerning the sale of the land.

Rep. Skarphol: Rep. Metcalf may have a legitimate concern and the language may need to be cleaned up.

Rep. Glassheim: Was there any discussion of selling a good deal of the land but leaving the buildings and shrinking down the amount which would make land available for commercial development?

Rep. Pollert: There was discussion in section about selling the land south of the road – 500+ acres. It raised questions as to what it would do to the value of the remaining land.

The motion to adopt .0107 to HB 1015 carried by a roll call vote of 15 ayes, 8 nays and 1 absent and not voting and the amendment was adopted.

Rep. Kerzman distributed and reviewed amendment .0108 **(Ref. 69:47)**.

Rep. Kerzman motioned to adopt amendment .0108. Rep. Ekstrom seconded the motion. The motion failed by a roll call vote of 8 ayes, 15 nays and 1 absent and not voting. The amendment was not adopted.

Rep. Kerzman motioned to request a minority report. Rep. Ekstrom seconded the motion. A roll call vote was taken to determine the names for the minority report.

Rep. Wieland motioned a Do Pass as Amended. Rep. Kempenich seconded the motion. The motion carried by a roll call vote of 15 ayes, 8 nays and 0 absent and not voting. The amendments were adopted. Rep. Wieland was designated to carry the bill.

78015.0102
Title.
Fiscal No. 2

Prepared by the Legislative Council staff for
Representative Pollert
February 6, 2007

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 3, after line 2, insert:

"**SECTION 5. INMATE MEDICAL SYSTEM - BUDGET SECTION APPROVAL.** The department of corrections and rehabilitation shall, during the 2007-08 interim, develop a plan for and implement an inmate medical system. The department shall provide reports to the legislative information technology committee as required by chapters 54-35 and 54-59 of the North Dakota Century Code and information technology department standards. At the completion of the planning phase and prior to the implementation stage, the department shall provide an update to the information technology committee and the budget section in the form of a project startup report identifying benefits to be achieved, estimated costs for implementation, a milestone schedule, and project risks. Budget section approval is required before the department of corrections and rehabilitation proceeds with implementation."

Renumber accordingly

78015.0103
Title.
Fiscal No. 4

Prepared by the Legislative Council staff for
Representative Ekstrom
February 7, 2007

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, remove the second "and"

Page 1, line 4, after "probationers" insert "; and to declare an emergency"

Page 1, line 21, replace "8,877,936" with "9,942,520"

Page 2, line 2, replace "70,648,857" with "71,713,441"

Page 2, line 4, replace "71,560,515" with "72,625,099"

Page 2, line 11, replace "35,953,086" with "37,017,670"

Page 2, line 15, replace "199,549,688" with "200,614,272"

Page 2, line 17, replace "172,696,199" with "173,760,783"

Page 3, after line 2, insert:

"**SECTION 5. EMERGENCY.** The amount of $532,292 in the field services line item in section 3 of this Act available for crime victims compensation is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehabilitation - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Field Services	$35,953,086	$1,064,584	$37,017,670
Prisons Division	140,093,278		140,093,278
Juvenile Community Services	8,895,140		8,895,140
Youth Correctional Center	14,608,184		14,608,184
Total all funds	$199,549,688	$1,064,584	$200,614,272
Less estimated income	26,853,489		26,853,489
General fund	$172,696,199	$1,064,584	$173,760,783
FTE	706.79	0.00	706.79

Dept. 530 - Department of Corrections and Rehabilitation - Detail of House Changes

	ADDS FUNDING FOR CRIME VICTIMS COMPENSATION [1]	TOTAL HOUSE CHANGES
Field Services	$1,064,584	$1,064,584
Prisons Division		
Juvenile Community Services		
Youth Correctional Center		
Total all funds	$1,064,584	$1,064,584
Less estimated income		
General fund	$1,064,584	$1,064,584
FTE	0.00	0.00

1 This amendment adds $1,064,584 for crime victims compensation.

78015.0105
Title.
Fiscal No. 1

Prepared by the Legislative Council staff for
Representative Pollert
February 8, 2007

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 3, after line 2, insert:

"**SECTION 5. PRISON FACILITY ALTERNATIVE - ADDITIONAL FUNDING - APPROPRIATION.** The department of corrections and rehabilitation may seek and accept other funds which are appropriated for the biennium beginning July 1, 2007, and ending June 30, 2009, for the construction of a new prison facility. If the department of corrections and rehabilitation receives sufficient other funds to make construction of a new prison facility feasible at a site in Burleigh County, other than the existing penitentiary site, the sum of $85,000,000, or so much of the sum as may be necessary, included in the prisons division line item in section 3 of this Act for construction of the prison expansion project, may, in the alternative, be used by the department of corrections and rehabilitation for the construction of a new prison facility."

Renumber accordingly

Date: 02/09/07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #1

Action Taken Do Pass

Motion Made By [illegible] Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf		X
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 5 No 3

Absent

Floor Assignment

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

Security lighting

Date: 02/09/07
Roll Call Vote #: 2

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #2

Action Taken

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf		X
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 5 No 3

Absent

Floor Assignment

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

Roof projects

Date: 01/09/07
Roll Call Vote #: 3

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #3

Action Taken

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf		X
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 5 No 3

Absent

Floor Assignment

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

Optometry equip.

Date: 02/09/07
Roll Call Vote #: 4

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #6

Action Taken

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet		X	Rep. Nelson		X
Vice Chairman Bellew		X	Rep. Kerzman	X	
Rep. Wieland		X	Rep. Metcalf	X	
Rep. Kreidt		X	Rep. Ekstrom	X	

Total (Yes) 3 No 5

Absent

Floor Assignment

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

Add 5 Parole officers

Failed

Date: 02/09/07
Roll Call Vote #: 5

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #7

Action Taken Do Pass

Motion Made By _____ Seconded By _____

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf		X
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 5 No 3

Absent _____

Floor Assignment _____

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

Remove 3 P. Officers

Date: 02/09/07
Roll Call Vote #: 6

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Amend amendment #8

Action Taken

Motion Made By Wieland Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf		X
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 5 No 3

Absent

Floor Assignment

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

47,500 Remove

Date: 03/09/07
Roll Call Vote #: 7

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Amendment #8 as amended

Action Taken

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman	X	
Rep. Wieland	X		Rep. Metcalf	X	
Rep. Kreidt	X		Rep. Ekstrom	X	

Total (Yes) 8 No 0

Absent

Floor Assignment

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

Amendment as amended

Date: 02/09/07
Roll Call Vote #: 8

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #9

Action Taken Do Pass

Motion Made By _____ Seconded By _____

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet		X	Rep. Nelson		X
Vice Chairman Bellew		X	Rep. Kerzman	X	
Rep. Wieland	X		Rep. Metcalf	X	
Rep. Kreidt	X		Rep. Ekstrom	X	

Total (Yes) 5 No 3

Absent _____

Floor Assignment _____

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

Passed
Teen Challenge

Date: 02/09/07
Roll Call Vote #: #9

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #10

Action Taken Do Pass

Motion Made By _____ Seconded By _____

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf	X	
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 6 No 2

Absent _____

Floor Assignment _____

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

Replace
Gen. Fund

Date: 02/09/07
Roll Call Vote #: 10

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #12

Action Taken

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew		X	Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf	X	
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 5 No 3

Absent

Floor Assignment

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

Amended to remove Bobcat only.

Date: 02/09/07
Roll Call Vote #: #11

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #15

Action Taken

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf	X	X
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 6 No 2

Absent

Floor Assignment

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

Remove $42 million for expansion.

Date: 02/09/07
Roll Call Vote #: 12

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. _____

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #16

Action Taken _____

Motion Made By Bellew Seconded By _____

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet		X	Rep. Nelson	X	
Vice Chairman Bellew		X	Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf	X	
Rep. Kreidt		X	Rep. Ekstrom	X	

Total (Yes) 4 No 5

Absent _____

Floor Assignment _____

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

Take off 5 million Failed

To $80 million.

Date: 02/09/07
Roll Call Vote #: 13

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. _____

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken #16

Motion Made By _____ Seconded By _____

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf	X	
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 6 No 2

Absent _____

Floor Assignment _____

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

$85 million for new facility on current site.

Date: 02/09/07
Roll Call Vote #: #14

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken #17

Motion Made By _____ Seconded By _____

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf		X
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 5 No 3

Absent _____

Floor Assignment _____

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

Remove funds for 2 chaplains to FTE.

Date: 02/09/07
Roll Call Vote #: 13

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #18

Action Taken

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf	X	
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 6 No 2

Absent

Floor Assignment

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

Repairs

Date: 02/09/07
Roll Call Vote #: 16

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken #19 & #27

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet		X	Rep. Nelson		X
Vice Chairman Bellew		X	Rep. Kerzman	X	
Rep. Wieland		X	Rep. Metcalf	X	
Rep. Kreidt		X	Rep. Ekstrom	X	

Total (Yes) 5 No 3

Absent

Floor Assignment

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

Add equity dollars to salaries

Date: 02/09/07
Roll Call Vote #: 17

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #20

Action Taken

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	Y		Rep. Nelson	Y	
Vice Chairman Bellew		Y	Rep. Kerzman	Y	
Rep. Wieland	Y		Rep. Metcalf	Y	
Rep. Kreidt	Y		Rep. Ekstrom	Y	

Total (Yes) 7 No 1

Absent

Floor Assignment

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

Require facility guaranteed payments

Date: 02/09/07
Roll Call Vote #: 18

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #21 Amended

Action Taken

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf		X
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 5 No 3

Absent

Floor Assignment

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

Amended

$515,855 for Crime Victims Comp.

Date: 02/09/07
Roll Call Vote #: 19

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #25

Action Taken

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson		X
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf		X
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 4 No 4

Absent

Floor Assignment

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

Moving MRCC

Failed

Date: 02/09/07
Roll Call Vote #: 20

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number #26

Action Taken

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson		X
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland		X	Rep. Metcalf		X
Rep. Kreidt		X	Rep. Ekstrom		X

Total (Yes) 2 No 6

Absent

Floor Assignment

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

Selling MRCC land.

Failed

Date: 02/09/07
Roll Call Vote #: 21

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 78015.0105

Action Taken

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson		X
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf	X	
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 5 No 3

Absent

Floor Assignment

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

Seek or accept other funds for new prison.

78015.0106
Title.
Fiscal No. 5

Prepared by the Legislative Council staff for
House Appropriations - Human Resources
February 9, 2007

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, remove the second "and" and after "12-65-08" insert "and subsection 2 of section 12.1-32-07"

Page 1, line 4, after "probationers" insert "and supervision fees; to provide an exemption; to provide legislative intent; to provide for budget section approval; and to declare an emergency"

Page 1, line 21, replace "8,877,936" with "8,138,211"

Page 1, line 22, replace "60,541,564" with "99,780,064"

Page 1, line 24, replace "1,764,875" with "1,712,416"

Page 2, line 2, replace "70,648,857" with "109,095,173"

Page 2, line 3, replace "(911,658)" with "(3,835,654)"

Page 2, line 4, replace "71,560,515" with "112,930,827"

Page 2, line 11, replace "35,953,086" with "35,213,361"

Page 2, line 12, replace "140,093,278" with "179,331,778"

Page 2, line 14, replace "14,608,184" with "14,555,725"

Page 2, line 15, replace "199,549,688" with "237,996,004"

Page 2, line 16, replace "26,853,489" with "23,929,493"

Page 2, line 17, replace "172,696,199" with "214,066,511"

Page 3, after line 2, insert:

"**SECTION 5. 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~~ forty-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.

SECTION 6. NORTH CENTRAL CORRECTIONAL AND REHABILITATION CENTER. The department of corrections and rehabilitation shall distribute in twenty-four equal payments $1,631,044 from the general fund included in the prisons division line item in section 3 of this Act for treatment services at the north central correctional and rehabilitation center for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 7. NEW PRISON FACILITY ON EXISTING SITE. The prisons division line item in section 3 of this Act includes $85,000,000 of one-time funding for construction of a new prison facility on the existing penitentiary site. The facility should be a pod design and include cells for a population of at least nine hundred fifty inmates with as many of these cells as possible being single cells. The facility must include an observation tower, warehouse, armory, administration, facility operations, programs, recreation, and food services. The department shall retain and use existing industries, maintenance, motor pool, and energy plant buildings. The department shall consider using other existing buildings if it is economical, practical, and the buildings are structurally sound.

SECTION 8. PRISON FACILITY ALTERNATIVE - ADDITIONAL FUNDING - APPROPRIATION. The department of corrections and rehabilitation may seek and accept other funds which are appropriated for the biennium beginning July 1, 2007, and ending June 30, 2009, for the construction of a new prison facility. If the department of corrections and rehabilitation receives sufficient other funds to make construction of a new prison facility feasible at a site in Burleigh County, other than the existing penitentiary site, the sum of $85,000,000, or so much of the sum as may be necessary, included in the prisons division line item in section 3 of this Act for construction of the prison expansion project, may, in the alternative, be used by the department of corrections and rehabilitation for the construction of a new prison facility.

SECTION 9. EXEMPTION. The amount appropriated to the department of corrections and rehabilitation in section 5 of 2005 Senate Bill No. 2341 is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for crime victims compensation during the period beginning with passage of this Act and ending June 30, 2009.

SECTION 10. INMATE MEDICAL SYSTEM - BUDGET SECTION APPROVAL. The department of corrections and rehabilitation shall, during the 2007-08 interim, develop a plan for and implement an inmate medical system. The department shall provide reports to the legislative information technology committee as required by chapters 54-35 and 54-59 of the North Dakota Century Code and information technology department standards. At the completion of the planning phase and prior to the implementation stage, the department shall provide an update to the information technology committee and the budget section in the form of a project startup report identifying benefits to be achieved, estimated costs for implementation, a milestone schedule, and project risks. Budget section approval is required before the department of corrections and rehabilitation proceeds with implementation.

SECTION 11. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY. The total general fund appropriation line item in section 3 of this Act includes $88,332,091 for the one-time funding items identified in this section. This amount is not a part of the agency's base budget to be used in preparing the 2009-11 executive budget. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-first legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

Prison expansion project	$85,000,000
Youth correctional center security lighting	70,000
Deferred maintenance	1,498,091
Medical information system, equipment, and radios	1,764,000
Total	$88,332,091

SECTION 12. INTENT - REPORTING LEVELS. The office of management and budget shall change the reporting levels on the budget analysis and reporting system to allow for a separation of food and clothing items for the 2009-11 biennium.

SECTION 13. EMERGENCY. Section 9 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehabilitation - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Field Services	$35,953,086	($739,725)	$35,213,361
Prisons Division	140,093,278	39,238,500	179,331,778
Juvenile Community Services	8,895,140		8,895,140
Youth Correctional Center	14,608,184	(52,459)	14,555,725
Total all funds	$199,549,688	$38,446,316	$237,996,004
Less estimated income	26,853,489	(2,923,996)	23,929,493
General fund	$172,696,199	$41,370,312	$214,066,511
FTE	706.79	(6.50)	700.29

Dept. 530 - Department of Corrections and Rehabilitation - Detail of House Changes

	PRISONS DIVISION CHANGES[1]	YOUTH CORRECTIONAL CENTER CHANGES[2]	FIELD SERVICES CHANGES[3]	TOTAL HOUSE CHANGES
Field Services			($739,725)	($739,725)
Prisons Division	$39,238,500			39,238,500
Juvenile Community Services				
Youth Correctional Center		($52,459)		(52,459)
Total all funds	$39,238,500	($52,459)	($739,725)	$38,446,316
Less estimated income	(3,000,000)		76,004	(2,923,996)
General fund	$42,238,500	($52,459)	($815,729)	$41,370,312
FTE	(2.00)	0.00	(4.50)	(6.50)

[1] Prisons Division changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Remove funds for license plate project			($3,000,000)	($3,000,000)
Remove funds for Bobcat		($30,000)		(30,000)
Remove funds for expansion project		(42,000,000)		(42,000,000)
Add funds for new facility on current site		85,000,000		85,000,000
Remove funds for conversion of 2 chaplains to FTE (net of adding temporary salary)	(2.00)	(64,000)		(64,000)
Remove funds for repairs with priority rating of 26 or higher		(667,500)		(667,500)
Total House changes	(2.00)	$42,238,500	($3,000,000)	$39,238,500

[2] Youth Correctional Center changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds from Field Services		$200,000		$200,000
Remove funding for security lighting project		(100,000)		(100,000)
Remove funding for roof projects (Maple, Hickory)		(127,459)		(127,459)
Remove funds for optometry equipment		(25,000)		(25,000)
Total House changes	0.00	($52,459)	$0	($52,459)

[3] Field Services changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds to Youth Correctional Center		($200,000)		($200,000)
Remove 1.5 FTE from 2005-07 pilot project and civil supervision	(1.50)		($168,778)	(168,778)
Remove 3 FTE parole officers, including operating expenses	(3.00)	(423,447)		(423,447)
Reduce operating (special other line item)		(47,500)		(47,500)
Add funds for additional faith-based programming		100,000		100,000
Replace general fund support for Field Services with increased supervision fee revenue		(244,782)	244,782	0
Total House changes	(4.50)	($815,729)	$76,004	($739,725)

This amendment also adds the following sections:

Section 5 amends North Dakota Century Code (NDCC) Section 12.1-32-07 to change the supervision fees from $40 to $45.

Section 6 requires the department to pay the North Central Correctional and Rehabilitation Center in 24 equal payments.

Section 7 authorizes a new prison facility on the existing site and provides $85,000,000 for the project.

Section 8 provides for an alternative site for the new facility if an additional funding source is found.

Section 9 provides for an exemption from NDCC Section 54-44.1-11 to allow for the carryover of unused pilot project funds to be used for crime victim compensation.

Section 10 requires the department to seek Budget Section approval before proceeding with implementation of the inmate medical system.

Section 11 identifies one-time funding included in the Act.

Section 12 provides intent for the Office of Management and Budget to change reporting levels in the budget analysis and reporting system to separate food and clothing costs.

Section 13 declares an emergency for Section 9 of this Act.

Date: 02-12
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 78015.0106

Action Taken Do Pass

Motion Made By Rep Nelson Seconded By Rep Bellew

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf		X
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 5 No 3

Absent

Floor Assignment

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

Date: 02-12
Roll Call Vote #: 2

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House **HUMAN RESOURCES DIVISION** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass as amended.

Motion Made By Rep. Nelson Seconded By Rep Wieland

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		X
Rep. Wieland	X		Rep. Metcalf	X	
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 6 No 2

Absent

Floor Assignment Rep. Wieland

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

Date: 2/13/07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House Appropriations Full Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 78015.0106

Action Taken Adopt Amendment .0106

Motion Made By Rep. Wieland Seconded By Rep Kreidt

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan	✓				
Vice Chairman Kempenich	✓				
Representative Wald	✓		Representative Aarsvold		✓
Representative Monson	✓		Representative Gulleson		✓
Representative Hawken	✓				
Representative Klein	✓				
Representative Martinson	✓				
Representative Carlson	✓		Representative Glassheim		✓
Representative Carlisle	✓		Representative Kroeber		✓
Representative Skarphol	✓		Representative Williams		✓
Representative Thoreson	✓				
Representative Pollert	✓		Representative Ekstrom		✓
Representative Bellew	—		Representative Kerzman		✓
Representative Kreidt	✓		Representative Metcalf		✓
Representative Nelson	✓				
Representative Wieland	✓				

Total (Yes) 15 No 8

Absent 1

Floor Assignment

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

78015.0107
Title.

Prepared by the Legislative Council staff for
Representative Pollert
February 12, 2007

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 5, after line 2, insert:

"**SECTION 5. RELOCATION OF MISSOURI RIVER CORRECTIONAL CENTER - SALE OF LAND.** The department of corrections and rehabilitation shall move the Missouri River correctional center to the location of the state penitentiary after the completion of any penitentiary expansion or construction projects authorized by this Act. The department shall sell the land and buildings at the Missouri River correctional center site after the correctional center has been moved to the penitentiary site."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment requires the Department of Corrections and Rehabilitation to move the Missouri River Correctional Center to the State Penitentiary site after completion of any expansion or construction project and to sell the existing Missouri River Correctional Center land and buildings after it has been moved.

Date: Feb. 13
Roll Call Vote #: 2

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1015

House Appropriations Full Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 78015.0107

Action Taken Adopt 0107 to HB 1015

Motion Made By Pollert Seconded By Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan	✓				
Vice Chairman Kempenich	✓				
Representative Wald	✓		Representative Aarsvold		✓
Representative Monson	✓		Representative Gulleson		✓
Representative Hawken	✓				
Representative Klein	✓				
Representative Martinson	✓				
Representative Carlson	✓		Representative Glassheim		✓
Representative Carlisle	✓		Representative Kroeber		✓
Representative Skarphol	✓		Representative Williams		✓
Representative Thoreson	✓				
Representative Pollert	✓		Representative Ekstrom		✓
Representative Bellew	✓		Representative Kerzman		✓
Representative Kreidt	✓		Representative Metcalf		✓
Representative Nelson	✓				
Representative Wieland	✓				

Total (Yes) 15 No 8

Absent ~~1~~

Floor Assignment

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

78015.0108
Title.
Fiscal No. 5

Prepared by the Legislative Council staff for
House Appropriations - Minority Report
February 13, 2007

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, remove the second "and" and after "12-65-08" insert "and subsection 2 of section 12.1-32-07"

Page 1, line 4, after "probationers" insert "and supervision fees; to provide an exemption; to provide legislative intent; to provide for budget section approval; and to declare an emergency"

Page 1, line 21, replace "8,877,936" with "8,138,211"

Page 1, line 22, replace "60,541,564" with "56,780,064"

Page 1, line 24, replace "1,764,875" with "1,712,416"

Page 2, line 2, replace "70,648,857" with "66,095,173"

Page 2, line 3, replace "(911,658)" with "(3,835,654)"

Page 2, line 4, replace "71,560,515" with "69,930,827"

Page 2, line 11, replace "35,953,086" with "35,213,361"

Page 2, line 12, replace "140,093,278" with "136,331,778"

Page 2, line 14, replace "14,608,184" with "14,555,725"

Page 2, line 15, replace "199,549,688" with "194,996,004"

Page 2, line 16, replace "26,853,489" with "23,929,493"

Page 2, line 17, replace "172,696,199" with "171,066,511"

Page 3, after line 2, insert:

"**SECTION 5. 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~~ forty-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.

SECTION 6. NORTH CENTRAL CORRECTIONAL AND REHABILITATION CENTER. The department of corrections and rehabilitation shall distribute in twenty-four equal payments $1,631,044 from the general fund included in the prisons division line item in section 3 of this Act for treatment services at the north central correctional and rehabilitation center for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 7. EXEMPTION. The amount appropriated to the department of corrections and rehabilitation in section 5 of 2005 Senate Bill No. 2341 is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for crime victims compensation during the period beginning with passage of this Act and ending June 30, 2009.

SECTION 8. INMATE MEDICAL SYSTEM - BUDGET SECTION APPROVAL. The department of corrections and rehabilitation shall, during the 2007-08 interim, develop a plan for and implement an inmate medical system. The department shall provide reports to the legislative information technology committee as required by chapters 54-35 and 54-59 of the North Dakota Century Code and information technology department standards. At the completion of the planning phase and prior to the implementation stage, the department shall provide an update to the information technology committee and the budget section in the form of a project startup report identifying benefits to be achieved, estimated costs for implementation, a milestone schedule, and project risks. Budget section approval is required before the department of corrections and rehabilitation proceeds with implementation.

SECTION 9. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY. The total general fund appropriation line item in section 3 of this Act includes $45,332,091 for the one-time funding items identified in this section. This amount is not a part of the agency's base budget to be used in preparing the 2009-11 executive budget. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-first legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

Prison expansion project	$42,000,000
Youth correctional center security lighting	70,000
Deferred maintenance	1,498,091
Medical information system, equipment, and radios	1,764,000
Total	$45,332,091

SECTION 10. INTENT - REPORTING LEVELS. The office of management and budget shall change the reporting levels on the budget analysis and reporting system to allow for a separation of food and clothing items for the 2009-11 biennium.

SECTION 11. EMERGENCY. Section 7 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehabilitation - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Field Services	$35,953,086	($739,725)	$35,213,361
Prisons Division	140,093,278	(3,761,500)	136,331,778

Juvenile Community Services	8,895,140		8,895,140
Youth Correctional Center	14,608,184	(52,459)	14,555,725
Total all funds	$199,549,688	($4,553,684)	$194,996,004
Less estimated income	26,853,489	(2,923,996)	23,929,493
General fund	$172,696,199	($1,629,688)	$171,066,511
FTE	706.79	(6.50)	700.29

Dept. 530 - Department of Corrections and Rehabilitation - Detail of House Changes

	PRISONS DIVISION CHANGES[1]	YOUTH CORRECTIONAL CENTER CHANGES[2]	FIELD SERVICES CHANGES[3]	TOTAL HOUSE CHANGES
Field Services			($739,725)	($739,725)
Prisons Division	($3,761,500)			(3,761,500)
Juvenile Community Services				
Youth Correctional Center		($52,459)		(52,459)
Total all funds	($3,761,500)	($52,459)	($739,725)	($4,553,684)
Less estimated income	(3,000,000)		76,004	(2,923,996)
General fund	($761,500)	($52,459)	($815,729)	($1,629,688)
FTE	(2.00)	0.00	(4.50)	(6.50)

[1] Prisons Division changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Remove funds for license plate project			($3,000,000)	($3,000,000)
Remove funds for Bobcat		($30,000)		(30,000)
Remove funds for conversion of 2 chaplains to FTE (net of adding temporary salary)	(2.00)	(64,000)		(64,000)
Remove funds for repairs with priority rating of 26 or higher		(667,500)		(667,500)
Total House changes	(2.00)	($761,500)	($3,000,000)	($3,761,500)

[2] Youth Correctional Center changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds from Field Services		$200,000		$200,000
Remove funding for security lighting project		(100,000)		(100,000)
Remove funding for roof projects (Maple, Hickory)		(127,459)		(127,459)
Remove funds for optometry equipment		(25,000)		(25,000)
Total House changes	0.00	($52,459)	$0	($52,459)

[3] Field Services changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds to Youth Correctional Center		($200,000)		($200,000)
Remove 1.5 FTE from 2005-07 pilot project and civil supervision	(1.50)		($168,778)	(168,778)
Remove 3 FTE parole officers, including operating expenses	(3.00)	(423,447)		(423,447)
Reduce operating (special other line item)		(47,500)		(47,500)
Add funds for additional faith-based programming		100,000		100,000
Replace general fund support for Field Services with increased supervision fee revenue		(244,782)	244,782	0
Total House changes	(4.50)	($815,729)	$76,004	($739,725)

This amendment also adds the following sections:

Section 5 amends North Dakota Century Code (NDCC) Section 12.1-32-07 to change the supervision fees from $40 to $45.

Section 6 requires the department to pay the North Central Correctional and Rehabilitation Center in 24 equal payments.

Section 7 provides for an exemption from NDCC Section 54-44.1-11 to allow for the carryover of unused pilot project funds to be used for crime victim compensation.

Section 8 requires the department to seek Budget Section approval before proceeding with implementation of the inmate medical system.

Section 9 identifies one-time funding included in the Act.

Section 10 provides intent for the Office of Management and Budget to change reporting levels in the budget analysis and reporting system to separate food and clothing costs.

Section 11 declares an emergency for Section 7 of this Act.

Date: 2/13/07
Roll Call Vote #: 3

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House Appropriations Full Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 78015.0108

Action Taken Adopt amendment .0108

Motion Made By Kempe Seconded By Ekstrom

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan		✓			
Vice Chairman Kempenich		✓			
Representative Wald		✓	Representative Aarsvold	✓	
Representative Monson		✓	Representative Gulleson	✓	
Representative Hawken		✓			
Representative Klein		✓			
Representative Martinson		✓			
Representative Carlson		✓	Representative Glassheim	✓	
Representative Carlisle		✓	Representative Kroeber	✓	
Representative Skarphol		✓	Representative Williams	✓	
Representative Thoreson		✓			
Representative Pollert		✓	Representative Ekstrom	✓	
Representative Bellew	—		Representative Kerzman	✓	
Representative Kreidt		✓	Representative Metcalf	✓	
Representative Nelson		✓			
Representative Wieland		✓			

Total (Yes) 8 No 15

Absent 1

Floor Assignment

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

motion fails

Date: 2/13/07
Roll Call Vote #: 4

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House Appropriations Full Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Minority report - Amendment 0108

Motion Made By Kempman Seconded By Ekstrom

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan		✓			
Vice Chairman Kempenich		✓			
Representative Wald		✓	Representative Aarsvold	✓	
Representative Monson		✓	Representative Gulleson	✓	
Representative Hawken		✓			
Representative Klein		✓			
Representative Martinson		✓			
Representative Carlson		✓	Representative Glassheim	✓	
Representative Carlisle		✓	Representative Kroeber	✓	
Representative Skarphol		✓	Representative Williams	✓	
Representative Thoreson		✓			
Representative Pollert		✓	Representative Ekstrom	✓	
Representative Bellew	—	—	Representative Kerzman	✓	
Representative Kreidt		✓	Representative Metcalf		✓
Representative Nelson		✓			
Representative Wieland		✓			

Total (Yes) 7 No 16

Absent 1

Floor Assignment Kempman

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

78015.0109
Title.
Fiscal No. 5

comb of .0106 and .0107

Prepared by the Legislative Council staff for
House Appropriations - Human Resources
February 13, 2007

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, remove the second "and" and after "12-65-08" insert "and subsection 2 of section 12.1-32-07"

Page 1, line 4, after "probationers" insert "and supervision fees; to provide an exemption; to provide legislative intent; to provide for budget section approval; and to declare an emergency"

Page 1, line 21, replace "8,877,936" with "8,138,211"

Page 1, line 22, replace "60,541,564" with "99,780,064"

Page 1, line 24, replace "1,764,875" with "1,712,416"

Page 2, line 2, replace "70,648,857" with "109,095,173"

Page 2, line 3, replace "(911,658)" with "(3,835,654)"

Page 2, line 4, replace "71,560,515" with "112,930,827"

Page 2, line 11, replace "35,953,086" with "35,213,361"

Page 2, line 12, replace "140,093,278" with "179,331,778"

Page 2, line 14, replace "14,608,184" with "14,555,725"

Page 2, line 15, replace "199,549,688" with "237,996,004"

Page 2, line 16, replace "26,853,489" with "23,929,493"

Page 2, line 17, replace "172,696,199" with "214,066,511"

Page 3, after line 2, insert:

"**SECTION 5. 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~~ forty-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.

SECTION 6. NORTH CENTRAL CORRECTIONAL AND REHABILITATION CENTER. The department of corrections and rehabilitation shall distribute in twenty-four equal payments $1,631,044 from the general fund included in the prisons division line item in section 3 of this Act for treatment services at the north central correctional and rehabilitation center for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 7. NEW PRISON FACILITY ON EXISTING SITE. The prisons division line item in section 3 of this Act includes $85,000,000 of one-time funding for construction of a new prison facility on the existing penitentiary site. The facility should be a pod design and include cells for a population of at least nine hundred fifty inmates with as many of these cells as possible being single cells. The facility must include an observation tower, warehouse, armory, administration, facility operations, programs, recreation, and food services. The department shall retain and use existing industries, maintenance, motor pool, and energy plant buildings. The department shall consider using other existing buildings if it is economical, practical, and the buildings are structurally sound.

SECTION 8. RELOCATION OF MISSOURI RIVER CORRECTIONAL CENTER - SALE OF LAND. The department of corrections and rehabilitation shall move the Missouri River correctional center to the location of the state penitentiary after the completion of any penitentiary expansion or construction projects authorized by this Act. The department shall sell the land and buildings at the Missouri River correctional center site after the correctional center has been moved to the penitentiary site.

SECTION 9. PRISON FACILITY ALTERNATIVE - ADDITIONAL FUNDING - APPROPRIATION. The department of corrections and rehabilitation may seek and accept other funds which are appropriated for the biennium beginning July 1, 2007, and ending June 30, 2009, for the construction of a new prison facility. If the department of corrections and rehabilitation receives sufficient other funds to make construction of a new prison facility feasible at a site in Burleigh County, other than the existing penitentiary site, the sum of $85,000,000, or so much of the sum as may be necessary, included in the prisons division line item in section 3 of this Act for construction of the prison expansion project, may, in the alternative, be used by the department of corrections and rehabilitation for the construction of a new prison facility.

SECTION 10. EXEMPTION. The amount appropriated to the department of corrections and rehabilitation in section 5 of 2005 Senate Bill No. 2341 is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for crime victims compensation during the period beginning with passage of this Act and ending June 30, 2009.

SECTION 11. INMATE MEDICAL SYSTEM - BUDGET SECTION APPROVAL. The department of corrections and rehabilitation shall, during the 2007-08 interim, develop a plan for and implement an inmate medical system. The department shall provide reports to the legislative information technology committee as required by chapters 54-35 and 54-59 of the North Dakota Century Code and information technology department standards. At the completion of the planning phase and prior to the implementation stage, the department shall provide an update to the information technology committee and the budget section in the form of a project startup report identifying benefits to be achieved, estimated costs for implementation, a milestone schedule, and project risks. Budget section approval is required before the department of corrections and rehabilitation proceeds with implementation.

SECTION 12. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY. The total general fund appropriation

line item in section 3 of this Act includes $88,332,091 for the one-time funding items identified in this section. This amount is not a part of the agency's base budget to be used in preparing the 2009-11 executive budget. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-first legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

Prison expansion project	$85,000,000
Youth correctional center security lighting	70,000
Deferred maintenance	1,498,091
Medical information system, equipment, and radios	1,764,000
Total	$88,332,091

SECTION 13. INTENT - REPORTING LEVELS. The office of management and budget shall change the reporting levels on the budget analysis and reporting system to allow for a separation of food and clothing items for the 2009-11 biennium.

SECTION 14. EMERGENCY. Section 10 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehabilitation - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Field Services	$35,953,086	($739,725)	$35,213,361
Prisons Division	140,093,278	39,238,500	179,331,778
Juvenile Community Services	8,895,140		8,895,140
Youth Correctional Center	14,608,184	(52,459)	14,555,725
Total all funds	$199,549,688	$38,446,316	$237,996,004
Less estimated income	26,853,489	(2,923,996)	23,929,493
General fund	$172,696,199	$41,370,312	$214,066,511
FTE	706.79	(6.50)	700.29

Dept. 530 - Department of Corrections and Rehabilitation - Detail of House Changes

	PRISONS DIVISION CHANGES[1]	YOUTH CORRECTIONAL CENTER CHANGES[2]	FIELD SERVICES CHANGES[3]	TOTAL HOUSE CHANGES
Field Services			($739,725)	($739,725)
Prisons Division	$39,238,500			39,238,500
Juvenile Community Services				
Youth Correctional Center		($52,459)		(52,459)
Total all funds	$39,238,500	($52,459)	($739,725)	$38,446,316
Less estimated income	(3,000,000)		76,004	(2,923,996)
General fund	$42,238,500	($52,459)	($815,729)	$41,370,312
FTE	(2.00)	0.00	(4.50)	(6.50)

[1] Prisons Division changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Remove funds for license plate project			($3,000,000)	($3,000,000)
Remove funds for Bobcat		($30,000)		(30,000)
Remove funds for expansion project		(42,000,000)		(42,000,000)
Add funds for new facility on current site		85,000,000		85,000,000
Remove funds for conversion of 2 chaplains to FTE (net of adding temporary salary)	(2.00)	(64,000)		(64,000)
Remove funds for repairs with priority rating of 26 or higher		(667,500)		(667,500)
Total House changes	(2.00)	$42,238,500	($3,000,000)	$39,238,500

[2] Youth Correctional Center changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds from Field Services		$200,000		$200,000
Remove funding for security lighting project		(100,000)		(100,000)
Remove funding for roof projects (Maple, Hickory)		(127,459)		(127,459)
Remove funds for optometry equipment		(25,000)		(25,000)
Total House changes	0.00	($52,459)	$0	($52,459)

[3] Field Services changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds to Youth Correctional Center		($200,000)		($200,000)
Remove 1.5 FTE from 2005-07 pilot project and civil supervision	(1.50)		($168,778)	(168,778)
Remove 3 FTE parole officers, including operating expenses	(3.00)	(423,447)		(423,447)
Reduce operating (special other line item)		(47,500)		(47,500)
Add funds for additional faith-based programming		100,000		100,000
Replace general fund support for Field Services with increased supervision fee revenue		(244,782)	244,782	0
Total House changes	(4.50)	($815,729)	$76,004	($739,725)

This amendment also adds the following sections:

Section 5 amends North Dakota Century Code (NDCC) Section 12.1-32-07 to change the supervision fees from $40 to $45.

Section 6 requires the department to pay the North Central Correctional and Rehabilitation Center in 24 equal payments.

Section 7 authorizes a new prison facility on the existing site and provides $85,000,000 for the project.

Section 8 requires the department to move the Missouri River Correctional Center to the State Penitentiary site and sell the existing Missouri River Correctional Center land and buildings.

Section 9 provides for an alternative site for the new facility if an additional funding source is found.

Section 10 provides for an exemption from NDCC Section 54-44.1-11 to allow for the carryover of unused pilot project funds to be used for crime victim compensation.

Section 11 requires the department to seek Budget Section approval before proceeding with implementation of the inmate medical system.

Section 12 identifies one-time funding included in the Act.

Section 13 provides intent for the Office of Management and Budget to change reporting levels in the budget analysis and reporting system to separate food and clothing costs.

Section 14 declares an emergency for Section 10 of this Act.

Date: 2/13/07
Roll Call Vote #: 5

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. ~~HB~~ 1015

House Appropriations Full Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DP as amended by 0106 + 0107

Motion Made By Wieland Seconded By Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan	✓				
Vice Chairman Kempenich	✓				
Representative Wald	✓		Representative Aarsvold		✓
Representative Monson	✓		Representative Gulleson		✓
Representative Hawken	✓				
Representative Klein	✓				
Representative Martinson	✓				
Representative Carlson	✓		Representative Glassheim		✓
Representative Carlisle	✓		Representative Kroeber		✓
Representative Skarphol	✓		Representative Williams		✓
Representative Thoreson	✓				
Representative Pollert	✓		Representative Ekstrom		✓
Representative Bellew	—		Representative Kerzman		✓
Representative Kreidt	✓		Representative Metcalf		✓
Representative Nelson	✓				
Representative Wieland	✓				

Total (Yes) 15 No 8

Absent 1

Floor Assignment Wieland

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

REPORT OF STANDING COMMITTEE (MAJORITY)

HB 1015: Appropriations (Rep. K. Svedjan, Chairman) A **MAJORITY** of your committee (Reps. Svedjan, Wieland, Kempenich, Wald, Monson, Hawken, Klein, Martinson, Carlson, Carlisle, Skarphol, Thoreson, Pollert, Kreidt, Nelson) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS.**

Page 1, line 2, remove the second "and" and after "12-65-08" insert "and subsection 2 of section 12.1-32-07"

Page 1, line 4, after "probationers" insert "and supervision fees; to provide an exemption; to provide legislative intent; to provide for budget section approval; and to declare an emergency"

Page 1, line 21, replace "8,877,936" with "8,138,211"

Page 1, line 22, replace "60,541,564" with "99,780,064"

Page 1, line 24, replace "1,764,875" with "1,712,416"

Page 2, line 2, replace "70,648,857" with "109,095,173"

Page 2, line 3, replace "(911,658)" with "(3,835,654)"

Page 2, line 4, replace "71,560,515" with "112,930,827"

Page 2, line 11, replace "35,953,086" with "35,213,361"

Page 2, line 12, replace "140,093,278" with "179,331,778"

Page 2, line 14, replace "14,608,184" with "14,555,725"

Page 2, line 15, replace "199,549,688" with "237,996,004"

Page 2, line 16, replace "26,853,489" with "23,929,493"

Page 2, line 17, replace "172,696,199" with "214,066,511"

Page 3, after line 2, insert:

"**SECTION 5. 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~~ forty-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.

SECTION 6. NORTH CENTRAL CORRECTIONAL AND REHABILITATION CENTER. The department of corrections and rehabilitation shall distribute in twenty-four equal payments $1,631,044 from the general fund included in the prisons division line item in section 3 of this Act for treatment services at the north central correctional and rehabilitation center for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 7. NEW PRISON FACILITY ON EXISTING SITE. The prisons division line item in section 3 of this Act includes $85,000,000 of one-time funding for construction of a new prison facility on the existing penitentiary site. The facility should be a pod design and include cells for a population of at least nine hundred fifty inmates with as many of these cells as possible being single cells. The facility must include an observation tower, warehouse, armory, administration, facility operations, programs, recreation, and food services. The department shall retain and use existing industries, maintenance, motor pool, and energy plant buildings. The department shall consider using other existing buildings if it is economical, practical, and the buildings are structurally sound.

SECTION 8. RELOCATION OF MISSOURI RIVER CORRECTIONAL CENTER - SALE OF LAND. The department of corrections and rehabilitation shall move the Missouri River correctional center to the location of the state penitentiary after the completion of any penitentiary expansion or construction projects authorized by this Act. The department shall sell the land and buildings at the Missouri River correctional center site after the correctional center has been moved to the penitentiary site.

SECTION 9. PRISON FACILITY ALTERNATIVE - ADDITIONAL FUNDING - APPROPRIATION. The department of corrections and rehabilitation may seek and accept other funds which are appropriated for the biennium beginning July 1, 2007, and ending June 30, 2009, for the construction of a new prison facility. If the department of corrections and rehabilitation receives sufficient other funds to make construction of a new prison facility feasible at a site in Burleigh County, other than the existing penitentiary site, the sum of $85,000,000, or so much of the sum as may be necessary, included in the prisons division line item in section 3 of this Act for construction of the prison expansion project, may, in the alternative, be used by the department of corrections and rehabilitation for the construction of a new prison facility.

SECTION 10. EXEMPTION. The amount appropriated to the department of corrections and rehabilitation in section 5 of 2005 Senate Bill No. 2341 is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for crime victims compensation during the period beginning with passage of this Act and ending June 30, 2009.

SECTION 11. INMATE MEDICAL SYSTEM - BUDGET SECTION APPROVAL. The department of corrections and rehabilitation shall, during the 2007-08 interim, develop a plan for and implement an inmate medical system. The department shall provide reports to the legislative information technology committee as required by chapters 54-35 and 54-59 of the North Dakota Century Code and information technology department standards. At the completion of the planning phase and prior to the implementation stage, the department shall provide an update to the information technology committee and the budget section in the form of a project startup report identifying benefits to be achieved, estimated costs for implementation, a milestone schedule, and project risks. Budget section approval is required before the department of corrections and rehabilitation proceeds with implementation.

SECTION 12. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY. The total general fund appropriation line item in section 3 of this Act includes $88,332,091 for the one-time funding items identified in this section. This amount is not a part of the agency's base budget to be used in preparing the 2009-11 executive budget. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-first legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

Prison expansion project	$85,000,000
Youth correctional center security lighting	70,000
Deferred maintenance	1,498,091
Medical information system, equipment, and radios	1,764,000
Total	$88,332,091

SECTION 13. INTENT - REPORTING LEVELS. The office of management and budget shall change the reporting levels on the budget analysis and reporting system to allow for a separation of food and clothing items for the 2009-11 biennium.

SECTION 14. EMERGENCY. Section 10 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehabilitation - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Field Services	$35,953,086	($739,725)	$35,213,361
Prisons Division	140,093,278	39,238,500	179,331,778
Juvenile Community Services	8,895,140		8,895,140
Youth Correctional Center	14,608,184	(52,459)	14,555,725
Total all funds	$199,549,688	$38,446,316	$237,996,004
Less estimated income	26,853,489	(2,923,996)	23,929,493
General fund	$172,696,199	$41,370,312	$214,066,511
FTE	706.79	(6.50)	700.29

Dept. 530 - Department of Corrections and Rehabilitation - Detail of House Changes

	PRISONS DIVISION CHANGES[1]	YOUTH CORRECTIONAL CENTER CHANGES[2]	FIELD SERVICES CHANGES[3]	TOTAL HOUSE CHANGES
Field Services			($739,725)	($739,725)
Prisons Division	$39,238,500			39,238,500
Juvenile Community Services				
Youth Correctional Center		($52,459)		(52,459)
Total all funds	$39,238,500	($52,459)	($739,725)	$38,446,316
Less estimated income	(3,000,000)		76,004	(2,923,996)
General fund	$42,238,500	($52,459)	($815,729)	$41,370,312
FTE	(2.00)	0.00	(4.50)	(6.50)

[1] Prisons Division changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Remove funds for license plate project			($3,000,000)	($3,000,000)
Remove funds for Bobcat		($30,000)		(30,000)
Remove funds for expansion project		(42,000,000)		(42,000,000)
Add funds for new facility on current site		85,000,000		85,000,000
Remove funds for conversion of 2 chaplains to FTE (net of adding temporary salary)	(2.00)	(64,000)		(64,000)
Remove funds for repairs with priority rating of 26 or higher		(667,500)		(667,500)
Total House changes	(2.00)	$42,238,500	($3,000,000)	$39,238,500

2 Youth Correctional Center changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds from Field Services		$200,000		$200,000
Remove funding for security lighting project		(100,000)		(100,000)
Remove funding for roof projects (Maple, Hickory)		(127,459)		(127,459)
Remove funds for optometry equipment		(25,000)		(25,000)
Total House changes	0.00	($52,459)	$0	($52,459)

3 Field Services changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds to Youth Correctional Center		($200,000)		($200,000)
Remove 1.5 FTE from 2005-07 pilot project and civil supervision	(1.50)		($168,778)	(168,778)
Remove 3 FTE parole officers, including operating expenses	(3.00)	(423,447)		(423,447)
Reduce operating (special other line item)		(47,500)		(47,500)
Add funds for additional faith-based programming		100,000		100,000
Replace general fund support for Field Services with increased supervision fee revenue		(244,782)	244,782	0
Total House changes	(4.50)	($815,729)	$76,004	($739,725)

This amendment also adds the following sections:

Section 5 amends North Dakota Century Code (NDCC) Section 12.1-32-07 to change the supervision fees from $40 to $45.

Section 6 requires the department to pay the North Central Correctional and Rehabilitation Center in 24 equal payments.

Section 7 authorizes a new prison facility on the existing site and provides $85,000,000 for the project.

Section 8 requires the department to move the Missouri River Correctional Center to the State Penitentiary site and sell the existing Missouri River Correctional Center land and buildings.

Section 9 provides for an alternative site for the new facility if an additional funding source is found.

Section 10 provides for an exemption from NDCC Section 54-44.1-11 to allow for the carryover of unused pilot project funds to be used for crime victim compensation.

Section 11 requires the department to seek Budget Section approval before proceeding with implementation of the inmate medical system.

Section 12 identifies one-time funding included in the Act.

Section 13 provides intent for the Office of Management and Budget to change reporting levels in the budget analysis and reporting system to separate food and clothing costs.

Section 14 declares an emergency for Section 10 of this Act.

REPORT OF STANDING COMMITTEE-DIVIDED (430)
February 15, 2007 12:51 p.m.

Module No: HR-30-3458
Carrier: Kerzman
Insert LC: 78015.0108 Title: .0300

REPORT OF STANDING COMMITTEE (MINORITY)

HB 1015: Appropriations (Rep. K. Svedjan, Chairman) A **MINORITY** of your committee (Reps. Kerzman, Aarsvold, Gulleson, Glassheim, Kroeber, Williams, Ekstrom) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS.**

Page 1, line 2, remove the second "and" and after "12-65-08" insert "and subsection 2 of section 12.1-32-07"

Page 1, line 4, after "probationers" insert "and supervision fees; to provide an exemption; to provide legislative intent; to provide for budget section approval; and to declare an emergency"

Page 1, line 21, replace "8,877,936" with "8,138,211"

Page 1, line 22, replace "60,541,564" with "56,780,064"

Page 1, line 24, replace "1,764,875" with "1,712,416"

Page 2, line 2, replace "70,648,857" with "66,095,173"

Page 2, line 3, replace "(911,658)" with "(3,835,654)"

Page 2, line 4, replace "71,560,515" with "69,930,827"

Page 2, line 11, replace "35,953,086" with "35,213,361"

Page 2, line 12, replace "140,093,278" with "136,331,778"

Page 2, line 14, replace "14,608,184" with "14,555,725"

Page 2, line 15, replace "199,549,688" with "194,996,004"

Page 2, line 16, replace "26,853,489" with "23,929,493"

Page 2, line 17, replace "172,696,199" with "171,066,511"

Page 3, after line 2, insert:

"**SECTION 5. 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~~ forty-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.

SECTION 6. NORTH CENTRAL CORRECTIONAL AND REHABILITATION CENTER. The department of corrections and rehabilitation shall distribute in twenty-four equal payments $1,631,044 from the general fund included in the prisons division line item in section 3 of this Act for treatment services at the north central correctional and rehabilitation center for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 7. EXEMPTION. The amount appropriated to the department of corrections and rehabilitation in section 5 of 2005 Senate Bill No. 2341 is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for crime victims compensation during the period beginning with passage of this Act and ending June 30, 2009.

SECTION 8. INMATE MEDICAL SYSTEM - BUDGET SECTION APPROVAL. The department of corrections and rehabilitation shall, during the 2007-08 interim, develop a plan for and implement an inmate medical system. The department shall provide reports to the legislative information technology committee as required by chapters 54-35 and 54-59 of the North Dakota Century Code and information technology department standards. At the completion of the planning phase and prior to the implementation stage, the department shall provide an update to the information technology committee and the budget section in the form of a project startup report identifying benefits to be achieved, estimated costs for implementation, a milestone schedule, and project risks. Budget section approval is required before the department of corrections and rehabilitation proceeds with implementation.

SECTION 9. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY. The total general fund appropriation line item in section 3 of this Act includes $45,332,091 for the one-time funding items identified in this section. This amount is not a part of the agency's base budget to be used in preparing the 2009-11 executive budget. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-first legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

Prison expansion project	$42,000,000
Youth correctional center security lighting	70,000
Deferred maintenance	1,498,091
Medical information system, equipment, and radios	1,764,000
Total	$45,332,091

SECTION 10. INTENT - REPORTING LEVELS. The office of management and budget shall change the reporting levels on the budget analysis and reporting system to allow for a separation of food and clothing items for the 2009-11 biennium.

SECTION 11. EMERGENCY. Section 7 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehabilitation - House Action

EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION

Field Services	$35,953,086	($739,725)	$35,213,361
Prisons Division	140,093,278	(3,761,500)	136,331,778
Juvenile Community Services	8,895,140		8,895,140
Youth Correctional Center	14,608,184	(52,459)	14,555,725
Total all funds	$199,549,688	($4,553,684)	$194,996,004
Less estimated income	26,853,489	(2,923,996)	23,929,493
General fund	$172,696,199	($1,629,688)	$171,066,511
FTE	706.79	(6.50)	700.29

Dept. 530 - Department of Corrections and Rehabilitation - Detail of House Changes

	PRISONS DIVISION CHANGES[1]	YOUTH CORRECTIONAL CENTER CHANGES[2]	FIELD SERVICES CHANGES[3]	TOTAL HOUSE CHANGES
Field Services			($739,725)	($739,725)
Prisons Division	($3,761,500)			(3,761,500)
Juvenile Community Services				
Youth Correctional Center		($52,459)		(52,459)
Total all funds	($3,761,500)	($52,459)	($739,725)	($4,553,684)
Less estimated income	(3,000,000)		76,004	(2,923,996)
General fund	($761,500)	($52,459)	($815,729)	($1,629,688)
FTE	(2.00)	0.00	(4.50)	(6.50)

[1] Prisons Division changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Remove funds for license plate project			($3,000,000)	($3,000,000)
Remove funds for Bobcat		($30,000)		(30,000)
Remove funds for conversion of 2 chaplains to FTE (net of adding temporary salary)	(2.00)	(64,000)		(64,000)
Remove funds for repairs with priority rating of 26 or higher		(667,500)		(667,500)
Total House changes	(2.00)	($761,500)	($3,000,000)	($3,761,500)

[2] Youth Correctional Center changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds from Field Services		$200,000		$200,000
Remove funding for security lighting project		(100,000)		(100,000)
Remove funding for roof projects (Maple, Hickory)		(127,459)		(127,459)
Remove funds for optometry equipment		(25,000)		(25,000)
Total House changes	0.00	($52,459)	$0	($52,459)

[3] Field Services changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
Transfer funds to Youth Correctional Center		($200,000)		($200,000)
Remove 1.5 FTE from 2005-07 pilot project and civil supervision	(1.50)		($168,778)	(168,778)
Remove 3 FTE parole officers, including operating expenses	(3.00)	(423,447)		(423,447)
Reduce operating (special other line item)		(47,500)		(47,500)
Add funds for additional faith-based programming		100,000		100,000
Replace general fund support for Field Services with increased supervision fee revenue		(244,782)	244,782	0
Total House changes	(4.50)	($815,729)	$76,004	($739,725)

This amendment also adds the following sections:

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Section 8 requires the department to seek Budget Section approval before proceeding with implementation of the inmate medical system.

Section 9 identifies one-time funding included in the Act.

Section 10 provides intent for the Office of Management and Budget to change reporting levels in the budget analysis and reporting system to separate food and clothing costs.

Section 11 declares an emergency for Section 7 of this Act.

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

2007 SENATE APPROPRIATIONS

HB 1015

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1015

Senate Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: 03-05-07

Recorder Job Number: 4347

Committee Clerk Signature

Minutes:

Chairman Holmberg opened the hearing on HB 1015 with roll call.

LeAnn Bertsch, Director, ND Department of Corrections and Rehabilitation, testified indicating the executive recommendations have been well thought out through the Dept of Corrections. She reviewed the changes made by the house appropriations committee. She indicated there were a couple of major issues of concern. She utilized a diagram showing how adult services work. This demonstrated how individuals come into the Dept of Corrections through sentencing court, showing how each piece of the Dept of Corrections has a critical balance. She then discussed the capital project evaluating what is critically needed to carry out the program which is in the Governor's budget. The House put an additional amount to the budget to carry out the building project further. The most important part of the program is the staff who carry out the program. A second critical change in the house is the parole officers that were cut out of the field services division and the Dept of Corrections wants those restored. She then reviewed the case loads of offenders in the communities. She then expressed the reasons for the appropriation and what would be done with those funds.

Senator Mathern asked why there is a reduction on 3A. The response was that they try to reduce the risk the prisoner poses to society and to reoffend.

Senator Seymour asked if there are people to take the parole and probation jobs if those positions are restored. The response was yes.

Senator Grindberg indicated after the tour, he preferred to do nothing because it appears there has been no cost benefit analysis, no professional cost analysis. In a few years there will be a need for a new kitchen. Is the money being requested really showing a long term savings. The response was he will be provided with all of the information he needs.

Dave Krabberhoft, Director of Finance and Administration, Dept of Corrections, distributed a copy of his slide presentation and discussed the juvenile services, adult services, financial needs, and overall budget. He discussed the YCC facility and the executive recommendations. He reviewed all of his slides, including the programs at both facilities, the specific budget requests, the FTE's requested, the transition programs, the medical programs, the governor's recommendation, the house changes, and the requests for changes or reinstatements of the cuts.

Senator Krauter wondered if we are growing beyond the control of the Department. The response was the Dept is making a difference, they have no control over what comes to them, but they manage people and redirect them.

Senator Krauter asked what we can do to make it in someone's control. The response was we are not able to select who comes into the program.

Senator Grindberg asked what the extraordinary repairs are and if the committee could be provided with a list of those at all facilities as well as a list of the deficiency appropriations. The response was yes.

Chairman Holmberg asked if there is a state funded chaplain. The response was yes but it is a temporary position.

Senator Krauter asked that the committee be provided with the dollars involved, the number of individuals and the recidivism information. The response was this will be provided.

Senator Krebsbach asked about the average length of stay at YCC. The response is 75 days.

Senator Krauter asked to have documentation provided on the treatment services with more detail, where the money is spent, where the providers are, etc. He also asked to have more detail provided on new inmate population with the problem violations. The response was that would be provided.

Lisa Brergard, Director, Division of Juvenile Services, presented written testimony (2) as well as a juvenile fact sheet, statewide custody analysis, calendar year 2005 statistics and the Division of Juvenile Services Treatment/service continuum. She indicated that some of the questions can be answered through her testimony. The presentation is for both the juvenile correction center and juvenile field services. She discussed the recidivism rate, the number of kids going into the adult system, the correctional center, day treatment program. The critical issue is the federal movement to remove the medicaid payment for targeted case management.

Senator Christmann asked if everything is now in the budget. The response was yes.

Senator Fischer asked about the cost effectiveness of the in-home care, whether outcomes are tracked to see what is working and what isn't. The response was I can get you the specific data on that.

Senator Robinson asked abut the 75.3 FTE's and how many were in each area. The response was eight FTE's are not handling caseloads, the rest are.

Senator Krauter asked that the committee be provided with a list of the contracted programs.

Senator Robinson asked what their initial request for FTE's.

Senator Krauter asked for information on the number of individuals that have gone through recidivism.

Senator Christmann asked where the new male transition center is. The response was it will be in the eastern part of the state.

Senator Grindberg asked what started the idea of looking at the county jails and if you get the counties to accept these prisoners, is there a financial upside to the jail.

Warren Emmer, Director, Dept of Corrections and Rehabilitation, Field Services Division, presented written testimony (4) and presented testimony in support of HB 1015. He reviewed prison population charts, parole population in different sections, the field services division and connection to the prison system, the caseloads involved. He requested to reinstate the 3 FTE's, reinstate the general fund that went with the operating for those three FTE's and also ask to return to the budget request the $244,782 that was removed and replaced with special fund authority. In addition he requested charging offenders $45 and allow the Field Services to have special fund authority of the $244,782. With that money, off duty police officers across the state would be hired to help make home visits.

Warren distributed written testimony from Presiding Judge Donovan Foughty, District Judge Robert Wefald, and discussed conversations with Judge VandeWalle who shared his concerns.

Request were made to have various information provided to the sub committee: A strategic plan, a per capita data for ND and SD as far as the cost on the recidivism rate, the average inmate populate by year beginning in 1997, the parole activities and probation activities, the number of FTE'S by division, in addition since 2001, what FTE's have been added, the budget per biennium since 1997, the extraordinary repairs, and the deficiency appropriations done in each year

Lynn Bergman, Grand Forks native now in Bismarck, presented written testimony (3) testified in opposition to HB 1015, complimented the prison system for the work they are doing. However, indicated that from the DOC website and the structures he had looked at, they are an average age of 30 years old and about 2/3 of the structures are newer then that. Drug and sex offenses, diseases such as hepatitis B, C and aids and sex offenders have become a real problem in our state. The solution is where we disagree. We believe a prison hospital is the solution. Believe for ½ the 42 million you could go to Jamestown, make it a multi-level facility least risk to high risk and cover all medical problems there. No more studies, get the job done for much less cost.

Chairman Holmberg indicated in a few weeks three members of house and three members of senate will be discussing this issue.

Duane Sand, State Director, North and South Dakota for Americans for Posterity, testified in opposition to HB 1015, stressing that the Dept of Corrections is the best person to speak to their needs to operate the correctional system. However, the $42 million does not make sense. We recommend an amendment to HB 1015 with maybe $10 million more then the original budget submitted to have more money toward prevention and education and therapy.

Senator Holmberg indicated that what the Governor added to the budget had to do with wages. The response was the disparity is with the capital construction.

Senator Tracy Potter, District 35, Bismarck, provided two alternative amendments on the land ownership of the Missouri River Correctional Facility, removed the entire section 8, the second amendment calls for preserving the ownership of the land of Missouri River Correctional Facility. He stressed the opinion and position on the sale of the land should

remain public land. My position is "Not Now, Not Ever" never sell that land. In some way it should always remain public land in one form or another.

Representative Todd Porter testified as a stand in for Senator Dwight Cook, District 34, Mandan, presenting a proposed amendment .0201. (6)

Dennis Fracassi, Director, Rough Rider Industries, presented written testimony (7) together with a brochure from Rough Rider Industries, testifying in support of SB 1015 with the request to reinstate the original request for 4 FTE's be restored. He stressed the importance of not selling the land for MRCC.

Chairman Holmberg closed the hearing on HB 1015.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1015

Senate Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: 03-05-07

Recorder Job Number: 4383

Committee Clerk Signature

Minutes:

Chairman Holmberg opened the hearing on HB 1015.

Tim Schuetzle, Director, Prisons Division, presented written testimony (1), a land appraisal report done by Joe Ibach together with a one page summary report (2) testifying on behalf of HB 1015. He discussed capital improvements; the infirmary plan, the addition of more beds, changes to the south tower, the laundry, the warehouse buildings and staff. The request for $42 million will include four additional buildings. He discussed the plans for a new prison and he feels it does not pay to tear down the existing buildings. He discussed the MRCC discussions of selling those lands and his projections of getting the value out of the land and at least maintaining this facility for another 20 years.

Chairman Holmberg asked about the state selling 780 acres, the state does not subdivide it and sell partials of land which would have a different value. The response was that is correct.

Senator Krauter questioned the appraisal of the 80 acres and the railroad easement and whether that was included in the appraisal. The response was the governor has signed the papers for the easement.

Senator Lindaas asked if the 80 acre appraisal is on cleared land. The response was no.

Senator Robinson questioned the east cell block, the governors proposal, what the footage would be of the new cells compared to the old. The response was there are standards for cell sizes and those in the east cell block are about half the size.

Senator Bowman discussed the retention of staff and whether the new building structures relate to the retention and safety of staff. The response was that right now it is the need for dollars to help retention.

Senator Bowman asked what the minimum requirement for new staff. The response was an AA degree, two years work experience in criminal justice. However if he looked at the biggest problems at the penitentiary are the first is more and more inmates coming in and not enough room and the second would there is a problem hiring and retaining staff.

Senator Bowman asked if the e cell block were funded, the environment being worked in is safer does that make it easier to retain staff. The response was that cannot be quantified, it would be nicer environment to work in, I don't know. Most of the employees are looking at dollars.

Senator Grindberg who determines the feasibility of the capital improvements from a financial perspective, on a spread sheet, factoring in all of the plant holdings with normal wear and tear and what those schedules would be. What is the best financial long term plan. The response was this has been looked at Representative Ekstrom tried to quantify the capital improvements. We will supply that information to you.

Senator Krauter asked for a review of extraordinary repairs on page 7. This was done and he indicated a document would be provided showing this information.

Senator Robinson asked questions of Warren Emmer on restoring the three FTE's for field services, providing an additional $244,000 and the reconciliation of where we are and what our

needs are, what the industry standard is on case loads. Mr. Emmer responded to this. He reviewed the chart of prison population.

Senator Lindaas asked about the case load and what it should be ideally. The response was 94.

Senator Krauter indicated that if his caseload is at 125 the paper work and load becomes a management problem. How do you manage it. The response was we use objective tools to assist us because we don't have the time. Then decisions are made based on the risk and needs.

Timothy Faller, Chairman, Prison Industries Advisory Board, presented testimony in support of HB 1015 discussing the Board, its purpose and Roughriders Industries and its ability to maintain solvency. He indicated the Roughriders Industries provides prisoners with useful skills when they are discharged, the industries does not unfairly compete with local businesses.

Elaine Little, Administrator, NCCRC, presesnted written testimony.

Chairman Holmberg closed the hearing on HB 1015.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1015

Senate Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: 03-23-07

Recorder Job Number: 5517

Committee Clerk Signature

Minutes:

Chairman Holmberg opened the hearing on HB 1015.

Senator Fischer distributed amendments for HB 1015.

Senator Krauter discussed amendment 0210 removing the construction funding at the penitentiary. There is deferred maintenance that must be done and restoring the parole and probation officers the house removed. When look at the success of field services and rehabilitation we need to keep officers visiting people on parole. The process is working, they are doing good job. Other states look at what happens in ND. In addition, the OAR the dept had. If they don't build, they need to contract with other facilities in the field services area. The addition of funding for field services; the issue is when corrections has 120 cases they don't get to visit parolees as much as they should. We need those three positions. We need to provide for prevention measures and providing those types of dollars, to provide better rehab. Another issue is to look at the retirement issue for correction officers.

Senator Krauter moved a do pass on amendment 0210, Senator Grindberg seconded. Discussion followed.

Senator Christman indicated he felt it was a mistake to not venture into the building project; by waiting we will not avoid building as they will be dilapidated.

Senator Bowman agreed. He indicated that after touring the facility and looking at the worst situations, it is not conducive for those working there

Senator Kilzer indicated he also does not care for the amendment. He stated as he read through the various categories every one of the things has the assumption that the population will decrease and we have an overcrowded situation. I don't see long term planning

Senator Grindberg indicated he was not impressed with the tour, as to convincing me that we need to do something. I believe we need to do something, but the information presented didn't give a compelling enough statement that the cost benefit analysis has been thought through enough. No one said we have a crisis at the State Penetentiary. I am still not convinced the right plan has been presented for long term best interest of the state. To me this should have been all numbers.

Senator Krauter idicated Warren Emmer discussed the success in field services and the warden showed charts demonstrating how the population has leveled out. The people coming into the system are drug related. The male population is stabilizing, the female population is increasing. The purpose is to build lives that are what we are trying to do. The reality is the prison is secure and being a correction officer is not pretty or nice.

Senator Christman discussed platoing in male pop. The testimony I have shows 90 inmate growth for next two years.

Senator Mathern indicated this presumes the prison population is going down. Let's work on trying to reduce this prison population instead of increasing the population. The potential work that can be done for manufacturing companies in ND; we could take this money and put it in rough rider industries. if pop leaves prison with marketable skill chance of return goes down dramatically.

Senator Krauter discussed his source of the prison population.

An oral vote was taken resulting in a do pass of the amendment.

Senator Krauter moved a do pass as amend, Senator Grindberg seconded. No discussion. A roll call vote was taken resulting in 11 yes 3 no and 0 absent. The bill passed and Senator Krauter will carry the bill.

Chairman Holmberg closed the hearing on HB 1015.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1015

Senate Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: 04-03-07

Recorder Job Number: 5684

Committee Clerk Signature Alice Delzer

Minutes:

Chairman Holmberg stated he was proposing an amendment on HB 1015 that is not completed at this time It is regarding construction and that amendment would put some money into the prison construction fund, the Penitentiary Land Fund, and then pass the bill so we can be in a position for negotiation with the House on what we are going to do. At this time it appears there is not complete consensus.

Senator Krauter stated he also has some amendments for 1015 that relates to that issue. I brought to your attention regarding what we had done last session in the Drug Abuse assessment that was done in Pembina and Grand Forks County on that title project up there and it didn't actually materialize because of the federal funds, there is some of that language that gives some of that flexibility and I can pass that out so everyone can see it.

Chairman Holmberg asked if he wanted to wait for the other amendment and Senator Krauter said that was no problem.

Senator Mathern said we know some changes about the building, seems to me our present amendments serve as to giving considerable work for the conference committee.

Chairman Holmberg stated in the end we might have some kind of construction out there.

Further comments were made concerning construction and the dollar amounts involved.

Discussion ended concerning HB 1015.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1015

Senate Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: 04-05-07

Recorder Job Number: 5779

Committee Clerk Signature

Minutes:

Chairman Holmberg opened the hearing on HB 1015.

Chairman Holmberg explained the amendment Senator Krauter suggested regarding mandatory drug assessment tax program.

Senator Robinson indicated pass a bill from Senate and House to provide a project to address meth treatment and would have provided flexibility away from corrections and away from tax department but judiciary laws needed to be looked at. This is a bill promoted by the Attorney General. This is to allow judiciary to do exactly what we intended to do in that pilot project. We are hoping to come out of the legislative assembly with additional funds to teen challenge program and additional funds into the share house program. What we are trying to do is put more emphasis on treatment. There is no money in the amendment.

Senator Krauter indicated it gives the court flexibility to use probation.

Senator Fischer indicated there is one item he likes and that is if they don't behave and follow rules they will wind up in jail and the time in treatment does not count against the sentence.

Chairman Holmberg indicated that is one of the three changes over and above what happened in the other amendments we had. Secondly there is an additional appropriation for teen challenge which was added. The third thing is there had been lots of discussion as to what to do at the prison. What are we going to do? A consensus was reached among some that we should make sure to count the dollars in the

Governor's recommendation and to provide a transfer from the general fund of $42 million to the state penitentiary land fund. That is a fund that has been there for a while. The money would go there and we can get it out of here and to conference committee.

Senator Grindberg moved rescind the action on HB 1015, Senator Krebsbach seconded. An oral vote was taken resulting in the motion passing. Discussion took place.

Senator Grindberg moved a do pass on the amendment 0201, Senator Bowman seconded. Discussion too place.

Senator Mathern asked if on section 10 any of that money could be spent during the next biennium with the passage of the amendment.

Alan Knudson answered indicating yes and it needs separate appropriations.

Senator Mathern so this could happen in some other bill. It is important to accept $42 million in the Governor's budget.

Chairman Holmberg indicated the balance in this land fund is $64,000 as of July 1. $151,000 will be at the end of the next biennium.

Joe Morrisette responded that it is money in the general fund from mineral revenue that is generated from a gravel pit by Youth Correctional Center. There is no appropriation in the 07-09 biennium but in past biennium they have included in their request for certain extra ordinary repairs or capital projects and it has had an appropriation.

Senator Mathern distributed a handout indicating he had made a request of the university system as to what are deferred maintenance and deferred issues related health and safety not funded that we still need

to address this in the university system. This list is given for review and it reflects where we as a committee need to look at. We ought to stay with our amendments, add the other amendments regarding the probation and not do section 10.

Chairman Holmberg remembers from communication from guards and other employees that there are health and safety issues there too. That is one of the reasons for replacing the block house and infirmary.

Senator Mathern in amend we have about $1 million in there for repairs and building issues outside of the $42 million. In terms of the block house I have no doubt there are problems there. My vision would be to tear it down so that someday it would not be a health and safety issue, but we would not replace it because we are putting programs in place to keep people out of prison and we would make better use of other facilities.

Chairman Holmberg stated not to be argumentative but we will not build anything until the end of the session after conference committees. The subcommittee was skeptical of construction and I think you would agree to that and you would also agree the subcommittee did put a number of enhancements in that budget to deal with some of the philosophical points.

Senator Robinson asked Alan Knudson to give an analysis of money in this budget as compared to the current biennium.

Alan Knudson indicated on the green sheet you have the 05-07 appropriation of $101.1 million and after the senate amendments you are at $180 million.

Senator Krauter why does it not show on the amendments on page 3 which is $138 million, where do you account for the $42 million?

Alan Knudson said to look at the $138 million has a footnote and it says $42 million is not an appropriation.

Chairman Holmberg indicated we have been skating around the prison construction. One suggestion was made to put $42 million in and it will show up as something the legislature will look at. At the end of session the conference committee may have several options which were indicated. The decision was made to move forward and get this in Conference Committee.

Senator Krauter asked on the budget analysis that we track, how will it show up on there.

Alan Knudson it will be general fund expenditure.

Senator Bowman indicated he has mixed feelings about the rehab program you want as it will work to a point that something critical happens.

Chairman Holmberg indicated the legislature has been supportive of treatment programs and programs to reduce recidivism and if you recall, the numbers we always compare with is SD. We do more on treatment and rehabilitation. They have more people in prison and they have a much higher recidivism rate then ND. The legislature has been supportive of both and the mood amongst many is the bad dude should be locked up.

Senator Krauter indicated we are not changing laws as far as sentencing. If you look at the inmate management plan the department has been working with those types of criminals are not being put into probation. This is research based scientific data that will them to get into these types of programs. It is what we have been noted for in the nation is our recidivism rate.

Senator Bowman indicated he doesn't dispute what was said but if just one time someone gets killed, it will be pretty hard to explain our reasoning.

Chairman Holmberg indicated the pendulum swings back and forth, you have five years of focusing on rehabilitation and all of a sudden something really gross happens and all of a sudden we are locking them up and throwing away the key.

Senator Tallackson stated he would agree with this scenario.

Senator Mathern stated we have an opportunity here to make it more difficult for that to happen. We are in here adding officers on the street that will have a greater ability to make sure that does not happen. We are bringing case loads down with these amendments. It is bringing it to an optimal stand so the Drew Jadine case has less chance of happening.

An oral vote was taken on the amendments. The motion carried.

Senator Grindberg moved do pass on the bill as amended, Senator Wardner seconded. A roll call vote was taken resulting 12 yes, 1 no, 1 absent. The motion carried and Senator Krauter will carry the bill.

Chairman Holmberg closed the hearing on HB 1015.

78015.0201
Title.

Prepared by the Legislative Council staff for
Representative Porter
February 21, 2007

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 2, after "reenact" insert "section 12-47-01," and after "12-65-08" insert a comma

Page 1, line 3, after "to" insert "the penitentiary and"

Page 2, after line 18, insert:

"**SECTION 4. AMENDMENT.** Section 12-47-01 of the North Dakota Century Code is amended and reenacted as follows:

12-47-01. Penitentiary - Location - Purpose. The penitentiary located ~~at~~ within fifteen miles [24.14 kilometers] of the city limits of Bismarck ~~in the county of Burleigh~~ or Mandan is the general penitentiary and prison of this state for the punishment and reformation of offenders against the laws of this state. The director of the department of corrections and rehabilitation may establish affiliated facilities at other locations throughout the state within the limits of legislative appropriations. The department shall confine, employ, and govern all offenders committed to the legal and physical custody of the department in the manner provided by law."

Page 4, line 12, remove "in Burleigh County,"

Page 5, line 16, replace "10" with "11"

Renumber accordingly

78015.0210
Title.
Fiscal No. 3

Prepared by the Legislative Council staff for
Senate Appropriations
March 22, 2007

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 5, after "approval" insert "; to provide for a legislative council study"

Page 1, line 22, replace "8,138,211" with "11,482,019"

Page 1, line 23, replace "99,780,064" with "20,511,564"

Page 2, line 3, replace "109,095,173" with "33,170,481"

Page 2, line 5, replace "112,930,827" with "37,006,135"

Page 2, line 12, replace "35,213,361" with "38,557,169"

Page 2, line 13, replace "179,331,778" with "100,063,278"

Page 2, line 16, replace "237,996,004" with "162,071,312"

Page 2, line 18, replace "214,066,511" with "138,141,819"

Page 3, replace lines 23 through 31 with:

"**SECTION 7. GRANT PROGRAMS.** The total general fund appropriation line item in section 3 of this Act includes $2,000,000 to be used by the field services division to provide grants to North Dakota organizations for research-based programs to prevent criminal behavior and incarceration. The grant awards shall range from $25,000 to $500,000."

Page 4, replace lines 1 through 16 with:

"**SECTION 8. RECIDIVISM RISK REDUCTION.** The total general fund appropriation line item in section 3 of this Act includes $5,000,000 to be used by the prisons division for treatment and programming related to recidivism risk reduction."

Page 5, line 3, replace "$88,332,091" with "$3,999,591"

Page 5, remove line 8

Page 5, line 9, replace "70,000" with "$70,000"

Page 5, line 10, replace "1,498,091" with "2,165,591"

Page 5, line 12, replace "88,332,091" with "3,999,591"

Page 5, after line 15, insert:

"**SECTION 14. LEGISLATIVE COUNCIL STUDY - RETIREMENT CRITERIA FOR STATE CORRECTIONAL OFFICERS AND PEACE OFFICERS.** The legislative council shall consider studying, during the 2007-08 interim, retirement program criteria and benefits for correctional officers and peace officers employed by state agencies, including the feasibility and desirability of allowing these employees to retire with full retirement benefits at age fifty-five or the "rule of 85"."

Page 5, line 16, replace "10" with "9"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehabilitation - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Field Services	$35,953,086	$35,213,361	$3,343,808	$38,557,169
Prisons Division	140,093,278	179,331,778	(79,268,500)	100,063,278
Juvenile Community Services	8,895,140	8,895,140		8,895,140
Youth Correctional Center	14,608,184	14,555,725		14,555,725
Total all funds	$199,549,688	$237,996,004	($75,924,692)	$162,071,312
Less estimated income	26,853,489	23,929,493		23,929,493
General fund	$172,696,199	$214,066,511	($75,924,692)	$138,141,819
FTE	706.79	700.29	8.00	708.29

Dept. 530 - Department of Corrections and Rehabilitation - Detail of Senate Changes

	PREVENTION GRANTS [1]	FUNDING FOR RECIDIVISM RISK REDUCTION [2]	REMOVES FUNDING FOR PRISON EXPANSION [3]	RESTORES FUNDING FOR CHAPLAINS [4]	ADDS FUNDING FOR ADDITIONAL FTE [5]	PROVIDES FUNDING FOR ADDITIONAL TRANSITION SERVICES [6]
Field Services	$2,000,000				$471,411	$448,950
Prisons Division		$5,000,000	($85,000,000)	$64,000		
Juvenile Community Services						
Youth Correctional Center						
Total all funds	$2,000,000	$5,000,000	($85,000,000)	$64,000	$471,411	$448,950
Less estimated income						
General fund	$2,000,000	$5,000,000	($85,000,000)	$64,000	$471,411	$448,950
FTE	0.00	0.00	0.00	2.00	3.00	0.00

	RESTORES PAROLE AND PROBATION OFFICERS [7]	RESTORES FUNDING FOR DEFERRED MAINTENANCE [8]	TOTAL SENATE CHANGES
Field Services	$423,447		$3,343,808
Prisons Division		$667,500	(79,268,500)
Juvenile Community Services			
Youth Correctional Center			
Total all funds	$423,447	$667,500	($75,924,692)
Less estimated income			
General fund	$423,447	$667,500	($75,924,692)
FTE	3.00	0.00	8.00

[1] This amendment provides funding for grants to organizations to conduct programs to prevent criminal behavior and incarceration.

[2] This amendment provides funding to the Prisons Division for treatment and programming related to recidivism risk reduction.

[3] This amendment removes all funding associated with any new building and demolition projects.

[4] This amendment restores funding removed by the House to convert 2 temporary chaplains to full-time equivalent positions.

[5] This amendment provides funding for 3 FTE positions to assist with the special offender workload.

[6] This amendment adds funding for 20 additional beds for transition for male inmates.

[7] This amendment restores funding removed the House for 3 FTE parole and probation officers, including operating expenses.

[8] This amendment restores funding removed by the House for deferred maintenance.

A section is added requiring the prevention grants to be awarded to research-based programs and limiting the grant awards from $25,000 up to $500,000.

A section is added requiring that $5,000,000 added to the Prisons Division be used for treatment and programs related to recidivism risk reduction.

A section is added directing the Legislative Council to consider a study of the retirement criteria for state correctional officers and peace officers.

Date:
Roll Call Vote #: 07

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken DP as amend. 0210

Motion Made By Krauter Seconded By Grindberg

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm	✓		Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm	·	✓	Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mathern	✓	
Senator Randel Christmann		✓	Senator Larry J. Robinson	✓	
Senator Tom Fischer	✓		Senator Tom Seymour	✓	
Senator Ralph L. Kilzer		✓	Senator Harvey Tallackson	✓	
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 11 ~~12~~ No 3

Absent X

Floor Assignment Krauter

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

Robinson asked Lauer to add himas yes vote.

REPORT OF STANDING COMMITTEE

HB 1015, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1015 was placed on the Sixth order on the calendar.

Page 1, line 5, after "approval" insert "; to provide for a legislative council study"

Page 1, line 22, replace "8,138,211" with "11,482,019"

Page 1, line 23, replace "99,780,064" with "20,511,564"

Page 2, line 3, replace "109,095,173" with "33,170,481"

Page 2, line 5, replace "112,930,827" with "37,006,135"

Page 2, line 12, replace "35,213,361" with "38,557,169"

Page 2, line 13, replace "179,331,778" with "100,063,278"

Page 2, line 16, replace "237,996,004" with "162,071,312"

Page 2, line 18, replace "214,066,511" with "138,141,819"

Page 3, replace lines 23 through 31 with:

"**SECTION 7. GRANT PROGRAMS.** The total general fund appropriation line item in section 3 of this Act includes $2,000,000 to be used by the field services division to provide grants to North Dakota organizations for research-based programs to prevent criminal behavior and incarceration. The grant awards must range from $25,000 to $500,000.

SECTION 8. RECIDIVISM RISK REDUCTION. The total general fund appropriation line item in section 3 of this Act includes $5,000,000 to be used by the prisons division for treatment and programming related to recidivism risk reduction."

Page 4, remove lines 1 through 16

Page 5, line 3, replace "$88,332,091" with "$3,999,591"

Page 5, remove line 8

Page 5, line 9, replace "70,000" with "$70,000"

Page 5, line 10, replace "1,498,091" with "2,165,591"

Page 5, line 12, replace "88,332,091" with "3,999,591"

Page 5, after line 15, insert:

"**SECTION 13. LEGISLATIVE COUNCIL STUDY - RETIREMENT CRITERIA FOR STATE CORRECTIONAL OFFICERS AND PEACE OFFICERS.** The legislative council shall consider studying, during the 2007-08 interim, retirement program criteria and benefits for correctional officers and peace officers employed by state agencies, including the feasibility and desirability of allowing these employees to retire with full retirement benefits at age fifty-five or the "rule of 85"."

Page 5, line 16, replace "10" with "9"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehabilitation - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Field Services	$35,953,086	$35,213,361	$3,343,808	$38,557,169
Prisons Division	140,093,278	179,331,778	(79,268,500)	100,063,278
Juvenile Community Services	8,895,140	8,895,140		8,895,140
Youth Correctional Center	14,608,184	14,555,725		14,555,725
Total all funds	$199,549,688	$237,996,004	($75,924,692)	$162,071,312
Less estimated income	26,853,489	23,929,493		23,929,493
General fund	$172,696,199	$214,066,511	($75,924,692)	$138,141,819
FTE	706.79	700.29	8.00	708.29

Dept. 530 - Department of Corrections and Rehabilitation - Detail of Senate Changes

	PREVENTION GRANTS [1]	FUNDING FOR RECIDIVISM RISK REDUCTION [2]	REMOVES FUNDING FOR PRISON EXPANSION [3]	RESTORES FUNDING FOR CHAPLAINS [4]	ADDS FUNDING FOR ADDITIONAL FTE [5]	PROVIDES FUNDING FOR ADDITIONAL TRANSITION SERVICES [6]
Field Services	$2,000,000				$471,411	$448,950
Prisons Division		$5,000,000	($85,000,000)	$64,000		
Juvenile Community Services						
Youth Correctional Center						
Total all funds	$2,000,000	$5,000,000	($85,000,000)	$64,000	$471,411	$448,950
Less estimated income						
General fund	$2,000,000	$5,000,000	($85,000,000)	$64,000	$471,411	$448,950
FTE	0.00	0.00	0.00	2.00	3.00	0.00

	RESTORES PAROLE AND PROBATION OFFICERS [7]	RESTORES FUNDING FOR DEFERRED MAINTENANCE [8]	TOTAL SENATE CHANGES
Field Services	$423,447		$3,343,808
Prisons Division		$667,500	(79,268,500)
Juvenile Community Services			
Youth Correctional Center			
Total all funds	$423,447	$667,500	($75,924,692)
Less estimated income			
General fund	$423,447	$667,500	($75,924,692)
FTE	3.00	0.00	8.00

[1] This amendment provides funding for grants to organizations to conduct programs to prevent criminal behavior and incarceration.

[2] This amendment provides funding to the Prisons Division for treatment and programming related to recidivism risk reduction.

[3] This amendment removes all funding associated with any new building and demolition projects.

[4] This amendment restores funding removed by the House to convert 2 temporary chaplains to full-time equivalent positions.

[5] This amendment provides funding for 3 FTE positions to assist with the special offender workload.

6 This amendment adds funding for 20 additional beds for transition for male inmates.

7 This amendment restores funding removed the House for 3 FTE parole and probation officers, including operating expenses.

8 This amendment restores funding removed by the House for deferred maintenance.

A section is added requiring the prevention grants to be awarded to research-based programs and limiting the grant awards from $25,000 up to $500,000.

A section is added requiring that $5,000,000 added to the Prisons Division be used for treatment and programs related to recidivism risk reduction.

A section is added directing the Legislative Council to consider a study of the retirement criteria for state correctional officers and peace officers.

Cont
Grind
Krauter
+1

Date:
Roll Call Vote #:

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 4.5.07

Action Taken DP as amend

Motion Made By Grind Seconded By Ward

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm	✓		Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm	✓		Senator Elroy N. Lindaas		
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mathern		✓
Senator Randel Christmann	✓		Senator Larry J. Robinson	✓	
Senator Tom Fischer	✓		Senator Tom Seymour	✓	
Senator Ralph L. Kilzer	✓		Senator Harvey Tallackson	✓	
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 12 No 1

Absent 1

Floor Assignment Krauter

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

REPORT OF STANDING COMMITTEE

HB 1015, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Reengrossed HB 1015, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on pages 949-951 of the Senate Journal, Reengrossed House Bill No. 1015 is amended as follows:

Page 1, line 2, replace the third "and" with a comma

Page 1, line 3, after "12.1-32-07" insert ", and section 19-03.1-45"

Page 1, line 4, replace "and" with a comma and after "fees" insert ", and drug treatment"

Page 1, line 5, remove "and" and after "approval" insert "; to provide for a transfer; and to provide for a legislative council study"

Page 1, line 22, replace "8,138,211" with "11,582,019"

Page 1, line 23, replace "99,780,064" with "20,511,564"

Page 2, line 3, replace "109,095,173" with "33,270,481"

Page 2, line 5, replace "112,930,827" with "37,106,135"

Page 2, line 12, replace "35,213,361" with "38,657,169"

Page 2, line 13, replace "179,331,778" with "100,063,278"

Page 2, line 16, replace "237,996,004" with "162,171,312"

Page 2, line 18, replace "214,066,511" with "138,241,819"

Page 3, after line 17, insert:

"**SECTION 6. AMENDMENT.** Section 19-03.1-45 of the North Dakota Century Code is amended and reenacted as follows:

19-03.1-45. ~~Mandatory drug~~ Drug abuse assessment and treatment - Presentence investigation - Certified drug abuse treatment programs.

1. ~~When~~ If a person ~~located in Walsh, Pembina, or Grand Forks Counties~~ has pled guilty or has been found guilty of a felony violation of subsection 6 of section 19-03.1-23 ~~and~~, if that person has not previously pled guilty or been found guilty of any offense involving the use, possession, manufacture, or delivery of a controlled substance or of any other felony offense of this or another state or the federal government, and if the court imposes probation, the court shall impose a period of probation of not less than eighteen months in conjunction with a suspended execution of a sentence of imprisonment, a sentence to probation, or an order deferring imposition of sentence.

2. Upon a plea or finding of guilt of a person subject to the provisions of subsection 1, the court shall order a presentence investigation to be conducted by the department. The presentence investigation shall include

a drug and alcohol evaluation conducted by a licensed addiction counselor.

3. If the licensed addiction counselor recommends treatment, the court shall require the person to participate in an addiction program licensed by the department of human services as a condition of the probation. The court shall commit the person to treatment through a licensed addiction program until determined suitable for discharge by the court. The term of treatment shall not exceed eighteen months and may include an aftercare plan. During the commitment and while subject to probation, the person shall be supervised by the department.

4. If the person fails to participate in, or has a pattern of intentional conduct that demonstrates the person's refusal to comply with or participate in the treatment program, as established by judicial finding, the person shall be subject to revocation of the probation. Notwithstanding subsection 2 of section 12.1-32-02, the amount of time participating in the treatment program under this section is not "time spent in custody" and will not be a credit against any sentence to term of imprisonment.

5. The cost for all drug abuse assessments and certified drug abuse treatment programs shall be initially paid by the department. The court shall order the person to reimburse the department for the assessment and treatment expenses in accordance with the procedures of section 12.1-32-08. The department shall handle the collection of costs from the offenders in the same manner as it collects court costs, fees, and supervision fees.

6. In this section:

   a. "Department" means the department of corrections and rehabilitation; and

   b. "Licensed addiction counselor" is a person licensed pursuant to section 43-45-05.1.

~~7. The provisions of this section shall be implemented as a pilot project in Pembina, Walsh, and Grand Forks Counties effective three months from the date of receipt of a federal grant for methamphetamine treatment being applied for by the department of human services. The department shall collaborate management of the pilot project with the department of human services to ensure services under the federal grant program for one-half of the offenders mandated by the court to submit to mandatory treatment, not to exceed twenty-three individuals. The department shall hire a program manager to manage the pilot project, collect statistics regarding the operation of the program, track participants in the program, and provide a report to the attorney general, the legislative council for distribution during the November 2006 legislative council meeting, and the sixtieth legislative assembly detailing the number of participants in the program, the cost of the program, relapse statistics, and other data concerning the effectiveness of the program.~~"

Page 3, replace lines 23 through 31 with:

"**SECTION 8. GRANT PROGRAMS.** The total general fund appropriation line item in section 3 of this Act includes $2,000,000 to be used by the field services division to provide grants to North Dakota organizations for research-based programs

to prevent criminal behavior and incarceration. The grant awards must range from $25,000 to $500,000.

SECTION 9. RECIDIVISM RISK REDUCTION. The total general fund appropriation line item in section 3 of this Act includes $5,000,000 to be used by the prisons division for treatment and programming related to recidivism risk reduction.

SECTION 10. TRANSFER TO THE STATE PENITENTIARY LAND FUND. The director of the office of management and budget shall transfer on July 1, 2007, $42,000,000 from the general fund to the state penitentiary land fund established in North Dakota Century Code section 54-23.3-04 to be used for future correctional facilities as authorized by the legislative assembly. All income earned on the fund must be deposited in the state penitentiary land fund."

Page 4, remove lines 1 through 16

Page 5, line 3, replace "$88,332,091" with "$3,999,591"

Page 5, remove line 8

Page 5, line 9, replace "70,000" with "$70,000"

Page 5, line 10, replace "1,498,091" with "2,165,591"

Page 5, line 12, replace "88,332,091" with "3,999,591"

Page 5, after line 15, insert:

"**SECTION 15. LEGISLATIVE COUNCIL STUDY - RETIREMENT CRITERIA FOR STATE CORRECTIONAL OFFICERS AND PEACE OFFICERS.** The legislative council shall consider studying, during the 2007-08 interim, retirement program criteria and benefits for correctional officers and peace officers employed by state agencies, including the feasibility and desirability of allowing these employees to retire with full retirement benefits at age fifty-five or the "rule of 85".

SECTION 16. EMERGENCY. Section 11 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehabilitation - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Field Services	$35,953,086	$35,213,361	$3,443,808	$38,657,169
Prisons Division	140,093,278	179,331,778	(79,268,500)	100,063,278
Juvenile Community Services	8,895,140	8,895,140		8,895,140
Youth Correctional Center	14,608,184	14,555,725		14,555,725
Total all funds	$199,549,688	$237,996,004	($75,824,692)	$162,171,312
Less estimated income	26,853,489	23,929,493		23,929,493
General fund	$172,696,199	$214,066,511	($75,824,692)	$138,241,819*
FTE	706.79	700.29	8.00	708.29

* In addition, $42,000,000 is transferred from the general fund to the State Penitentiary land fund for a total general fund impact of $180,241,819.

Dept. 530 - Department of Corrections and Rehabilitation - Detail of Senate Changes

	PREVENTION GRANTS [1]	FUNDING FOR RECIDIVISM RISK REDUCTION [2]	REMOVES FUNDING FOR PRISON EXPANSION [3]	RESTORES FUNDING FOR CHAPLAINS [4]	ADDS FUNDING FOR ADDITIONAL FTE [5]	PROVIDES FUNDING FOR ADDITIONAL TRANSITION SERVICES [6]
Field Services	$2,000,000				$471,411	$448,950
Prisons Division		$5,000,000	($85,000,000)	$64,000		
Juvenile Community Services						
Youth Correctional Center						
Total all funds	$2,000,000	$5,000,000	($85,000,000)	$64,000	$471,411	$448,950
Less estimated income						
General fund	$2,000,000	$5,000,000	($85,000,000)	$64,000	$471,411	$448,950
FTE	0.00	0.00	0.00	2.00	3.00	0.00

	RESTORES PAROLE AND PROBATION OFFICERS [7]	RESTORES FUNDING FOR DEFERRED MAINTENANCE [8]	ADDS FUNDING FOR TEEN CHALLENGE [9]	TOTAL SENATE CHANGES
Field Services	$423,447		$100,000	$3,443,808
Prisons Division		$667,500		(79,268,500)
Juvenile Community Services				
Youth Correctional Center				
Total all funds	$423,447	$667,500	$100,000	($75,824,692)
Less estimated income				
General fund	$423,447	$667,500	$100,000	($75,824,692)
FTE	3.00	0.00	0.00	8.00

1 This amendment provides funding for grants to organizations to conduct programs to prevent criminal behavior and incarceration.

2 This amendment provides funding to the Prisons Division for treatment and programming related to recidivism risk reduction.

3 This amendment removes all funding associated with any new building and demolition projects.

4 This amendment restores funding removed by the House to convert 2 temporary chaplains to full-time equivalent positions.

5 This amendment provides funding for 3 FTE positions to assist with the special offender workload.

6 This amendment adds funding for 20 additional beds for transition for male inmates.

7 This amendment restores funding removed by the House for 3 FTE parole and probation officers, including operating expenses.

8 This amendment restores funding removed by the House for deferred maintenance.

9 This amendment adds funding for Teen Challenge.

A section is added requiring the prevention grants to be awarded to research-based programs and limiting the grant awards from $25,000 up to $500,000.

A section is added requiring that $5,000,000 added to the Prisons Division be used for treatment and programs related to recidivism risk reduction.

A section is added directing the Legislative Council to consider a study of the retirement criteria for state correctional officers and peace officers.

A section is added that amends North Dakota Century Code Section 19-03.1-45 relating to drug abuse assessment and treatment.

A section is added providing for a transfer from the general fund of $42,000,000 to the State Penitentiary land fund.

A section is added providing for an emergency for Section 11.

2007 HOUSE APPROPRIATIONS

CONFERENCE COMMITTEE

HB 1015

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☒ Check here for Conference Committee

Hearing Date: April 12, 2007

Recorder Job Number: 5946

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman opened the Conference Committee hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

Present were: Representatives Wieland and Metcalf and Senators Fischer, Grindberg, and Krauter.

Senator Krauter: Referred to the amendments and explained. On page 1, an amendment relating to Section 6, Sen. Krauter stated last session there was a potential pilot project we were going to do in Walsh, Pembina and Grand Forks counties relating to meth treatment where the courts be able to put the person on probation. We added this in from the standpoint that we still want to have the opportunity where the courts can use that as one of their tools to put a person into treatment right away.

In Sections 8, 9, and 10, are some dollars that were added.

In Section 15, wording was added relating to a Legislative Council Study studying the retirement system for correctional officers.

Page 4, two million dollars were added for prevention grants. Explanation given.

Refer: 05:25

Representative Wieland: Questioned the 5 million dollars for FTEs.

Senator Krauter: Not necessarily FTEs, but enhancing the programs that are currently there. We did not add any FTEs. Current programs that we are looking at are the addiction treatment programs, the sex offender treatment programs, working with the mentally ill, behavioral management, anger management, and the alternatives to violence type of classes. Some of the faith based opportunities are starting to show some success. Also, the area of vocational training ... look at what Roughrider Industries is doing - we need to find more opportunities for individuals to get those skills.

Next item is the removing of the funding for the new building and demolition projects. Explanation given. Refer: 09:33

Next item adds three FTEs in the special offender workload and this was an optional adjustment request. Explanation given.

The addition of 20 more additional male beds is an optional adjustment request. Explanation given.

Chairman Pollert: Question about whether 20 beds added on were in the budget.

Senator Krauter: Correct. Number seven restores the three FTEs - a parole officer, a probation officer including all their operations expense. Explanation given. Refer: 12:10

Restored some of the deferred maintenance that was recently removed by the House. If not going to building anything, have some things and projects that need to be done to keep the structure sound.

Last item is we added another 100,000 dollars into Teen Challenge to bring it to a total of $500,000. Need to discuss. Referred to Green Sheets. Emergency Clause discussion. Refer: 14:10 - 17:00

Chairman Pollert: Stated the only other section would be the transfer of 42 million dollars to the state penitentiary land fund.

Senator Krauter: Right. A quick review ... it's a fund within the DOCR where they receive income for the sale of minerals such as gravel ... particularly the land southwest of Mandan. Appropriated money out of that fund. Continued explanation and discussion. Refer: 17:40

Chairman Pollert: Is my impression that the way the bill is coming out of the Senate, you don't want to look at construction, but you might want to look at construction. You are putting in place 7 million dollars worth of treatment programs between Field Services and the Prisons Division. But, then you're thinking we are going to do a $42 million. I see a conflict.

Senator Krauter: Is now the right time to do that? Are we starting to see these types of positive changes happening? Are at that time now or should we wait two years? There are some things happening statistically that really make us stop and think. If we continue down that road, we can continue seeing improvements. If we stop and don't prison - build more facilities - more cells, are we going to stop that trend that we are on. Are we going to start to fill them versus doing rehabilitation treatment? We need to discuss now - is now the time to build it or should we put this money aside to save it so that we can then do it next biennium when we see that this trend isn't really happening. Or if the trend is happening, we don't need to do it. Maybe there is some plan we can look at.

Chairman Pollert: Questioned the two treatment programs for the 2 and 5 million - were they OARs or were they suggestions from DOCR? On the House, we didn't change a program in

the DOCR budget ... with the 40 beds and then there was halfway house and some quarter-way house. How did you come up with 2 and 5 million dollars figures?

Senator Krauter: They were not OARs. As we're starting to see some of these positive things happening - maybe as a policy branch of government we need to say we see this happening and we want to support it and will give you some of the flexibility to make some of this stuff happen.

Representative Wieland: Senator Krauter, are you basing these programs on something that you see as operational at the present time or is this something that we have to set up to become operational. In other words, are we looking at adding a new program that would enhance our rehabilitation? Where is the program now?

Senator Krauter: The two areas - Prisons Division and Field Services, in Prisons Division as was presented, 4.9 million dollars is all that expended in treatment out of 100 million dollars. No new programs here, it is the existing programs that they have there at different levels and basically doubling that amount ... going from 4.9 to 9.9 dollars and giving them some flexibility to make those things work. In the area of Field Services, some of this is grant dollars that they can then contract with whoever is out there that can do some of these preventive things out front to get in front of the type of criminal activity that is happening. Not a new program in Prisons and in Field Services, it would be a contract type of environment.

Representative Wieland: We don't know that these programs are the reason that our prison population has remained constant at this particular point. You talk about adding 5 million dollars - how would it be spent? Refer: 23:50

Chairman Pollert: When we come in for our next meeting, if you have an idea of what you're thinking about for the 2 million and the 5 million ... better clarification at that time.

Representative Wieland: We have done enough studies ... maybe there is an opportunity to do a study on what is working. I want to know if the rehabilitation program is working and the prison population is not increasing, that is what we should be pursuing.

Senator Krauter: We can all look at that and see new inmates are drug related or some type of combination of that and some type of property damage or those types of things. Continued explanation on enhancing treatment. Refer: 26:00

Representative Metcalf: I have always been in favor of treatment for rehabilitation. The necessity of basically either building a situation whereby the individual's needs these special treatments are separated from the rest of the prison inmates. Because, it has been proven that once they start mixing into the general population they start assimilating the problems that the other prisoners have. So, if there some way through this process we can develop a specific area where they can be completely separated from the rest of the prisoners and run through rehabilitation programs and put into probation and parole, I think we will lots farther ahead as far as getting our prisoners down now. We have to look at the safety of our staff and our prisoners. Do we really want to discard construction at this time? I am leaning to the fact that we need to have construction and preferably as soon as possible.

Senator Grindberg: Discussion here has been good. I am looking at this from a bigger perspective. What's the population going to be? The pod plan is a 42 million dollar solution; it is only the first step. Refer: 28:50

Senator Krauter: For the next meeting, asking for information - Teen Challenge dollar amount and recap of history there.

Chairman Pollert: Also, information about the grants - the 2 and 5 million, further information on 20 beds for male transition ... further discussion on that and FTEs.

Senator Krauter: One more thing ... concern about civil commitment offenders that are at Jamestown and some additional resources that we need to discuss.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☒ Check here for Conference Committee

Hearing Date: April 13, 2007

Recorder Job Number: 6016

Committee Clerk Signature Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman opened the Conference Committee hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

Present were: Representatives Wieland and Metcalf and Senators Fischer, Grindberg, and Krauter.

Chairman Pollert: When left the last meeting, we were talking about the discussing the grant items from the Field Divisions.

Senator Krauter: Handed out an attachments: **Chart on Prisons Division and Field Services Divison, List of Programs within the Prisons Division, Reduction in Recidivism, and North Dakota Teen Challenge.** Senator Krauter began reviewing the chart and explaining the programs. He also passed out an amendment to SB 2136 regarding interagency security training and explained. Being this was passed, there is nothing in the budget for an FTE to actually do the training at the State Hospital. Refer: 03:15 - 10:40

Chairman Pollert: Questioned on the FTE ... the asking of 1.5 FTE through the Human Services budget ... if this is what it pertains to?

Senator Krauter: This is separate. Continued with explanation on Teen Challenge ... increases from $300,000 to $500,000. Did we overfund that process?

Becky Keller of the Legislative Council: The current level for Teen Challenge programming in the DOCR budget is $500,000.

Chairman Pollert: Did we do $150,000 last biennium and then in the Governor's Executive Budget he threw in $150,000 to make it to the three, then the House side added $100,000 and the Senate added $100,000?

Becky and Senator Krauter: Yes.

Senator Krauter: Did we fund it properly?

Rod Backman, with Teen Challenge: Stated in original testimony, it was based on 40 residents times $16 a day times 700 some days in the biennium comes to up $490,000. Based on reports from Corrections, he gave average figures. Refer: 14:50. - 16:00

Senator Krauter: Continued with the review on "Recidivism" and explanation.

Chairman Pollert: Question for Legislative Council or OMB, on SB 2136 was there a fiscal note attached?

Becky Keller: There is no fiscal note.

Senator Krauter: It is my understanding that is why they brought it to my attention. We need to address it ... fell through the cracks.

Becky Keller: DOCR said there was no fiscal impact.

Leann Bertsch, Director of the Department of Corrections and Rehabilitation: Stated this bill looks a lot differently than it was introduced. The intent was the DOCR would assume the whole civic commitment unit at the State Hospital and we would take over all of the FTEs at

some point. No fiscal impact. As the bill traveled through the process, it became clear that there was some concerns with regards to constitutionality of the DOCR taking a civil commitment unit over. The Senate had concerns ... security and safety at the State Hospital. Wanted to have something in place that requires the DOCR to consult and train their staff at the State Hospital. Continued explanation. Refer: 21:38 - 22:47.

Senator Fischer: Questioned the $120,000 amount.

Senator Krauter: Explained on page 2 - the e-mail which gives the amount of the position.

Chairman Pollert: You need to hire an FTE that is trained in sex offenders.

Leann Bertsch: It would actually be an FTE supplement to our training force at JRCC.

Discussion: Question asked if there was request for a fiscal note. Refer: 24:02 - 26:41.

Chairman Pollert: Referred to the amendments .0507 ... asked for explanation on the 2 million and 5 million dollars, increased funding for transitional services for 20 extra beds - when the bill was asking for 40 originally.

Senator Krauter: Explanation given and discussion. Refer: 27:31 - 28:20

Chairman Pollert: On the original bill, you were asking for 6 FTEs for the parole officers, on the House side we reduced that by 3 FTEs, and on the Senate side you added the 3 FTEs that we had taken out but you added 3 additional FTEs. Explanation requested.

Senator Krauter: It was an OAR ... the attempt is to get the caseload down. Explained. Refer: 28:57 - 29:56

Chairman Pollert: Questioned the restoration of deferred maintenance.

Senator Krauter: Explained.

Representative Wieland: Something was going to come out of one of these funds. Could you repeat that?

Senator Krauter: The Emergency Clause ... the Crime Victims Compensation Fund.

Dave Krabbenhoft: That is General Fund money. It is specific as to what we can use it for right now. But, if the amendment is changed, then we can use it for the Crime Victims Compensation ... with the Emergency Clause we can spend it right away.

Chairman Pollert: The emergency measure came in on the Senate side, is that correct?

Dave: Correct.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☒ Check here for Conference Committee

Hearing Date: April 16, 2007

Recorder Job Number: 6059

Committee Clerk Signature Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman opened the Conference Committee hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

Present were: Representatives Wieland and Metcalf and Senators Fischer, Grindberg, and Krauter.

Chairman Pollert: The last time we were here we talking about the programs with Senator Krauter. Can explained a little about the 20 transition beds?

Senator Krauter: That was an OAR. Explained.

Senator Grindberg: You might want to ask about a new OAR.

Dave Krabbenhoft: As of July 1st, in our inmate management plan, we projected 1,230 male inmates to house within the system and with our contract beds. As of April 15th, it looks like we'll be more than likely at 1,242. That is 12 over. The other issue is we had wanted to increase TRCC to a capacity of 72 inmates and the State Hospital isn't going to let us do that.

They're going to make us keep it where we're at 48 inmates ... 60 beds. It is going to leave us 36 short of where we're at. Have to them in the county jail times $60 a day ... $1,576,800.

Senator Grindberg: My perception was that we had these beds, how have some things has changed?

Dave Krabbenhoft: Back when we putting together the master plan, the hospital told us that they wanted to move the TRCC over to the Nurses' Building. As a result of that, when we had original discussion with the Hospital, the TRCC was originally planned to go to the Nurses' Building. The Hospital said that 90 people are too many people and they don't have the staff to support 90 in the Nurses' Building, so we have been forced to go back to the 60. Hospital needs to follow JAYCO standards. Continued explanation and discussion. Refer: 05:30 - 07:15

Senator Krauter: With this change, would there be a reduction of costs?

Dave Krabbenhoft: There would be no reduction in costs. Lump sum payment to the hospital for 90 beds.

Senator Krauter: What was the lump sum payment?

Dave Krabbenhoft: It is in the budget.

Chairman Pollert: We should not have to pay for the 90 beds.

Dave Krabbenhoft: The department made the assumption that they could do 120 for the same costs as 90 and made the assumption that we could go to the Nurses' Building independent of the cost estimate that was given from the hospital. The cost of the budget to the hospital isn't going to change.

Chairman Pollert: Well, it should change because they are going to take 12 less people.

Dave Krabbenhoft: No, they are going to take 90 people into the program, 40 are going to be male inmates and the others from the community, and 30 women. They are going to take 90

total. We thought we could put more men in there and the hospital said no, we gave you a price for 90 and that's where it is going to stay.

Chairman Pollert: It is a question we could ask Alex.

Dave Krabbenhoft: Continued explanation on costs of the program.

Representative Wieland: Another million ... explain.

Dave Krabbenhoft: Instead of having 72 male inmates at the TRCC program, we're going to end up with 48 inmates. Those 48, instead of getting into a treatment program at TRCC, they're going to have to go somewhere else in the system. We have to have a contract bed for them - it goes out to the county. I'm sorry, 24 additional, not 48.

Continued discussion and explanation on standards and budget. Refer: 14:17 - 19:50

Chairman Pollert: What we need to do, can you have this on a piece of paper?

Dave Krabbenhoft: Will prepare sheet.

Continued discussion on number of beds and projections. Refer: 21:00 - 23:20

Senator Krauter: Questioned Legislative Council as to why the numbers did not match the Green Sheets?

Becky Keller of Legislative Council: They were Legislative estimates. The numbers started changing down the road and Dave had to redo the estimates.

Senator Krauter: Questioned whether these estimates were what the budget was built on. Numbers do not add up. Continued discussion on numbers. Refer: 24:20

Chairman Pollert: Requested handout from Dave on optional OAR and more explanation from Becky. Also suggested Alex Schweitzer or Terry Wicks to come before the committee.

Senator Krauter: My question is if we do not have the expense in the TRCC, but we do have expense going to the county. One should offset the other to some amount.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☒ Check here for Conference Committee

Hearing Date: April 17, 2007

Recorder Job Number: 6089

Committee Clerk Signature Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman, opened the Conference Committee hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

Rep. Chet Pollert, Chairman noted that all present: Representatives Wieland and Metcalf and Senators Fischer, Grindberg, and Krauter.

Rep. Chet Pollert, Chairman, stated we would continue with an explanation of the numbers that were discussed yesterday and questions for the State Hospital.

Dave Krabbenhoft, of the DOCR, stated he apologized for the confusion yesterday. Secondly, he did not want to imply that this was a State Hospital problem. We made an incorrect assumption in our budget when we prepared the budget. Not specifically asking for any money. Just wanted to make you aware of that if things continue to go as they are, that we could have problems in the next biennium. When you add all those numbers together, for 36 beds and 1.5 million dollars. But, having said that, our whole budget is built on an estimate. When we get a point, we hope the averages will work out. Dave handed out a sheet showing

the program capacity at the TRCC. (Attachment A) We are not asking or we don't want the State Hospital to increase the TRCC to 90 beds. We believe that female and male proportion of it is a good 90-bed facility and we don't want that capacity increased. Explanation of the sheet given. (Refer: 02:59)

Chairman Pollert: Stated "you have the flexibility to move items from the prison division amongst the prison division, but you can't flex between the field division and the prison division. You have to ask Emergency Commission for that authority and the Budget Section. Right?"

Dave Krabbenhoft: That is correct. Peak in April, drop during the summer months, then we go back up higher than we in April. It's an estimate.

Chairman Pollert: When you look at 1 ½ million dollars, how many months in this program is that in the biennium?

Dave Krabbenhoft: If there was a problem, it wouldn't happen until the 20th month. You would be in session by then.

Alex C. Schweitzer, Superintendent of the North Dakota State Hospital and Developmental Center of the Department of Human Services: Came to the podium and asked the committee wanted history.

Senator Krauter: Questioned that if there was success in the Tompkins Rehabilitation Program, why wouldn't we want to make more of those beds available?

Alex C. Schweitzer stated with the current location of the building there is ability to expand there. Life safety issue - beyond 60 beds - overcrowded. No plans to expand.

The way the current bill sets with the Senate amendments, we've added some dollars for the department to use. It would an opportunity for the State Hospital and the DOCR to provide.

Refer: 09:45

Alex C. Schweitzer: We have worked very effectively with the DOCR over the years in treating people.

Chairman Pollert: If I am correct then, do you have to remodel other buildings in order to accept more people or expand the program?

Alex C. Schweitzer: We have an option now that we didn't have last year. We have some space where the women's program is to do some expansion.

Senator Krauter: Referred to an amendment he had handed out concerning funding of an FTE of the training of individuals of the DOCR for State Hospital and one of the programs, SB 2136 for $100,000.

Alex C. Schweitzer: FTE explained. That bill was amended. (Refer: 11:30)

Discussion on the FTE in the budget.

Chairman Pollert: Questioned whether the amendment for $120,000 was the right amount.

Alex C. Schweitzer: That is correct.

Chairman Pollert: Asked for discussion on amendment .0507.

Representative Wieland: Stated he had written down a series of motions that would relate to .0507. He said he had 9 that he was prepared to bring up. **Made a motion to remove under Section 8 of amendments grant programs the amount of 2 million dollars for Field Services Division for Research Based Programs.**

Senator Grindberg: Second the motion for discussion.

Roll Call Vote: Pollert - yes, Wieland - yes, Metcalf - no, Fischer - yes, Grindberg - yes, Krauter - no.

Motion passed.

Representative Wieland: Made a motion to remove under Section 9 of amendments General Fund appropriations of $5 million dollars for the Prisons Division for treatment and programming.

Senator Grindberg: Seconded the motion.

Senator Krauter: We heard this a few minutes ago. This is a situation in the Prisons Division where they can use some of these dollars in enhancing treatment, availability of services at the Tompkins Rehabilitation. Look at the success, we've got to give them the dollars to do that.

Representative Wieland: We also heard they weren't prepared to do that. With the possibility of the changes that are going to be made in the building program one way or the another, this would not be the time to advance that program until such time it's in a more stable condition.

Representative Metcalf: Questioned whether these programs could be offered in the second year of the biennium. Good programs.

Chairman Pollert: Gave his personal viewpoint that some of the programs work and some will be continuing. I would like to see what the success of them is going to be before we throw in another 5 million dollars.

Representative Metcalf: Under the assumption, these programs are ones that going to be offered within the prison itself.

Roll Call Vote: Pollert - yes, Wieland - yes, Metcalf - no, Fischer - yes, Grindberg - yes, Krauter - no.

Motion passed.

Representative Wieland: Motion for a DOCR Space Operational and Staffing Report for the JRCC and the State Penitentiary. Did not believe it was in the bill ... would like to have it done in writing.

Senator Grindberg: Seconded the motion. When would we expect that report back?

Representative Wieland: Did not discuss ... suggest that by the end of 2007. Will add date.

Representative Metcalf: What is the anticipated cost?

Representative Wieland: There would be no cost ... have a staffing report of sorts already. Continued discussion regarding the kind of report ... whether the DOCR has language in writing.

Motion rescinded until Representative Wieland can get amendment rewritten.

Refer: 24:07 - 26:44

Representative Wieland: Moved to remove funding for three additional FTE's for special offender workloads for $471,411 - Number 5 on Page 4.

Chairman Pollert: Do you have further amendments coming forward about the funding for the chaplains? The House version, there were three parole officers that were taken out of the requested budget and Senate put back in the three which is $423,447 and also the chaplain for $64,000. Are you looking at that?

Representative Wieland: My plans were not include the chaplains or the line item regarding the three FTEs that were removed from the original request.

Chairman Pollert: You're comfortable with the Senate putting the chaplains as full time and also comfortable with the putting back the 3 that we had taken out on the House side for 6 parole officers. So your motion is just FTEs ... taking out the OAR #38.

Representative Wieland: That is correct.

Senator Fischer: Seconded the motion.

Chairman Pollert: Keeping in #4 and #7.

Discussion on whether changes should be made since no decision on new prison ... DOCR still needing resources. Continued discussion regarding number of the beds in projects - not making much of a difference.

Representative Wieland: Responded that remodeling or the new prison would not be completed for two years and the changes in staffing would not be necessary. This is one of the reasons why we need to look at a staffing plan.

Refer: 31:20 - 33:49

Representative Metcalf: Stated they were looking at outside of the prison staffing. We are not able to provide the services that are necessary ... have eliminated supervision ... how do you have rehabilitation without supervision? Oppose motion.

Chairman Pollert: Stated that we were not back to the Governor's proposed budget of the 6 parole officers that are currently in here. No need to go any further.

Representative Metcalf: Disagree with you. How can we continue without social workers?

Senator Krauter: Stated 50% come out on parole ... this is good stuff to do. We're policy branch of the government.

Representative Metcalf: The Governor's budget reflects more on the budget itself and what is necessary to balance the budget out - not what is necessary to eliminate the problem. The Field Services Division asked for 40 officers.

Refer: 39:50

Chairman Pollert: I remember the manager of the Fields Services Division advocating for the six which we are back to.

Senator Krauter: This is good economics. Refer: 40:50 - 42:00

Roll Call Vote: Pollert - yes, Wieland - yes, Metcalf - no, Fischer - yes, Grindberg - yes, Krauter - no.

Motion passed.

Representative Wieland: Motion to remove Paragraph 5 of Section 6, page 2, regarding DOCR paying for court ordered drug treatment assessments. This creates problems for the DOCR.

Senator Grindberg: Seconded the motion.

Senator Krauter: Asked for clarification of the sentences? Referred to second sentence - that the person pays.

Representative Wieland: Probably true, if they have the money.

Leann Bertsch, Director of the Department of Corrections and Rehabilitation: Stated this amendment was based on a pilot program that was in our budget last time. It never got funded based on a Federal grant. The paragraph 5 does not need to be in there. Do not have money for any treatment program or any assessment. We have the DHS, the regional Human Service Centers ... various drug centers around the state. She asked that this be removed. Refer: 46:00

Representative Metcalf: Reluctantly support that. Should have a study.

Senator Krauter: Suggested removing just the first sentence ... to remove the whole thing just a blank ... leave it in gives the court a handle.

Leann Bertsch stated the whole paragraph needs to be removed. Would be dipping into the budget ... when a court orders - it takes over.

Roll Call Vote: Pollert - yes, Wieland - yes, Metcalf - yes, Fischer - yes, Grindberg - yes, Krauter - yes.

Motion passed.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill No. HB 1015

House Appropriations Committee
Human Resources Division

☒ Check here for Conference Committee

Hearing Date: April 18, 2007

Recorder Job Number: 6127

Committee Clerk Signature

Minutes:

Chairman Pollert opened the conference committee hearing on HB 1015. Record shows all conference committee members are here. Is there anything simple we can work on?

Rep. Wieland: I was asked to get some space operational and staffing plan amendments ready and I have prepared those. (see attached form). This is really more of a guide for the operation itself and that includes the staffing part of it. This is asking for on the state penitentiary and James River correctional center because they can be in the same document and the DOCR can do it themselves. Mr. Krabbenhoft was with me when we prepared this and so we went through this thing and they have no problem with doing this. We did set it up so it would be presented at the first budget section meeting after March 1. It does not require any additional funding and it is something they can do themselves. **I would move to add this amendment to the DOCR 1050. Seconded By Senator Fischer.**

Discussion:

Senator Grindberg: Is this including MRCC?

Rep. Wieland: No it does not include MRCC at this particular time. In time it would if we move MRCC it should be part of that plan. In its current site no. Keep in mind primarily because it is so small. It could if we wanted to add it into it we could do that. There is not a

real large staff down there and you can keep tabs on it a lot better. When it becomes a part and it becomes a part of the penitentiary or right outside the penitentiary or how ever we decide it should be done, then it can be included.

Senator Krauter: The plans should be based upon state penitentiary building projects authorized by the 60th Legislative Assembly and the current facilities had James River, why not the current facilities at MRCC, I don't understand that?

Rep. Wieland: If MRCC were to remain we would add it it could be included. If you want to add it into the amendment I do not care. At this particular time we discussed the idea that MRCC would be moved and if they are going to be moved, after they are moved it should be included. But at this particular time it kind of moot to do it because it is not a very big facility at this time.

Motion Made By Rep. Wieland to further amend and add this into the 0508 and add the MRCC to the plan. Seconded By Senator Krauter.

Discussion:

Vote: 6 Yes 0 No 0 Absent Carried.

Discussion on amendment:

Senator Krauter: Give me an idea of what you mean by the words space operational and staffing?

Rep. Wieland: I happen to have a space operational and staffing program up at the Cass County jail. This was done at the time we built our new facility and I know you are familiar with it. As we went through this thing; the one we would have here probably would be done a little bit differently, but it has been reviewed and it is a plan and inside of the plan there are just various aspects of the operation in terms of the staff and how and where they should be in

terms of the operation. It deals with security and lots of other things. It is an outline of the operation of the facility.

Chairman Pollert: Basically it is a policy handbook.

Rep. Krauters: Can you should me where it talks about rehabilitation?

Rep. Wieland: I can't in this one because we don't do rehabilitation in the Case County jail.

Rep. Krauters: We need to have that. We need to have some structure relating to any type of rehabilitation particularly in staffing and operations. If we leave that void in there we are going down a wrong path to what we have been doing in the last three biennium's. **I would like to further amend this so it says that the Department of Correction's Rehabilitations what prepare a staff operations and rehabilitation and staff plan. Seconded by Rep. Metcalf.**

Discussion:

Rep. Wieland: Are you anticipating that there are some dollars attached to that?

Chairman Pollert: No, you said that the department is going to be able to do this within their budget. Any other discussion?

Senator Grindberg: I am not familiar with the Cass County report. Assuming that report is dated with staffing and population, I think we when the staffing report comes out it also compared to South Dakota or Midwestern border states so we would have something to benchmark against rather than just our own staff report. Here is what we think vs. a comparison. If that is covered in here I am fine. I am not sure it is.

Rep. Wieland: No, this is only for the facility. This is not even a report; this is a plan that is not a report that compares this facility or our facility to Montana State or any other state. How many people does it take to operate a security area within that? That is a staffing plan. What you are talking about it a report that compares and that is different than what this is.

Senator Fischer: When it says operational, does that include in a secure area, someone becomes ill what the procedure is for helping or removing them? When you did that one you would have looked at other plans from other institutions to come up with how that operation should be managed.

Rep. Wieland: We have professional out there who have worked in that prison an awfully long time. They have a lot of knowledge. These plans should be written in cooperation with the people that are working there that know the function of the facility.

Space is probably the floor plan and I don't need that. Want a booklet so that it would be complete for a new employee.

Rep. Metcalfe: I guess this is basically goes back to my history if we are talking about the military. They prepared this thing continuously and they are called standard operating procedures and we had them for every unit where ever they happened to be. I think the rehabilitation was a good thing to add on to here and we should not expect a complete true plan at this time. It is going to be a plan that is going to be developed over the years. It is not going to take 6 years. It should be continuingly updated and ongoing.

Senator Krauter: The department does have Standard Operating Procedures. If we would ask for a staffing plan and operating plan it is there. What Rep. Wieland is looking for here is we have to establish some assumptions; what are we assuming to be the inmate count on such and such a day to meet the staffing or operational needs of that. That is what I am hearing and we have not even talked about that.

Chairman Pollert: I think now I am struggling and getting further and further in and I don't think that was the focus of the amendment, but I might be wrong about that.\

Rep. Wieland: I would not have asked for this to be included here if one had been provided. I did ask for one and was told they did not have that. I am only saying lets do what every body

seems to know, but it is not written down. That is all this amendment does. I agree it is a fluid document and does not remain the same. You are gong to review it annually and keep it updated. Right now I don't see any document similar to this at the present time.

Senator Grindberg: I am struggling with not having the data together. It would not take till March 2008 to do that. I think it is important to have regional and national comparisons to what we are doing. A comparison validates what we need to do and what we need to do for more support for field services. It is back to the rehabilitation issue so I am not sure as policy makers what additional information we are going to get. Unless we do some regional or statistically analysis with this it just seems that we could go that step and have a little more information.

Chairman Pollert: We start to talk rehabilitation then you are getting into field services as well as a prison division and it is way overboard and those overlap and then you might as well add the whole DRCR budget and I am not making that a motion.

Senator Krauter: right now we have a formula in our deficiency. Last session we had a deficiency; we have under funded them so when we start looking for a staffing plan which staffing plan do you want them to provide to you. The one that was appropriated or the one that was deficiency applied to it or the one was in the executive budget or the one they have asked for? Otherwise the department is gong to struggle on what report they need to prepare.

Chairman Pollert: Other discussion.

Vote: 3 Yes 3 No Motion failed to add rehabilitation.

Anything else we want to discuss?

Chairman Pollert: So now we have the plain amendment in front of us which is what is written plus the MRCC. **Senator Grindberg made that motion, Seconded By Rep. Metcalf.**

Discussion: None

Roll: 6 Yes 0 No 0 Absent

Amendment approved 508.

Rep. Wieland: I you remember we talked about Senate Bill 2136, which was a bill to provide some training. We had a discussion on it where the DOCR would be training someone out of the State hospital. There was an estimated cost of about $120,000 in general funds which were not in the bill to pay for that. So I make a motion we add $120,000 of general funds to pay for that position in SB 2136.

Chairman Pollert: I would ask legislative counsel if that is an accurate fiscal on that. Where did the number come from?

Senator Krauter: It is $118,500; one FTE position. Operating of $6800.

Rep. Wieland: I would make a correction on my motion to make it $18,500. Seconded by Senator Fischer.

Motion for the one FTE, $111,650 salary; $6850 operating expense.

Roll call: 6 Yes 0 No 0 Absent Carried.

Rep. Wieland: We passed a bill that required the DOTR to put $100,000 in general funds into a fund to pay for community supervision and service. That is SB 2243. Again that was a bill that required the DOCR to do something, but there was no funding in there for it.

Chairman Pollert: Legislative Counsel can you give me a draft of 2243 so we have something to look at it.

Rep Wieland: When 2243 original came before appropriations committee it asked for $380,000. The DOCR had been in the past funding that, but in the last year or so had not been doing that so that was the reason the bill came forward. We had a subcommittee that looked into increasing the fines and fees for the felon to $50 and there were about 5,000 of these cases the Supreme Court estimated that only half of them would probably pay so we

took 2500 of these and that would have been over a two year time frame and raised $125,000 at $50 each. Then we made a statement for legislative intent that required the DOCR to add an additional $100,000 so there would be $225,000 that could be used for community supervision and it would be put into a fund and the participating counties and cities would participate of $1 for every $2 they would get back and that is the basis for the bill and the $100,000 was not funded for the DOCR.

Chairman Pollert: We will wait until we get the copies of the bill so we have something to look at so you have a chance to read it.

Recess.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill No. HB 1015

House Appropriations Committee
Human Resources Division

☒ Check here for Conference Committee

Hearing Date: April 19, 2007

Recorder Job Number: 6171

Committee Clerk Signature Dr Lori D Thomas

Minutes:

Chairman Pollert called the conference committee on HB 1015 to order. All the conference committee members are present.

Chairman Pollert: What we handed out is in the amendments which the senate put in on the house side. On the house side we had reduced the extra ordinary repairs by $667,500 and the Senate side had restored them. We were asking if you knew what the $667,500 was?

Sen. Krauter: We were restoring the Governor's request, who cares. There were no numbers thrown around.

Chairman Pollert: Do you know what specific items were in the $660,500?

Senator Krauters: Extra ordinary repairs listed by the department.

Rep. Wieland: Under MRCC that range and foot have been replaced so we don't need to even include that anymore.

Chairman Pollert: We are bringing this forward is that some of the discussion deals with $440,000 that deals with the state pen that would deal with construction. If we did some construction; there is about $450,000 or less maybe, that wouldn't have to be in the $667,500 list. That is why we are brining that out. We are not asking for any action on it. As an example, the $385,000 is a ramp and an elevator to the administrative building for ADA

reasons. If we decide to construction something, whether it is two or four years from now, we would think why would be spend $380,000 that we might tear down. Same thing with the energy audit; why would we do the energy audit for $15,000 if we might do some construction so that is why we just handed out the list. Went over the list. It is more for discussion purposes so you have it for the future.

Senator Krauter: You are saying the MICC; the road and parking lot maintenance for $13,000 has been completed?

Chairman Pollert: No, just the range hood replacement had. When we first talked about moving the MRCC; that is why the road and parking lot maintenance for $13,000 was pulled off as well. Some of these things we should not fund if we talk about construction. Did everyone get a copy of Senate Bill 2243? Did you want to go through that Rep. Wieland?

Rep. Wieland: The final bill with these amendments were adopted and approved by conference committee about a week or so. It covers two issues: sentence fee of $50 and it would be 50% collectible and should provide $125,000 and $100,000 from the DOCR giving the total of $225,000. Would be made available case per case basis and require local match of $1 per each $2 provided by the department. I have made a motion to add the $100,000 to pay for that in this budget. Seconded by Senator Grindberg.

Discussion:

Senator Krauter: So the appropriation that is in this bill of $125,000 this is in addition of this to make it up to $225,000.

Rep. Wieland: There is a total of $225,000 in the supervision over the biennium. We are asking for the $100,000. The other is coming in from the miscellaneous.

Vote: 6 Yes 0 No 0 Absent Carried.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill No. HB 1015

House Appropriations Committee
Human Resources Division

☒ Check here for Conference Committee

Hearing Date: April 21, 2007

Recorder Job Number: 6241

Committee Clerk Signature

Minutes:

Chairman Pollert opened the conference committee hearing on HB 1015.

All members are present.

Rep. Metcalf: I have a need for field services. We have to have all the FTE's in there we can get. **Motion Made by Rep. Metcalf to add $250,000 into Human Services for use in supervision and this money me authorized to spend if they can find it within their budget. Seconded by Senator Krauter.**

Discussion:

Rep. Metcalf: I think these field service people need the additional help that they can possibly get. This would give them off duty police officers, whoever they can find who are legally certified to use as supervise people out on parole and probation to help keep them out of prison. I am talking part time people and they estimate they can bring part time people in with a salary of about $17/-$18.50/hour. They could bring in less than 3 part time people. That is the purpose of it. We are only contributing to their social security. There are no retirement funds or anything like that built in here.

Chairman Pollert: Do they have part time or temporary salaries in their field services division already that they could have excess to now?

Rep. Metcalf: Mainly they don't have enough. We are definitely short in that particular area. They show they have about 120 probationers per officer and basically the thought is there that it should be in the 60-70 range or in that area somewhere. So they are definitely overworked. If they can see one of these people once in four weeks is not near enough that it really basically a waste of time and money for doing any of it.

Senator Krauter: I just need some clarification from Rep. Metcalf the funding of the $250,000?

Rep. Metcalf: The funding would be it they could find it within their supervision and budget they have right?

Senator Krauter: I am curious if the committee things by reducing the caseload of a correctional officer in field services is good or bad?

Chairman Pollert: Over the years we have learned that there is really no standard because every person out there is at a different level of the severity of the crime or punishment. So it is hard to say the caseloads would all be the same. When you look at it, if we can do anything we can to reduce that number of caseloads so that correctional officer can work on each individual case more often that would be positive.

Senator Krauter: How do you determine the caseload of any one when doing a plan for employees, how would you determine what any one caseload should be? That where the department should make a management plan and all that as detailed that way. I road around with a field person in a car and we went around and did about 10 visits and caught 3 people during that time. Hard to work with this people so it is not an easy thing to work with these people.

Chairman Pollert: Dave please come forward. This sheet shows the offenders on community supervision. If you remember Rep. Metcalf that is where we had our discussions as far as the

number of FTE or patrol probation officers. In 05 you had 4923 supervision types and this sheet shows 47.75 FTE's so we took that and divided it down to so it 103.1 caseloads average per patrol probation officers and in 06 it went to 5344 on the 47.75 so then I went and figured out after they took out the 3 on the house side and I used that 5344 and show it being divided by 53.78 and the number of patrol officers. Is that a correct number? This is adding 6 new FTE's.

Senator Krauter: As you built this budget and presented it to the governor and as he made his recommendations is my thought process different their theirs? Discussing need to be seeing the clients more frequently.

LeAnn: No you are not wrong. More employees' means more assistance out in the field and that should help see people more and assist them better.

Rep. Metcalf: You referred to the 2006 level of with the patrol officers that we have it brings it back to the 2005-06 level. I accept that but it does not make it the right amount of people that we need. We have a decision to make here. Do we want our parolees supervised that we have a better chance to ensure they will not return to prison. How do we know we have the right number? We are only seeing the most severe cases and hoping they will not re offend. I think it is what needs to be done and I would hope that we can approve this amendment.

Chairman Pollert: Let us look at this chart. 5344 in 2006 we had 112 probation officers; with the 53 patrol probation officers that comes out to 100.8. In 2003 that number was 101.7 so with the 53 that are currently in the budget that is 108 per and 2003 was 101.7 so we would actually be there.

Rep. Metcalf: I understand what you are trying to do; justify this by numbers. By people coming out of our prisons into the civilian world. I don't care about numbers, but I do care about what is happening to these people. If they get back into prison it is going to cost us

more money. The people that have studies this know that if we have more supervision there is a better chance that those people will not offend again.

Senator Krauter: For your numbers, based upon the information that was given to us, as those caseloads increase over 9% annually we will be up to 5,264 divided by the case workers we are 129. This is just keeping to go like that.

Vote: 5 Yes 1 No 0 Absent Carried

Discussions:

Rep. Wieland: Motion to remove the 8 items that total $440,200 from the one time repairs for the penitentiary and MRCT. Energy audit #32 for $15,000; ABA Excess #41 $385,000; Heating and cooling #44 for $15,000; cooling tower #31 $10,000; hood at MRCC $2200 and the road for $13,000 that is done. Whatever that totals; should be $440,200. That would leave $227,300 in the one time in deferred maintenance.

Seconded by Senator Grindberg.

Discussion: None

Vote: 5 Yes 1 No 0 Absent Carried

Senator Wieland: Motion to remove the funding for 20 beds for transitional care which had a cost in it of $448,950. OAR65. Seconded By Rep. Pollert.

Discussion:

Chairman Pollert: It just shows as an OAR65 on this sheet.

Senator Krauter: Why are we removing them. Are we anticipating not having any growth in transitional? We have already added $28 million a 28% increase in this budget. It was a motion to try and get this budget balanced.

Chairman Pollert: In the OCR budget there is not a rehabilitation or treatment program that the house side reduced in 1015. In that there is 40 transition beds that are in the budget; we did not touch that. We went by what the DOCR came in.

Senator Krauter: How do you explain the inconsistency of taking an OAR that is way in the bottom of the list and adding money to faith based programming? I am talking about the bottom of page 2 and this is on the bottom of page 5. We have to have flexibility out there so that as we transition people into community out of parole or probation, which ever one, that the department has those beds available.

Vote 4 Yes 2 No 0 Absent Motion passed.

Hearing closed.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☒ Check here for Conference Committee

Hearing Date: April 21, 2007

Recorder Job Number: 6258

Committee Clerk Signature Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman, opened the Conference Committee hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

Rep. Chet Pollert, Chairman noted that all present: Representatives Wieland and Metcalf and Senators Fischer, Grindberg, and Krauter.

Rep. Chet Pollert, Chairman, asked for any discussion.

Senator Grindberg: Made a motion amendment .0509 be adopted with a revision on Section 14 - transfer of land fund ... insert $41 million instead of $57 million. In Section 15, a quarter of million dollars to the Legislative Council for prison facility ... preliminary design development.

Senator Fischer: Seconded the motion.

Roll Call Vote: Pollert - yes, Wieland - yes, Metcalf - yes, Fischer - yes, Grindberg - yes, Krauter - yes.

Motion carried.

Senator Krauter: Stated there were currently four line items within the DOCR. You have your Field Services and Prisons Division. Would like to have those combined as basically Adult Services. The third and fourth line is Juvenile Community Services. The fifth line is the Youth Correctional Center. Would like to have that combined as one line so that we have basically two areas of operating within the department. You have your "Adult Services" and then you have "Youth Services." The reason for this is that then gives the department some flexibility. You talk about Prisons and Field Services - it is all adult. Continued explanation. **Motion to combine those four line items into two line items.** Refer: 03:40

Senator Grindberg: Seconded the motion.

Representative Wieland: No problem with the amendment but would like to put a sunset on that for 2 years to see if it works.

Senator Krauter: I will further amend to put a "Sunset" on it.

Senator Grindberg: Agreed.

Chairman Pollert: Next time, will we still be able to segregate it out between the Field Services division and the Prison Division?

Senator Krauter: I don't any problem with it. It's coded that way. This gives them the flexibility and tools in management.

Roll Call Vote: Pollert - no, Wieland - yes, Metcalf - yes, Fischer - yes, Grindberg - yes, Krauter - yes.

Motion carried.

Senator Krauter: Another amendment to give DOCR the flexibility ... concern is to reduce recidivism ... the whole issue of our caseload is pretty strong to me ... need to give them the opportunity to get these caseload numbers down. Next session, we should be able to go and track it. **Would like to increase the adult services line to 5 FTEs for $465,550.** Those

dollars to be used for the intention of bringing the caseloads down. Presently, temporary FTEs at JRCC and this will help to get through some of the issues. Medical situations at JRCC, the transition goes back to Corrections because of the cost of those situations. **Increase of $100,000 in the transitional medical care. Total $565,550. Intent for two in adult services.**

Representative Metcalf: Seconded the motion.

Roll Call Vote: Pollert - yes, Wieland - yes, Metcalf - yes, Fischer - yes, Grindberg - yes, Krauter - yes.

Motion passes.

Senator Grindberg: Can we wrap it up ... do we need a grand motion?

Chairman Pollert: Unless there are so more amendments?

Representative Wieland: We can make a motion.

Chairman Pollert: It's the Senate's bill.

Discussion on the procedure.

Senator Grindberg: Made a motion the Senate recede from the amendments and amend.

Senator Fischer: Seconded the motion.

Roll Call Vote: Pollert - yes, Wieland - yes, Metcalf - yes, Fischer - yes, Grindberg - yes, Krauter - yes.

Motion Carried.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1015

House Appropriations Committee
Human Resources Division

☒ Check here for Conference Committee

Hearing Date: April 24, 2007

Recorder Job Number: 6319

Committee Clerk Signature

Minutes:

Rep. Chet Pollert, Chairman, opened the Conference Committee hearing on **HB 1015**, a Bill for an Act to provide an appropriation for defraying the expenses of the Department of Corrections and Rehabilitation; and to amend and reenact Subsection 1 of Section 12-65-08 of the North Dakota Century Code, relating to fees for the interstate transfer or travel of probationers.

Rep. Chet Pollert, Chairman noted that all present: Representatives Wieland and Metcalf and Senators Fischer, Grindberg, and Krauter.

Rep. Chet Pollert, Chairman: We have amendments.

Senator Grindberg: Reviewed amendments .0512 and referred to page 3. Originally, the Senate had put some language into Senate Bill 2260 which has navigated to HB 1015, which talks about the facility review committee and membership duties and recommendations. Noted on Item 1, under Section 10, first paragraph ... words are new. Referred to "correctional facility review committee to address the immediate and future needs of the state penitentiary" ... the new words are "to address the immediate." So, that it was clear that the immediate needs were part of this process. Continuing on page 4, the language adopted in conference committee that failed on the floor changed. Continued with the changes.

Refer: 02:00 - 04:35

Senator Grindberg: Made a motion to move Amendment .0512.

Senator Fischer: Seconded the motion.

Senator Krauter: Questions on Page 5, Section 19 - Emergency, what is 11?

Representative Wieland: Section 11 makes reference to some money. Explanation.

Senator Krauter: The way I understand this study now. The $41 million dollars that is set aside here would be then available upon the budget section finally approving an Emergency Commission recommendation. Is that the way it is intended?

Senator Grindberg: The 41 million in the State Penitentiary Land Fund would be available to be used for one of these three projects - once the committee of six makes a recommendation to the Emergency Commission which makes a recommendation to the Budget Section. And the Budget Section approves it. What if one of those three plans exceeds 41 million dollars? That is an excellent question. I would envision that whatever the plan that would come out of either three options would be a phased approach where, if it is was a new facility offsite or onsite, clearly it's going to be more than 41 million. The hypothesis would be work around a budget of $41 million dollars and to start that new option ...continued to be an issue. Refer: 07:16 - 07:33

Senator Krauter: Question of Item number 7 on page 4 ... time line. To make this process happen quicker - shouldn't we have that date of March 1, 2008 - to move it up so that we aren't setting ourselves too far down the construction type of season in 2008?

Senator Grindberg: Can look at two different ways. Intent of Emergency Clause is to get started right away.

Representative Wieland: It says before June 1, I would agree with you. I would hope the committee would take action sooner than June 1. With the help of having the Emergency Clause in there, that does afford an opportunity.

Senator Krauter: No need to change?

Senator Grindberg: June 1st would give us 6 months. Suggest we leave as drafted.

Senator Krauter: On Page 4, Item 5, questioned number of inmates. It locks us in to presumed assumption that the male inmate population would be 900 - 1000 ... a defined number of beds.

Senator Grindberg: Do not know the exact origin of the 900 or 1000. Not necessarily locked into 900 or 1000. It is just as a concept - based on a population. If the recommendation came back and the cost benefit said 1100, that route could be chosen.

Representative Wieland: The options for expansion ... beyond that. We chose the 900 range because of a pod could be somewhere in the neighborhood of 88 ... 10 pods or bigger pods. Continued explanation on pod sizes. Refer: 13:07 - 13:50

Chairman Pollert: Wasn't one of the proposals around 950 - 960 beds ... on the original plan?

Senator Krauter: Referred to the language "must be based upon the population between 900-1000 inmates. Locked in - pretty tight.

Senator Grindberg: Doesn't mean that the committee couldn't say what the options are at 500 - 600 - 1200 as well. It just says "at a minimum, it must have 900-1000."

Senator Krauter: Made a motion to strike that Section b on page 4.

Senator Grindberg: Requested that the committee act on the motion and then further amend.

Chairman Pollert: Wait with the motion.

Roll Call Vote on Amendment on .0512: Chairman Pollert - yes, Rep. Wieland - yes, Rep. Metcalf - yes, Sen. Fischer - yes, Sen. Grindberg - yes, Sen. Krauter - no.

Motion passed 5 to 1.

Senator Krauter: Move that we further amend so that it says "be based upon a housing population of approximately 900-1000 inmates." Pretty tight there.

Senator Grindberg: Seconded the motion.

Chairman Pollert: Any discussion?

Roll Call Vote: Chairman Pollert - yes, Rep. Wieland - yes, Rep. Metcalf - yes, Sen. Fischer - yes, Sen. Grindberg - yes, Sen. Krauter - yes.

Senator Krauter: Ask intent of amendments. This committee will be organized and be given the charge of analyzing these three types of options and it says "We shall forward three concepts along with a recommendation for one of the three concepts to the Emergency Commission." So, with these amendments, there will be construction of a facility during the biennium. Is that correct?

Senator Grindberg: I would answer it this way. It is pretty clear that the intent is to move forward on one of the options, but the possibility certainly does still exist that nothing could happen. Because the Emergency Commission could say no and the Budget Section.

Chairman Pollert: Have to this make this official?

Senator Grindberg: Already have voted.

Adjournment.

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Prepared by the Legislative Council staff

April 6, 2007

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1015

In lieu of the amendments adopted by the Senate as printed on pages 949-951 of the Senate Journal, Reengrossed House Bill No. 1015 is amended as follows:

Page 1, line 2, replace the third "and" with a comma

Page 1, line 3, after "12.1-32-07" insert ", and section 19-03.1-45"

Page 1, line 4, replace "and" with a comma and after "fees" insert ", and drug treatment"

Page 1, line 5, remove "and" and after "approval" insert "; to provide for a transfer; to provide for a legislative council study; and to declare an emergency"

Page 1, line 22, replace "8,138,211" with "11,582,019"

Page 1, line 23, replace "99,780,064" with "20,511,564"

Page 2, line 3, replace "109,095,173" with "33,270,481"

Page 2, line 5, replace "112,930,827" with "37,106,135"

Page 2, line 12, replace "35,213,361" with "38,657,169"

Page 2, line 13, replace "179,331,778" with "100,063,278"

Page 2, line 16, replace "237,996,004" with "162,171,312"

Page 2, line 18, replace "214,066,511" with "138,241,819"

Page 3, after line 17, insert:

"**SECTION 6. AMENDMENT.** Section 19-03.1-45 of the North Dakota Century Code is amended and reenacted as follows:

19-03.1-45. ~~Mandatory drug~~ Drug abuse assessment and treatment - Presentence investigation - Certified drug abuse treatment programs.

1. ~~When~~ If a person ~~located in Walsh, Pembina, or Grand Forks Counties~~ has pled guilty or has been found guilty of a felony violation of subsection 6 of section 19-03.1-23 ~~and~~, if that person has not previously pled guilty or been found guilty of any offense involving the use, possession, manufacture, or delivery of a controlled substance or of any other felony offense of this or another state or the federal government, and if the court imposes probation, the court shall impose a period of probation of not less than eighteen months in conjunction with a suspended execution of a sentence of imprisonment, a sentence to probation, or an order deferring imposition of sentence.

2. Upon a plea or finding of guilt of a person subject to the provisions of subsection 1, the court shall order a presentence investigation to be conducted by the department. The presentence investigation shall include a drug and alcohol evaluation conducted by a licensed addiction counselor.

3. If the licensed addiction counselor recommends treatment, the court shall require the person to participate in an addiction program licensed by the department of human services as a condition of the probation. The court shall commit the person to treatment through a licensed addiction program until determined suitable for discharge by the court. The term of treatment shall not exceed eighteen months and may include an aftercare plan. During the commitment and while subject to probation, the person shall be supervised by the department.

4. If the person fails to participate in, or has a pattern of intentional conduct that demonstrates the person's refusal to comply with or participate in the treatment program, as established by judicial finding, the person shall be subject to revocation of the probation. Notwithstanding subsection 2 of section 12.1-32-02, the amount of time participating in the treatment program under this section is not "time spent in custody" and will not be a credit against any sentence to term of imprisonment.

5. The cost for all drug abuse assessments and certified drug abuse treatment programs shall be initially paid by the department. The court shall order the person to reimburse the department for the assessment and treatment expenses in accordance with the procedures of section 12.1-32-08. The department shall handle the collection of costs from the offenders in the same manner as it collects court costs, fees, and supervision fees.

6. In this section:

   a. "Department" means the department of corrections and rehabilitation; and

   b. "Licensed addiction counselor" is a person licensed pursuant to section 43-45-05.1.

~~7. The provisions of this section shall be implemented as a pilot project in Pembina, Walsh, and Grand Forks Counties effective three months from the date of receipt of a federal grant for methamphetamine treatment being applied for by the department of human services. The department shall collaborate management of the pilot project with the department of human services to ensure services under the federal grant program for one-half of the offenders mandated by the court to submit to mandatory treatment, not to exceed twenty three individuals. The department shall hire a program manager to manage the pilot project, collect statistics regarding the operation of the program, track participants in the program, and provide a report to the attorney general, the legislative council for distribution during the November 2006 legislative council meeting, and the sixtieth legislative assembly detailing the number of participants in the program, the cost of the program, relapse statistics, and other data concerning the effectiveness of the program.~~"

Page 3, replace lines 23 through 31 with:

"**SECTION 8. GRANT PROGRAMS.** The total general fund appropriation line item in section 3 of this Act includes $2,000,000 to be used by the field services division to provide grants to North Dakota organizations for research-based programs to prevent

criminal behavior and incarceration. The grant awards must range from $25,000 to $500,000.

SECTION 9. RECIDIVISM RISK REDUCTION. The total general fund appropriation line item in section 3 of this Act includes $5,000,000 to be used by the prisons division for treatment and programming related to recidivism risk reduction.

SECTION 10. TRANSFER TO THE STATE PENITENTIARY LAND FUND. The director of the office of management and budget shall transfer on July 1, 2007, $42,000,000 from the general fund to the state penitentiary land fund established in North Dakota Century Code section 54-23.3-04 to be used for future correctional facilities as authorized by the legislative assembly. All income earned on the fund must be deposited in the state penitentiary land fund."

Page 4, remove lines 1 through 16

Page 5, line 3, replace "$88,332,091" with "$3,999,591"

Page 5, remove line 8

Page 5, line 9, replace "70,000" with "$70,000"

Page 5, line 10, replace "1,498,091" with "2,165,591"

Page 5, line 12, replace "88,332,091" with "3,999,591"

Page 5, after line 15, insert:

"**SECTION 15. LEGISLATIVE COUNCIL STUDY - RETIREMENT CRITERIA FOR STATE CORRECTIONAL OFFICERS AND PEACE OFFICERS.** The legislative council shall consider studying, during the 2007-08 interim, retirement program criteria and benefits for correctional officers and peace officers employed by state agencies, including the feasibility and desirability of allowing these employees to retire with full retirement benefits at age fifty-five or the "rule of 85".

SECTION 16. EMERGENCY. Section 11 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehabilitation - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Field Services	$35,953,086	$35,213,361	$3,443,808	$38,657,169
Prisons Division	140,093,278	179,331,778	(79,268,500)	100,063,278
Juvenile Community Services	8,895,140	8,895,140		8,895,140
Youth Correctional Center	14,608,184	14,555,725		14,555,725
Total all funds	$199,549,688	$237,996,004	($75,824,692)	$162,171,312
Less estimated income	26,853,489	23,929,493		23,929,493
General fund	$172,696,199	$214,066,511	($75,824,692)	$138,241,819*
FTE	706.79	700.29	8.00	708.29

* In addition, $42,000,000 is transferred from the general fund to the State Penitentiary land fund for a total general fund impact of $180,241,819.

Dept. 530 - Department of Corrections and Rehabilitation - Detail of Senate Changes

	PREVENTION GRANTS [1]	FUNDING FOR RECIDIVISM RISK REDUCTION [2]	REMOVES FUNDING FOR PRISON EXPANSION [3]	RESTORES FUNDING FOR CHAPLAINS [4]	ADDS FUNDING FOR ADDITIONAL FTE [5]	PROVIDES FUNDING FOR ADDITIONAL TRANSITION SERVICES [6]
Field Services	$2,000,000				$471,411	$448,950
Prisons Division		$5,000,000	($85,000,000)	$64,000		
Juvenile Community Services						
Youth Correctional Center						
Total all funds	$2,000,000	$5,000,000	($85,000,000)	$64,000	$471,411	$448,950
Less estimated income						
General fund	$2,000,000	$5,000,000	($85,000,000)	$64,000	$471,411	$448,950
FTE	0.00	0.00	0.00	2.00	3.00	0.00

	RESTORES PAROLE AND PROBATION OFFICERS [7]	RESTORES FUNDING FOR DEFERRED MAINTENANCE [8]	ADDS FUNDING FOR TEEN CHALLENGE [9]	TOTAL SENATE CHANGES
Field Services	$423,447		$100,000	$3,443,808
Prisons Division		$667,500		(79,268,500)
Juvenile Community Services				
Youth Correctional Center				
Total all funds	$423,447	$667,500	$100,000	($75,824,692)
Less estimated income				
General fund	$423,447	$667,500	$100,000	($75,824,692)
FTE	3.00	0.00	0.00	8.00

[1] This amendment provides funding for grants to organizations to conduct programs to prevent criminal behavior and incarceration.

[2] This amendment provides funding to the Prisons Division for treatment and programming related to recidivism risk reduction.

[3] This amendment removes all funding associated with any new building and demolition projects.

[4] This amendment restores funding removed by the House to convert 2 temporary chaplains to full-time equivalent positions.

[5] This amendment provides funding for 3 FTE positions to assist with the special offender workload.

[6] This amendment adds funding for 20 additional beds for transition for male inmates.

[7] This amendment restores funding removed by the House for 3 FTE parole and probation officers, including operating expenses.

[8] This amendment restores funding removed by the House for deferred maintenance.

[9] This amendment adds funding for Teen Challenge.

A section is added requiring the prevention grants to be awarded to research-based programs and limiting the grant awards from $25,000 up to $500,000.

A section is added requiring that $5,000,000 added to the Prisons Division be used for treatment and programs related to recidivism risk reduction.

A section is added directing the Legislative Council to consider a study of the retirement criteria for state correctional officers and peace officers.

A section is added that amends North Dakota Century Code Section 19-03.1-45 relating to drug abuse assessment and treatment.

A section is added providing for a transfer from the general fund of $42,000,000 to the State Penitentiary land fund.

A section is added providing for an emergency for Section 11.

78015.0508
Title.

Prepared by the Legislative Council staff for
Representative Wieland
April 17, 2007

Attach A.

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1494-1498 of the House Journal and pages 1291-1295 and page 1343 of the Senate Journal and that Reengrossed House Bill No. 1015 be amended as follows:

Page 1, line 5, after "intent" insert "; to provide for a report to the budget section"

Page 5, after line 15, insert:

"**SECTION 14. SPACE, OPERATIONAL, AND STAFFING PLAN - BUDGET SECTION REPORT.** The department of corrections and rehabilitation shall prepare a space, operational, and staffing plan for the state penitentiary and James River correctional center. The plan shall be based on the state penitentiary building project authorized by the sixtieth legislative assembly and the current facilities at the James River correctional center. The plan shall be presented at the first budget section meeting after March 1, 2008."

Renumber accordingly

(1)

REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)

Bill Number 1015 (, as (re)engrossed): Date: 04-21-07

Your Conference Committee Human Resources

For the Senate:	YES / NO		For the House:	YES / NO	
Sen Fischer	X		Rep. Pollert	X	
Sen. Grindberg	X		Rep. Weiland	X	
Sen. Krauter	X		Rep. Metcalf	X	

Amendment .0309 adopted & rerefer.

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) _____ -- _____

____, and place _____ on the Seventh order.

____, adopt (further) amendments as follows, and place _____ on the Seventh order:

____, having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: _____

CARRIER: _____

LC NO. of amendment
LC NO. of engrossment
Emergency clause added or deleted
Statement of purpose of amendment

MOTION MADE BY: _____

SECONDED BY: _____

VOTE COUNT ___ **YES** ___ **NO** ___ **ABSENT**

Revised 4/1/05

78015.0510
Title.0800

Prepared by the Legislative Council staff
for Representative Pollert
April 21, 2007

VR
4/22/07
1 of 6

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1494-1498 in the House Journal and pages 1291-1295 and page 1343 of the Senate Journal and that Reengrossed House Bill No. 1015 be amended as follows:

Page 1, line 2, replace the third "and" with a comma

Page 1, line 3, after "12.1-32-07" insert ", and section 19-03.1-45"

Page 1, line 4, replace "and" with a comma and after "fees" insert ", and drug treatment"

Page 1, line 5, remove "and" and after "approval" insert "; to provide for a transfer; to provide an appropriation; to provide for a report to the budget section; to provide for a legislative council study; and to declare an emergency"

Page 1, line 22, replace "$8,138,211" with "($27,075,150)"

Page 1, line 23, replace "99,780,064" with "(79,551,714)" .

Page 1, line 24, replace "964,482" with "(7,930,658)"

Page 2, line 1, replace "1,712,416" with "(12,843,309)"

Page 2, after line 1, insert:

"Adult services	131,143,936
Youth services	23,450,865"

Page 2, line 3, replace "109,095,173" with "25,693,970"

Page 2, line 5, replace "112,930,827" with "29,529,624"

Page 2, line 12, replace "Field" with "Adult" and replace "35,213,361" with "131,143,936"

Page 2, line 13, replace "Prisons division" with "Youth services" and replace "179,331,778" with "23,450,865"

Page 2, remove lines 14 and 15

Page 2, line 16, replace "237,996,004" with "154,594,801"

Page 2, line 18, replace "214,066,511" with "130,665,308"

Page 3, after line 17, insert:

"**SECTION 6. AMENDMENT.** Section 19-03.1-45 of the North Dakota Century Code is amended and reenacted as follows:

19-03.1-45. ~~Mandatory drug~~ Drug abuse assessment and treatment - Presentence investigation - Certified drug abuse treatment programs.

1. ~~When~~ If a person ~~located in Walsh, Pembina, or Grand Forks Counties~~ has pled guilty or has been found guilty of a felony violation of subsection 6 of section 19-03.1-23 ~~and~~, if that person has not previously pled guilty or been found guilty of any offense involving the use, possession, manufacture, or delivery of a controlled substance or of any other felony offense of this or another state or the federal government, and if the court imposes probation, the court shall impose a period of probation of not less than eighteen months in conjunction with a suspended execution of a sentence of imprisonment, a sentence to probation, or an order deferring imposition of sentence.

2. Upon a plea or finding of guilt of a person subject to the provisions of subsection 1, the court shall order a presentence investigation to be conducted by the department. The presentence investigation shall include a drug and alcohol evaluation conducted by a licensed addiction counselor.

3. If the licensed addiction counselor recommends treatment, the court shall require the person to participate in an addiction program licensed by the department of human services as a condition of the probation. The court shall commit the person to treatment through a licensed addiction program until determined suitable for discharge by the court. The term of treatment shall not exceed eighteen months and may include an aftercare plan. During the commitment and while subject to probation, the person shall be supervised by the department.

4. If the person fails to participate in, or has a pattern of intentional conduct that demonstrates the person's refusal to comply with or participate in the treatment program, as established by judicial finding, the person shall be subject to revocation of the probation. Notwithstanding subsection 2 of section 12.1-32-02, the amount of time participating in the treatment program under this section is not "time spent in custody" and will not be a credit against any sentence to term of imprisonment.

5. ~~The cost for all drug abuse assessments and certified drug abuse treatment programs shall be initially paid by the department. The court shall order the person to reimburse the department for the assessment and treatment expenses in accordance with the procedures of section 12.1-32-08. The department shall handle the collection of costs from the offenders in the same manner as it collects court costs, fees, and supervision fees.~~

~~6.~~ In this section:

   a. "Department" means the department of corrections and rehabilitation; and

   b. "Licensed addiction counselor" is a person licensed pursuant to section 43-45-05.1.

~~7. The provisions of this section shall be implemented as a pilot project in Pembina, Walsh, and Grand Forks Counties effective three months from the date of receipt of a federal grant for methamphetamine treatment being applied for by the department of human services. The department shall collaborate management of the pilot project with the department of human services to ensure services under the federal grant program for one-half of the offenders mandated by the court to submit to mandatory treatment, not to exceed twenty-three individuals. The department shall hire a program~~

~~manager to manage the pilot project, collect statistics regarding the operation of the program, track participants in the program, and provide a report to the attorney general, the legislative council for distribution during the November 2006 legislative council meeting, and the sixtieth legislative assembly detailing the number of participants in the program, the cost of the program, relapse statistics, and other data concerning the effectiveness of the program.~~"

Page 3, replace lines 23 through 31 with:

"**SECTION 8. TRANSFER TO THE STATE PENITENTIARY LAND FUND - CONTINGENT APPROPRIATION.** The director of the office of management and budget shall transfer on July 1, 2007, $41,000,000 from the general fund to the state penitentiary land fund established in North Dakota Century Code section 54-23.3-04 to be used for correctional facilities. The funds are appropriated to the department of corrections and rehabilitation for a project accepted and approved under Senate Bill No. 2260, as approved by the sixtieth legislative assembly, for the biennium beginning July 1, 2007, and ending June 30, 2009. All income earned on the fund must be deposited in the state penitentiary land fund.

SECTION 9. APPROPRIATION - LEGISLATIVE COUNCIL. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $250,000, or so much of the sum as may be necessary, to the legislative council for prison facility alternative concepts and preliminary design development, as provided for in Senate Bill No. 2260, for the biennium beginning July 1, 2007, and ending June 30, 2009."

Page 4, remove lines 1 through 16

Page 5, line 3, replace "$88,332,091" with "$3,559,391"

Page 5, remove line 8

Page 5, line 9, replace "70,000" with "$70,000"

Page 5, line 10, replace "1,498,091" with "1,725,391"

Page 5, line 12, replace "88,332,091" with "3,559,391"

Page 5, after line 15, insert:

"**SECTION 14. INTENT - TEMPORARY SALARIES - FIELD SERVICES.** It is the intent of the sixtieth legislative assembly that the department of corrections and rehabilitation may use $250,000 of its 2007-09 biennium appropriation for temporary salaries for the field services division for supervision of offenders.

SECTION 15. LEGISLATIVE COUNCIL STUDY - RETIREMENT CRITERIA FOR STATE CORRECTIONAL OFFICERS AND PEACE OFFICERS. The legislative council shall consider studying, during the 2007-08 interim, retirement program criteria and benefits for correctional officers and peace officers employed by state agencies, including the feasibility and desirability of allowing these employees to retire with full retirement benefits at age fifty-five or the "rule of 85". The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

SECTION 16. SPACE, OPERATIONAL, AND STAFFING PLAN - BUDGET SECTION REPORT. The department of corrections and rehabilitation shall prepare a space, operational, and staffing plan for the state penitentiary and James River correctional center. The plan must be based on the state penitentiary building project authorized by the sixtieth legislative assembly and the current facilities at the James River correctional center and the Missouri River correctional center. The plan must be presented at the first budget section meeting after March 1, 2008.

SECTION 17. EMERGENCY. Section 10 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Office of Management and Budget						
Total all funds	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Less estimated income	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
General fund						
Legislative Council						
Total all funds	$0	$0	$250,000	$250,000	$0	$250,000
Less estimated income	$0	$0	$250,000	$250,000	$0	$250,000
General fund						
Department of Corrections and Rehabilitation						
Total all funds	$199,549,688	$237,996,004	($83,401,203)	$154,594,801	$162,171,312	($7,576,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($83,401,203)	$130,665,308	$138,241,819	($7,576,511)
Bill Total						
Total all funds	$199,549,688	$237,996,004	($42,151,203)	$195,844,801	$204,171,312	($8,326,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($42,151,203)	$171,915,308	$180,241,819	($8,326,511)

House Bill No. 1015 - Office of Management and Budget - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Transfer to State Penitentiary land fund			$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Total all funds	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Less estimated income						
General fund	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 110 - Office of Management and Budget - Detail of Conference Committee Changes

	TRANSFER TO STATE PENITENTIARY LAND FUND [1]	TOTAL CONFERENCE COMMITTEE CHANGES
Transfer to State Penitentiary land fund	$41,000,000	$41,000,000
Total all funds	$41,000,000	$41,000,000
Less estimated income		
General fund	$41,000,000	$41,000,000
FTE	0.00	0.00

[1] This amendment adds a section to transfer $41 million from the general fund to the State Penitentiary land fund to be used for future correctional facilities accepted and approved under Senate Bill No. 2260.

House Bill No. 1015 - Legislative Council - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Operating expenses			$250,000	$250,000		$250,000
Total all funds	$0	$0	$250,000	$250,000	$0	$250,000
Less estimated income						
General fund	$0	$0	$250,000	$250,000	$0	$250,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 160 - Legislative Council - Detail of Conference Committee Changes

	ALTERNATIVE CONCEPTS AND PRELIMINARY DESIGN DEVELOPMENT [1]	TOTAL CONFERENCE COMMITTEE CHANGES
Operating expenses	$250,000	$250,000
Total all funds	$250,000	$250,000
Less estimated income		
General fund	$250,000	$250,000
FTE	0.00	0.00

[1] This amendment provides an appropriation to the Legislative Council for prison facility alternative concepts and preliminary design development as provided for in Senate Bill No. 2260.

House Bill No. 1015 - Department of Corrections and Rehabilitation - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Field Services	$35,953,086	$35,213,361	($35,213,361)		$38,657,169	($38,657,169)
Prisons Division	140,093,278	179,331,778	(179,331,778)		100,063,278	(100,063,278)
Juvenile Community Services	8,895,140	8,895,140	(8,895,140)		8,895,140	(8,895,140)
Youth Correctional Center	14,608,184	14,555,725	(14,555,725)		14,555,725	(14,555,725)
Adult Services			131,143,936	131,143,936		131,143,936
Youth Services			23,450,865	23,450,865		23,450,865
Total all funds	$199,549,688	$237,996,004	($83,401,203)	$154,594,801	$162,171,312	($7,576,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($83,401,203)	$130,665,308	$138,241,819	($7,576,511)
FTE	706.79	700.29	11.00	711.29	708.29	3.00

Dept. 530 - Department of Corrections and Rehabilitation - Detail of Conference Committee Changes

	REMOVES FUNDING FOR PRISON EXPANSION [1]	RESTORES FUNDING FOR CHAPLAINS [2]	RESTORES PAROLE AND PROBATION OFFICERS [3]	RESTORES FUNDING FOR DEFERRED MAINTENANCE [4]	PROVIDES FUNDING FOR TEEN CHALLENGE [5]	PROVIDES FUNDING AND FTE POSITION FOR INTERAGENCY AGREEMENT [6]
Field Services			$423,447		$100,000	
Prisons Division	($85,000,000)	$64,000		$227,300		$118,500
Juvenile Community Services						
Youth Correctional Center						
Adult Services						
Youth Services						
Total all funds	($85,000,000)	$64,000	$423,447	$227,300	$100,000	$118,500
Less estimated income						
General fund	($85,000,000)	$64,000	$423,447	$227,300	$100,000	$118,500
FTE	0.00	2.00	3.00	0.00	0.00	1.00

	PROVIDES FUNDING FOR COMMUNITY SERVICE SUPERVISION GRANTS [7]	TRANSITION MEDICAL CARE [8]	ADDS 5 FTE POSITIONS TO REDUCE CASELOAD [9]	COMBINES PRISONS DIVISION AND FIELD SERVICES INTO ADULT SERVICES [10]	COMBINES YCC AND JUVENILE COMMUNITY SERVICES INTO YOUTH SERVICES [11]	TOTAL CONFERENCE COMMITTEE CHANGES
Field Services	$100,000		$465,550	($36,302,358)		($35,213,361)
Prisons Division		$100,000		(94,841,578)		(179,331,778)
Juvenile Community Services					($8,895,140)	(8,895,140)
Youth Correctional Center					(14,555,725)	(14,555,725)
Adult Services				131,143,936		131,143,936
Youth Services					23,450,865	23,450,865
Total all funds	$100,000	$100,000	$465,550	$0	$0	($83,401,203)
Less estimated income						
General fund	$100,000	$100,000	$465,550	$0	$0	($83,401,203)
FTE	0.00	0.00	5.00	0.00	0.00	11.00

1 This amendment removes funding for the new building and demolition projects.

2 This amendment restores funding removed by the House to convert 2 temporary chaplains to full-time equivalent positions.

3 This amendment restores funding removed by the House for 3 FTE parole and probation officers, including operating expenses.

4 This amendment restores $227,300 of the $667,500 removed by the House for deferred maintenance.

5 This amendment adds funding for Teen Challenge.

6 This amendment provides funding for 1 FTE position and related operating expenses for the interagency agreement with the Department of Human Services provided for in Senate Bill No. 2136.

7 This amendment provides funding for community service supervision grants as provided for in Senate Bill No. 2243.

8 This amendment provides funding for transition medical care for inmates.

9 This amendment provides funding to add 5 FTE positions to reduce the caseload for Adult Services.

10 This amendment combines the Prisons Division and Field Services line items into the Adult Services line item.

11 This amendment combines the Youth Correctional Center and Juvenile Community Services line items into the Youth Services line item.

A section is added directing the Legislative Council to consider a study of the retirement criteria for state correctional officers and peace officers.

A section is added that amends North Dakota Century Code Section 19-03.1-45 relating to drug abuse assessment and treatment.

A section is added providing for a transfer from the general fund of $41,000,000 to the State Penitentiary land fund.

A section is added providing an appropriation to the Legislative Council for prison facility alternative concepts and preliminary design.

A section is added to provide for a space, operational, and staffing plan and a report to the Budget Section regarding the plan.

A section is added authorizing Field Services to use $250,000 of the 2007-09 biennium appropriation for temporary salaries for supervision.

A section is added providing for an emergency for Section 10.

This amendment combines the Prisons Division and Field Services line items into the Adult Services line item and combines the Youth Correctional Center and Juvenile Community Services line items into the Youth Services line item.

(4)

REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)

Bill Number HB 1015 (, as (re)engrossed): Date: 04-21-07

Your Conference Committee Human Services

For the Senate:	YES / NO		For the House:	YES / NO	
Sen Fischer	X		Rep. Pollert	X	
Sen. Grindberg	X		Rep. Weiland	X	
Sen. Krauter	X		Rep. Metcalf	X	

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) 1494 - 1498

____, and place _____ on the Seventh order.

__X__, adopt (further) amendments as follows, and place HB1015 on the Seventh order:

____, having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) HB 1015 was placed on the Seventh order of business on the calendar.

DATE: 4/21/07
CARRIER: Rep. Weiland

LC NO.	of amendment
LC NO.	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment	

MOTION MADE BY: Sen. Grindberg

SECONDED BY: Sen. Fischer

VOTE COUNT 6 **YES** 0 **NO** 0 **ABSENT**

Revised 4/1/05

REPORT OF CONFERENCE COMMITTEE

HB 1015, as reengrossed: Your conference committee (Sens. Fischer, Grindberg, Krauter and Reps. Pollert, Wieland, Metcalf) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1494-1498, adopt amendments as follows, and place HB 1015 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1494-1498 in the House Journal and pages 1291-1295 and page 1343 of the Senate Journal and that Reengrossed House Bill No. 1015 be amended as follows:

Page 1, line 2, replace the third "and" with a comma

Page 1, line 3, after "12.1-32-07" insert ", and section 19-03.1-45"

Page 1, line 4, replace "and" with a comma and after "fees" insert ", and drug treatment"

Page 1, line 5, remove "and" and after "approval" insert "; to provide for a transfer; to provide an appropriation; to provide for a report to the budget section; to provide for a legislative council study; and to declare an emergency"

Page 1, line 22, replace "$8,138,211" with "($27,075,150)"

Page 1, line 23, replace "99,780,064" with "(79,551,714)"

Page 1, line 24, replace "964,482" with "(7,930,658)"

Page 2, line 1, replace "1,712,416" with "(12,843,309)"

Page 2, after line 1, insert:

"Adult services	131,143,936
Youth services	23,450,865"

Page 2, line 3, replace "109,095,173" with "25,693,970"

Page 2, line 5, replace "112,930,827" with "29,529,624"

Page 2, line 12, replace "Field" with "Adult" and replace "35,213,361" with "131,143,936"

Page 2, line 13, replace "Prisons division" with "Youth services" and replace "179,331,778" with "23,450,865"

Page 2, remove lines 14 and 15

Page 2, line 16, replace "237,996,004" with "154,594,801"

Page 2, line 18, replace "214,066,511" with "130,665,308"

Page 3, after line 17, insert:

"**SECTION 6. AMENDMENT.** Section 19-03.1-45 of the North Dakota Century Code is amended and reenacted as follows:

19-03.1-45. ~~Mandatory drug~~ Drug abuse assessment and treatment - Presentence investigation - Certified drug abuse treatment programs.

1. ~~When~~ If a person ~~located in Walsh, Pembina, or Grand Forks Counties~~ has pled guilty or has been found guilty of a felony violation of subsection

6 of section 19-03.1-23 ~~and~~, if that person has not previously pled guilty or been found guilty of any offense involving the use, possession, manufacture, or delivery of a controlled substance or of any other felony offense of this or another state or the federal government, and if the court imposes probation, the court shall impose a period of probation of not less than eighteen months in conjunction with a suspended execution of a sentence of imprisonment, a sentence to probation, or an order deferring imposition of sentence.

2. Upon a plea or finding of guilt of a person subject to the provisions of subsection 1, the court shall order a presentence investigation to be conducted by the department. The presentence investigation shall include a drug and alcohol evaluation conducted by a licensed addiction counselor.

3. If the licensed addiction counselor recommends treatment, the court shall require the person to participate in an addiction program licensed by the department of human services as a condition of the probation. The court shall commit the person to treatment through a licensed addiction program until determined suitable for discharge by the court. The term of treatment shall not exceed eighteen months and may include an aftercare plan. During the commitment and while subject to probation, the person shall be supervised by the department.

4. If the person fails to participate in, or has a pattern of intentional conduct that demonstrates the person's refusal to comply with or participate in the treatment program, as established by judicial finding, the person shall be subject to revocation of the probation. Notwithstanding subsection 2 of section 12.1-32-02, the amount of time participating in the treatment program under this section is not "time spent in custody" and will not be a credit against any sentence to term of imprisonment.

5. ~~The cost for all drug abuse assessments and certified drug abuse treatment programs shall be initially paid by the department. The court shall order the person to reimburse the department for the assessment and treatment expenses in accordance with the procedures of section 12.1-32-08. The department shall handle the collection of costs from the offenders in the same manner as it collects court costs, fees, and supervision fees.~~

~~6.~~ In this section:

   a. "Department" means the department of corrections and rehabilitation; and

   b. "Licensed addiction counselor" is a person licensed pursuant to section 43-45-05.1.

~~7. The provisions of this section shall be implemented as a pilot project in Pembina, Walsh, and Grand Forks Counties effective three months from the date of receipt of a federal grant for methamphetamine treatment being applied for by the department of human services. The department shall collaborate management of the pilot project with the department of human services to ensure services under the federal grant program for one-half of the offenders mandated by the court to submit to mandatory treatment, not to exceed twenty three individuals. The department shall hire a program manager to manage the pilot project, collect statistics regarding the~~

~~operation of the program, track participants in the program, and provide a report to the attorney general, the legislative council for distribution during the November 2006 legislative council meeting, and the sixtieth legislative assembly detailing the number of participants in the program, the cost of the program, relapse statistics, and other data concerning the effectiveness of the program.~~"

Page 3, replace lines 23 through 31 with:

"**SECTION 8. TRANSFER TO THE STATE PENITENTIARY LAND FUND - CONTINGENT APPROPRIATION.** The director of the office of management and budget shall transfer on July 1, 2007, $41,000,000 from the general fund to the state penitentiary land fund established in North Dakota Century Code section 54-23.3-04 to be used for correctional facilities. The funds are appropriated to the department of corrections and rehabilitation for a project accepted and approved under Senate Bill No. 2260, as approved by the sixtieth legislative assembly, for the biennium beginning July 1, 2007, and ending June 30, 2009. All income earned on the fund must be deposited in the state penitentiary land fund.

SECTION 9. APPROPRIATION - LEGISLATIVE COUNCIL. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $250,000, or so much of the sum as may be necessary, to the legislative council for prison facility alternative concepts and preliminary design development, as provided for in Senate Bill No. 2260, for the biennium beginning July 1, 2007, and ending June 30, 2009."

Page 4, remove lines 1 through 16

Page 5, line 3, replace "$88,332,091" with "$3,559,391"

Page 5, remove line 8

Page 5, line 9, replace "70,000" with "$70,000"

Page 5, line 10, replace "1,498,091" with "1,725,391"

Page 5, line 12, replace "88,332,091" with "3,559,391"

Page 5, after line 15, insert:

"**SECTION 14. INTENT - TEMPORARY SALARIES - FIELD SERVICES.** It is the intent of the sixtieth legislative assembly that the department of corrections and rehabilitation may use $250,000 of its 2007-09 biennium appropriation for temporary salaries for the field services division for supervision of offenders.

SECTION 15. LEGISLATIVE COUNCIL STUDY - RETIREMENT CRITERIA FOR STATE CORRECTIONAL OFFICERS AND PEACE OFFICERS. The legislative council shall consider studying, during the 2007-08 interim, retirement program criteria and benefits for correctional officers and peace officers employed by state agencies, including the feasibility and desirability of allowing these employees to retire with full retirement benefits at age fifty-five or the "rule of 85". The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

SECTION 16. SPACE, OPERATIONAL, AND STAFFING PLAN - BUDGET SECTION REPORT. The department of corrections and rehabilitation shall prepare a space, operational, and staffing plan for the state penitentiary and James River

correctional center. The plan must be based on the state penitentiary building project authorized by the sixtieth legislative assembly and the current facilities at the James River correctional center and the Missouri River correctional center. The plan must be presented at the first budget section meeting after March 1, 2008.

SECTION 17. EMERGENCY. Section 10 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Office of Management and Budget						
Total all funds	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Less estimated income	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
General fund						
Legislative Council						
Total all funds	$0	$0	$250,000	$250,000	$0	$250,000
Less estimated income	$0	$0	$250,000	$250,000	$0	$250,000
General fund						
Department of Corrections and Rehabilitation						
Total all funds	$199,549,688	$237,996,004	($83,401,203)	$154,594,801	$162,171,312	($7,576,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($83,401,203)	$130,665,308	$138,241,819	($7,576,511)
Bill Total						
Total all funds	$199,549,688	$237,996,004	($42,151,203)	$195,844,801	$204,171,312	($8,326,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($42,151,203)	$171,915,308	$180,241,819	($8,326,511)

House Bill No. 1015 - Office of Management and Budget - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Transfer to State Penitentiary land fund			$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Total all funds	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Less estimated income						
General fund	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 110 - Office of Management and Budget - Detail of Conference Committee Changes

	TRANSFER TO STATE PENITENTIARY LAND FUND [1]	TOTAL CONFERENCE COMMITTEE CHANGES
Transfer to State Penitentiary land fund	$41,000,000	$41,000,000
Total all funds	$41,000,000	$41,000,000

Less estimated income		
General fund	$41,000,000	$41,000,000
FTE	0.00	0.00

1 This amendment adds a section to transfer $41 million from the general fund to the State Penitentiary land fund to be used for future correctional facilities accepted and approved under Senate Bill No. 2260.

House Bill No. 1015 - Legislative Council - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Operating expenses			$250,000	$250,000		$250,000
Total all funds	$0	$0	$250,000	$250,000	$0	$250,000
Less estimated income						
General fund	$0	$0	$250,000	$250,000	$0	$250,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 160 - Legislative Council - Detail of Conference Committee Changes

	ALTERNATIVE CONCEPTS AND PRELIMINARY DESIGN DEVELOPMENT 1	TOTAL CONFERENCE COMMITTEE CHANGES
Operating expenses	$250,000	$250,000
Total all funds	$250,000	$250,000
Less estimated income		
General fund	$250,000	$250,000
FTE	0.00	0.00

1 This amendment provides an appropriation to the Legislative Council for prison facility alternative concepts and preliminary design development as provided for in Senate Bill No. 2260.

House Bill No. 1015 - Department of Corrections and Rehabilitation - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Field Services	$35,953,086	$35,213,361	($35,213,361)		$38,657,169	($38,657,169)
Prisons Division	140,093,278	179,331,778	(179,331,778)		100,063,278	(100,063,278)
Juvenile Community Services	8,895,140	8,895,140	(8,895,140)		8,895,140	(8,895,140)
Youth Correctional Center	14,608,184	14,555,725	(14,555,725)		14,555,725	(14,555,725)
Adult Services			131,143,936	131,143,936		131,143,936
Youth Services			23,450,865	23,450,865		23,450,865
Total all funds	$199,549,688	$237,996,004	($83,401,203)	$154,594,801	$162,171,312	($7,576,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($83,401,203)	$130,665,308	$138,241,819	($7,576,511)
FTE	706.79	700.29	11.00	711.29	708.29	3.00

Dept. 530 - Department of Corrections and Rehabilitation - Detail of Conference Committee Changes

	REMOVES		RESTORES	RESTORES	PROVIDES	PROVIDES FUNDING AND

	FUNDING FOR PRISON EXPANSION [1]	RESTORES FUNDING FOR CHAPLAINS [2]	PAROLE AND PROBATION OFFICERS [3]	FUNDING FOR DEFERRED MAINTENANCE [4]	FUNDING FOR TEEN CHALLENGE [5]	FTE POSITION FOR INTERAGENCY AGREEMENT [6]
Field Services			$423,447		$100,000	
Prisons Division	($85,000,000)	$64,000		$227,300		$118,500
Juvenile Community Services						
Youth Correctional Center						
Adult Services						
Youth Services						
Total all funds	($85,000,000)	$64,000	$423,447	$227,300	$100,000	$118,500
Less estimated income						
General fund	($85,000,000)	$64,000	$423,447	$227,300	$100,000	$118,500
FTE	0.00	2.00	3.00	0.00	0.00	1.00

	PROVIDES FUNDING FOR COMMUNITY SERVICE SUPERVISION GRANTS [7]	TRANSITION MEDICAL CARE [8]	ADDS 5 FTE POSITIONS TO REDUCE CASELOAD [9]	COMBINES PRISONS DIVISION AND FIELD SERVICES INTO ADULT SERVICES [10]	COMBINES YCC AND JUVENILE COMMUNITY SERVICES INTO YOUTH SERVICES [11]	TOTAL CONFERENCE COMMITTEE CHANGES
Field Services	$100,000		$465,550	($36,302,358)		($35,213,361)
Prisons Division		$100,000		(94,841,578)		(179,331,778)
Juvenile Community Services					($8,895,140)	(8,895,140)
Youth Correctional Center					(14,555,725)	(14,555,725)
Adult Services				131,143,936		131,143,936
Youth Services					23,450,865	23,450,865
Total all funds	$100,000	$100,000	$465,550	$0	$0	($83,401,203)
Less estimated income						
General fund	$100,000	$100,000	$465,550	$0	$0	($83,401,203)
FTE	0.00	0.00	5.00	0.00	0.00	11.00

[1] This amendment removes funding for the new building and demolition projects.

[2] This amendment restores funding removed by the House to convert 2 temporary chaplains to full-time equivalent positions.

[3] This amendment restores funding removed by the House for 3 FTE parole and probation officers, including operating expenses.

[4] This amendment restores $227,300 of the $667,500 removed by the House for deferred maintenance.

[5] This amendment adds funding for Teen Challenge.

[6] This amendment provides funding for 1 FTE position and related operating expenses for the interagency agreement with the Department of Human Services provided for in Senate Bill No. 2136.

[7] This amendment provides funding for community service supervision grants as provided for in Senate Bill No. 2243.

[8] This amendment provides funding for transition medical care for inmates.

[9] This amendment provides funding to add 5 FTE positions to reduce the caseload for Adult Services.

[10] This amendment combines the Prisons Division and Field Services line items into the Adult Services line item.

[11] This amendment combines the Youth Correctional Center and Juvenile Community Services line items into the Youth Services line item.

A section is added directing the Legislative Council to consider a study of the retirement criteria for state correctional officers and peace officers.

A section is added that amends North Dakota Century Code Section 19-03.1-45 relating to drug abuse assessment and treatment.

A section is added providing for a transfer from the general fund of $41,000,000 to the State Penitentiary land fund.

A section is added providing an appropriation to the Legislative Council for prison facility alternative concepts and preliminary design.

A section is added to provide for a space, operational, and staffing plan and a report to the Budget Section regarding the plan.

A section is added authorizing Field Services to use $250,000 of the 2007-09 biennium appropriation for temporary salaries for supervision.

A section is added providing for an emergency for Section 10.

This amendment combines the Prisons Division and Field Services line items into the Adult Services line item and combines the Youth Correctional Center and Juvenile Community Services line items into the Youth Services line item.

Reengrossed HB 1015 was placed on the Seventh order of business on the calendar.

78015.0512
Title.

Prepared by the Legislative Council staff for
Senator Stenehjem
April 24, 2007

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1494-1498 in the House Journal and pages 1291-1295 and page 1343 of the Senate Journal and that Reengrossed House Bill No. 1015 be amended as follows:

Page 1, line 2, replace the third "and" with a comma

Page 1, line 3, after "12.1-32-07" insert ", and section 19-03.1-45"

Page 1, line 4, replace "and" with a comma and after "fees" insert ", and drug treatment"

Page 1, line 5, remove "and" and after "approval" insert "; to provide for a transfer; to provide an appropriation; to provide for a correctional facility review committee; to provide for a report to the budget section; to provide for a legislative council study; and to declare an emergency"

Page 1, line 22, replace "$8,138,211" with "($27,075,150)"

Page 1, line 23, replace "99,780,064" with "(79,551,714)"

Page 1, line 24, replace "964,482" with "(7,930,658)"

Page 2, line 1, replace "1,712,416" with "(12,843,309)"

Page 2, after line 1, insert:

"Adult services	131,143,936
Youth services	23,450,865"

Page 2, line 3, replace "109,095,173" with "25,693,970"

Page 2, line 5, replace "112,930,827" with "29,529,624"

Page 2, line 12, replace "Field" with "Adult" and replace "35,213,361" with "131,143,936"

Page 2, line 13, replace "Prisons division" with "Youth services" and replace "179,331,778" with "23,450,865"

Page 2, remove lines 14 and 15

Page 2, line 16, replace "237,996,004" with "154,594,801"

Page 2, line 18, replace "214,066,511" with "130,665,308"

Page 3, after line 17, insert:

"**SECTION 6. AMENDMENT.** Section 19-03.1-45 of the North Dakota Century Code is amended and reenacted as follows:

19-03.1-45. ~~Mandatory drug~~ Drug abuse assessment and treatment - Presentence investigation - Certified drug abuse treatment programs.

1. ~~When~~ If a person ~~located in Walsh, Pembina, or Grand Forks Counties~~ has pled guilty or has been found guilty of a felony violation of subsection 6 of section 19-03.1-23 ~~and~~, if that person has not previously pled guilty or been found guilty of any offense involving the use, possession, manufacture, or delivery of a controlled substance or of any other felony offense of this or another state or the federal government, and if the court imposes probation, the court shall impose a period of probation of not less than eighteen months in conjunction with a suspended execution of a sentence of imprisonment, a sentence to probation, or an order deferring imposition of sentence.

2. Upon a plea or finding of guilt of a person subject to the provisions of subsection 1, the court shall order a presentence investigation to be conducted by the department. The presentence investigation shall include a drug and alcohol evaluation conducted by a licensed addiction counselor.

3. If the licensed addiction counselor recommends treatment, the court shall require the person to participate in an addiction program licensed by the department of human services as a condition of the probation. The court shall commit the person to treatment through a licensed addiction program until determined suitable for discharge by the court. The term of treatment shall not exceed eighteen months and may include an aftercare plan. During the commitment and while subject to probation, the person shall be supervised by the department.

4. If the person fails to participate in, or has a pattern of intentional conduct that demonstrates the person's refusal to comply with or participate in the treatment program, as established by judicial finding, the person shall be subject to revocation of the probation. Notwithstanding subsection 2 of section 12.1-32-02, the amount of time participating in the treatment program under this section is not "time spent in custody" and will not be a credit against any sentence to term of imprisonment.

5. ~~The cost for all drug abuse assessments and certified drug abuse treatment programs shall be initially paid by the department. The court shall order the person to reimburse the department for the assessment and treatment expenses in accordance with the procedures of section 12.1-32-08. The department shall handle the collection of costs from the offenders in the same manner as it collects court costs, fees, and supervision fees.~~

~~6.~~ In this section:

   a. "Department" means the department of corrections and rehabilitation; and

   b. "Licensed addiction counselor" is a person licensed pursuant to section 43-45-05.1.

~~7. The provisions of this section shall be implemented as a pilot project in Pembina, Walsh, and Grand Forks Counties effective three months from the date of receipt of a federal grant for methamphetamine treatment being applied for by the department of human services. The department shall collaborate management of the pilot project with the department of human services to ensure services under the federal grant program for one-half of the offenders mandated by the court to submit to mandatory treatment, not to exceed twenty-three individuals. The department shall hire a program~~

~~manager to manage the pilot project, collect statistics regarding the operation of the program, track participants in the program, and provide a report to the attorney general, the legislative council for distribution during the November 2006 legislative council meeting, and the sixtieth legislative assembly detailing the number of participants in the program, the cost of the program, relapse statistics, and other data concerning the effectiveness of the program.~~"

Page 3, replace lines 23 through 31 with:

"**SECTION 8. TRANSFER TO THE STATE PENITENTIARY LAND FUND - CONTINGENT APPROPRIATION.** The director of the office of management and budget shall transfer on July 1, 2007, $41,000,000 from the general fund to the state penitentiary land fund established in North Dakota Century Code section 54-23.3-04 to be used for correctional facilities. The funds are appropriated to the department of corrections and rehabilitation for a project accepted and approved under section 10 of this Act and are available for construction, for the biennium beginning July 1, 2007, and ending June 30, 2009. All income earned on the fund must be deposited in the state penitentiary land fund.

SECTION 9. APPROPRIATION - LEGISLATIVE COUNCIL. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $250,000, or so much of the sum as may be necessary, to the legislative council for prison facility alternative concepts and preliminary design development, as provided for in section 10 of this Act for the period beginning with the effective date of this Act and ending June 30, 2009.

SECTION 10. CORRECTIONAL FACILITY REVIEW COMMITTEE - MEMBERSHIP - DUTIES - RECOMMENDATIONS.

1. During the 2007-08 interim, the legislative council shall appoint a correctional facility review committee to address the immediate and future needs of the state penitentiary. The membership of the committee must include six members of the legislative assembly selected by the legislative council. The membership of the committee must include:

   a. Three members of the house of representatives, two of whom must represent the majority faction of the house of representatives and one of whom must represent the minority faction of the house of representatives; and

   b. Three members of the senate, two of whom must represent the majority faction of the senate and one of whom must represent the minority faction of the senate.

2. The legislative council chairman shall designate the committee chairman and vice chairman.

3. The committee shall operate according to the statutes and procedures governing the operation of other legislative council interim committees.

4. The committee shall engage consultant and architectural services, subject to legislative council approval, for the development of the following three correctional facility concepts:

   a. The construction of a new correctional facility on the existing state penitentiary site;

   b. The construction of a new correctional facility at a site other than the state penitentiary site; and

c. The remodeling of the existing state penitentiary facility.

5. Each of the three correctional facility concepts developed by the consultant and architect must:

   a. Include a master plan, staffing plan, a cost-benefit analysis, and project cost estimate;

   b. Be based upon housing a population of between nine hundred and one thousand inmates;

   c. Include options for expansion;

   d. Take into consideration the transfer of the inmates at the Missouri River correctional center to the new or remodeled facility; and

   e. Take into consideration the facility and staffing needs of the James River correctional center.

6. In developing the concepts, the committee shall seek the input of the department of corrections and rehabilitation.

7. Before June 1, 2008, the committee shall forward the three concepts along with a recommendation for one of the three concepts to the emergency commission for the commission's consideration and authorization.

8. If the emergency commission authorizes one of the three concepts, the emergency commission shall forward the authorized concept to the budget section of the legislative council. The budget section may approve or reject the concept as authorized by the emergency commission."

Page 4, remove lines 1 through 16

Page 5, line 3, replace "$88,332,091" with "$3,559,391"

Page 5, remove line 8

Page 5, line 9, replace "70,000" with "$70,000"

Page 5, line 10, replace "1,498,091" with "1,725,391"

Page 5, line 12, replace "88,332,091" with "3,559,391"

Page 5, after line 15, insert:

"**SECTION 15. INTENT - TEMPORARY SALARIES - FIELD SERVICES.** It is the intent of the sixtieth legislative assembly that the department of corrections and rehabilitation may use $250,000 of its 2007-09 biennium appropriation for temporary salaries for the field services division for supervision of offenders.

SECTION 16. LEGISLATIVE COUNCIL STUDY - RETIREMENT CRITERIA FOR STATE CORRECTIONAL OFFICERS AND PEACE OFFICERS. The legislative council shall consider studying, during the 2007-08 interim, retirement program criteria and benefits for correctional officers and peace officers employed by state agencies, including the feasibility and desirability of allowing these employees to retire with full retirement benefits at age fifty-five or the "rule of 85". The legislative council shall report

its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

SECTION 17. SPACE, OPERATIONAL, AND STAFFING PLAN - BUDGET SECTION REPORT. The department of corrections and rehabilitation shall prepare a space, operational, and staffing plan for the state penitentiary and James River correctional center. The plan must be based on the state penitentiary building project authorized by the sixtieth legislative assembly and the current facilities at the James River correctional center and the Missouri River correctional center. The plan must be presented at the first budget section meeting after March 1, 2008.

SECTION 18. LEGISLATIVE INTENT - CORRECTIONAL FACILITIES. It is the intent of the sixtieth legislative assembly that the correctional facility concepts to be developed pursuant to this Act not include any consideration of closure of the James River correctional center or the Dakota women's correctional and rehabilitation center in New England.

SECTION 19. EMERGENCY. Sections 9, 10, and 11 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Office of Management and Budget						
Total all funds	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Less estimated income	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
General fund						
Legislative Council						
Total all funds	$0	$0	$250,000	$250,000	$0	$250,000
Less estimated income	$0	$0	$250,000	$250,000	$0	$250,000
General fund						
Department of Corrections and Rehabilitation						
Total all funds	$199,549,688	$237,996,004	($83,401,203)	$154,594,801	$162,171,312	($7,576,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($83,401,203)	$130,665,308	$138,241,819	($7,576,511)
Bill Total						
Total all funds	$199,549,688	$237,996,004	($42,151,203)	$195,844,801	$204,171,312	($8,326,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($42,151,203)	$171,915,308	$180,241,819	($8,326,511)

House Bill No. 1015 - Office of Management and Budget - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Transfer to State Penitentiary land fund			$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Total all funds	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Less estimated income						
General fund	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 110 - Office of Management and Budget - Detail of Conference Committee Changes

	TRANSFER TO STATE PENITENTIARY LAND FUND 1	TOTAL CONFERENCE COMMITTEE CHANGES
Transfer to State	$41,000,000	$41,000,000

Penitentiary land fund		
Total all funds	$41,000,000	$41,000,000
Less estimated income		
General fund	$41,000,000	$41,000,000
FTE	0.00	0.00

1 This amendment adds a section to transfer $41 million from the general fund to the State Penitentiary land fund to be used for future correctional facilities accepted and approved under Senate Bill No. 2260.

House Bill No. 1015 - Legislative Council - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Operating expenses			$250,000	$250,000		$250,000
Total all funds	$0	$0	$250,000	$250,000	$0	$250,000
Less estimated income						
General fund	$0	$0	$250,000	$250,000	$0	$250,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 160 - Legislative Council - Detail of Conference Committee Changes

	ALTERNATIVE CONCEPTS AND PRELIMINARY DESIGN DEVELOPMENT 1	TOTAL CONFERENCE COMMITTEE CHANGES
Operating expenses	$250,000	$250,000
Total all funds	$250,000	$250,000
Less estimated income		
General fund	$250,000	$250,000
FTE	0.00	0.00

1 This amendment provides an appropriation to the Legislative Council for prison facility alternative concepts and preliminary design development as provided for in Senate Bill No. 2260.

House Bill No. 1015 - Department of Corrections and Rehabilitation - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Field Services	$35,953,086	$35,213,361	($35,213,361)		$38,657,169	($38,657,169)
Prisons Division	140,093,278	179,331,778	(179,331,778)		100,063,278	(100,063,278)
Juvenile Community Services	8,895,140	8,895,140	(8,895,140)		8,895,140	(8,895,140)
Youth Correctional Center	14,608,184	14,555,725	(14,555,725)		14,555,725	(14,555,725)
Adult Services			131,143,936	131,143,936		131,143,936
Youth Services			23,450,865	23,450,865		23,450,865
Total all funds	$199,549,688	$237,996,004	($83,401,203)	$154,594,801	$162,171,312	($7,576,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($83,401,203)	$130,665,308	$138,241,819	($7,576,511)
FTE	706.79	700.29	11.00	711.29	708.29	3.00

Dept. 530 - Department of Corrections and Rehabilitation - Detail of Conference Committee Changes

	REMOVES FUNDING FOR PRISON EXPANSION [1]	RESTORES FUNDING FOR CHAPLAINS [2]	RESTORES PAROLE AND PROBATION OFFICERS [3]	RESTORES FUNDING FOR DEFERRED MAINTENANCE [4]	PROVIDES FUNDING FOR TEEN CHALLENGE [5]	PROVIDES FUNDING AND FTE POSITION FOR INTERAGENCY AGREEMENT [6]
Field Services			$423,447		$100,000	
Prisons Division	($85,000,000)	$64,000		$227,300		$118,500
Juvenile Community Services						
Youth Correctional Center						
Adult Services						
Youth Services						
Total all funds	($85,000,000)	$64,000	$423,447	$227,300	$100,000	$118,500
Less estimated income						
General fund	($85,000,000)	$64,000	$423,447	$227,300	$100,000	$118,500
FTE	0.00	2.00	3.00	0.00	0.00	1.00

	PROVIDES FUNDING FOR COMMUNITY SERVICE SUPERVISION GRANTS [7]	TRANSITION MEDICAL CARE [8]	ADDS 5 FTE POSITIONS TO REDUCE CASELOAD [9]	COMBINES PRISONS DIVISION AND FIELD SERVICES INTO ADULT SERVICES [10]	COMBINES YCC AND JUVENILE COMMUNITY SERVICES INTO YOUTH SERVICES [11]	TOTAL CONFERENCE COMMITTEE CHANGES
Field Services	$100,000		$466,550	($36,302,358)		($35,213,361)
Prisons Division		$100,000		(94,841,578)		(179,331,778)
Juvenile Community Services					($8,895,140)	(8,895,140)
Youth Correctional Center					(14,555,725)	(14,555,725)
Adult Services				131,143,936		131,143,936
Youth Services					23,450,865	23,450,865
Total all funds	$100,000	$100,000	$466,550	$0	$0	($83,401,203)
Less estimated income						
General fund	$100,000	$100,000	$466,550	$0	$0	($83,401,203)
FTE	0.00	0.00	5.00	0.00	0.00	11.00

[1] This amendment removes funding for the new building and demolition projects.

[2] This amendment restores funding removed by the House to convert 2 temporary chaplains to full-time equivalent positions.

[3] This amendment restores funding removed by the House for 3 FTE parole and probation officers, including operating expenses.

[4] This amendment restores $227,300 of the $667,500 removed by the House for deferred maintenance.

[5] This amendment adds funding for Teen Challenge.

[6] This amendment provides funding for 1 FTE position and related operating expenses for the interagency agreement with the Department of Human Services provided for in Senate Bill No. 2136.

[7] This amendment provides funding for community service supervision grants as provided for in Senate Bill No. 2243.

[8] This amendment provides funding for transition medical care for inmates.

[9] This amendment provides funding to add 5 FTE positions to reduce the caseload for Adult Services.

[10] This amendment combines the Prisons Division and Field Services line items into the Adult Services line item.

[11] This amendment combines the Youth Correctional Center and Juvenile Community Services line items into the Youth Services line item.

A section is added directing the Legislative Council to consider a study of the retirement criteria for state correctional officers and peace officers.

A section is added that amends North Dakota Century Code Section 19-03.1-45 relating to drug abuse assessment and treatment.

A section is added providing for a transfer from the general fund of $41,000,000 to the State Penitentiary land fund.

A section is added providing an appropriation to the Legislative Council for prison facility alternative concepts and preliminary design.

A section is added to provide for a space, operational, and staffing plan and a report to the Budget Section regarding the plan.

A section is added authorizing Field Services to use $250,000 of the 2007-09 biennium appropriation for temporary salaries for supervision.

A section is added providing for an emergency for Sections 9, 10, and 11.

This amendment combines the Prisons Division and Field Services line items into the Adult Services line item and combines the Youth Correctional Center and Juvenile Community Services line items into the Youth Services line item.

(1)

REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)

Bill Number 1015 (, as (re)engrossed): Date: 04-24-07

Your Conference Committee Human Resources

For the Senate:	YES / NO		For the House:	YES / NO	
Sen. Fischer	X		Chairman Rep. Pollert	X	
Sen. Grindberg	X		Rep. Wieland	X	
Sen. Krauter		X	Rep. Metcalf	X	

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) 1494 - 1498

____, and place _____ on the Seventh order.

____, adopt (further) amendments as follows, and place _____ on the Seventh order:

____, having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: _____
CARRIER: _____

LC NO. of amendment
LC NO. of engrossment
Emergency clause added or deleted
Statement of purpose of amendment

MOTION MADE BY: Sen. Grindberg

SECONDED BY: Sen. Fischer

VOTE COUNT 5 **YES** 1 **NO** ___ **ABSENT**

Revised 4/1/05

78015.0513
Title.

Prepared by the Legislative Council staff for
Representative Wieland
April 24, 2007

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1494-1498 in the House Journal and pages 1291-1295 and page 1343 of the Senate Journal and that Reengrossed House Bill No. 1015 be amended as follows:

Page 1, line 2, replace the third "and" with a comma

Page 1, line 3, after "12.1-32-07" insert ", and section 19-03.1-45"

Page 1, line 4, replace "and" with a comma and after "fees" insert ", and drug treatment"

Page 1, line 5, remove "and" and after "approval" insert "; to provide for a transfer; to provide an appropriation; to provide for a correctional facility review committee; to provide for a report to the budget section; to provide for a legislative council study; and to declare an emergency"

Page 1, line 22, replace "$8,138,211" with "($27,075,150)"

Page 1, line 23, replace "99,780,064" with "(79,551,714)"

Page 1, line 24, replace "964,482" with "(7,930,658)"

Page 2, line 1, replace "1,712,416" with "(12,843,309)"

Page 2, after line 1, insert:

"Adult services	131,143,936
Youth services	23,450,865"

Page 2, line 3, replace "109,095,173" with "25,693,970"

Page 2, line 5, replace "112,930,827" with "29,529,624"

Page 2, line 12, replace "Field" with "Adult" and replace "35,213,361" with "131,143,936"

Page 2, line 13, replace "Prisons division" with "Youth services" and replace "179,331,778" with "23,450,865"

Page 2, remove lines 14 and 15

Page 2, line 16, replace "237,996,004" with "154,594,801"

Page 2, line 18, replace "214,066,511" with "130,665,308"

Page 3, after line 17, insert:

"**SECTION 6. AMENDMENT.** Section 19-03.1-45 of the North Dakota Century Code is amended and reenacted as follows:

19-03.1-45. ~~Mandatory drug~~ Drug abuse assessment and treatment - Presentence investigation - Certified drug abuse treatment programs.

1. ~~When~~ If a person ~~located in Walsh, Pembina, or Grand Forks Counties~~ has pled guilty or has been found guilty of a felony violation of subsection 6 of section 19-03.1-23 ~~and~~, if that person has not previously pled guilty or been found guilty of any offense involving the use, possession, manufacture, or delivery of a controlled substance or of any other felony offense of this or another state or the federal government, and if the court imposes probation, the court shall impose a period of probation of not less than eighteen months in conjunction with a suspended execution of a sentence of imprisonment, a sentence to probation, or an order deferring imposition of sentence.

2. Upon a plea or finding of guilt of a person subject to the provisions of subsection 1, the court shall order a presentence investigation to be conducted by the department. The presentence investigation shall include a drug and alcohol evaluation conducted by a licensed addiction counselor.

3. If the licensed addiction counselor recommends treatment, the court shall require the person to participate in an addiction program licensed by the department of human services as a condition of the probation. The court shall commit the person to treatment through a licensed addiction program until determined suitable for discharge by the court. The term of treatment shall not exceed eighteen months and may include an aftercare plan. During the commitment and while subject to probation, the person shall be supervised by the department.

4. If the person fails to participate in, or has a pattern of intentional conduct that demonstrates the person's refusal to comply with or participate in the treatment program, as established by judicial finding, the person shall be subject to revocation of the probation. Notwithstanding subsection 2 of section 12.1-32-02, the amount of time participating in the treatment program under this section is not "time spent in custody" and will not be a credit against any sentence to term of imprisonment.

5. ~~The cost for all drug abuse assessments and certified drug abuse treatment programs shall be initially paid by the department. The court shall order the person to reimburse the department for the assessment and treatment expenses in accordance with the procedures of section 12.1-32-08. The department shall handle the collection of costs from the offenders in the same manner as it collects court costs, fees, and supervision fees.~~

~~6.~~ In this section:

   a. "Department" means the department of corrections and rehabilitation; and

   b. "Licensed addiction counselor" is a person licensed pursuant to section 43-45-05.1.

~~7. The provisions of this section shall be implemented as a pilot project in Pembina, Walsh, and Grand Forks Counties effective three months from the date of receipt of a federal grant for methamphetamine treatment being applied for by the department of human services. The department shall collaborate management of the pilot project with the department of human services to ensure services under the federal grant program for one-half of the offenders mandated by the court to submit to mandatory treatment, not to exceed twenty three individuals. The department shall hire a program~~

~~manager to manage the pilot project, collect statistics regarding the operation of the program, track participants in the program, and provide a report to the attorney general, the legislative council for distribution during the November 2006 legislative council meeting, and the sixtieth legislative assembly detailing the number of participants in the program, the cost of the program, relapse statistics, and other data concerning the effectiveness of the program.~~"

Page 3, replace lines 23 through 31 with:

"**SECTION 8. TRANSFER TO THE STATE PENITENTIARY LAND FUND - CONTINGENT APPROPRIATION.** The director of the office of management and budget shall transfer on July 1, 2007, $41,000,000 from the general fund to the state penitentiary land fund established in North Dakota Century Code section 54-23.3-04 to be used for correctional facilities. The funds are appropriated to the department of corrections and rehabilitation for a project accepted and approved under section 10 of this Act and are available for construction, for the biennium beginning July 1, 2007, and ending June 30, 2009. All income earned on the fund must be deposited in the state penitentiary land fund.

SECTION 9. APPROPRIATION - LEGISLATIVE COUNCIL. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $250,000, or so much of the sum as may be necessary, to the legislative council for prison facility alternative concepts and preliminary design development, as provided for in section 10 of this Act for the period beginning with the effective date of this Act and ending June 30, 2009.

SECTION 10. CORRECTIONAL FACILITY REVIEW COMMITTEE - MEMBERSHIP - DUTIES - RECOMMENDATIONS.

1. During the 2007-08 interim, the legislative council shall appoint a correctional facility review committee to address the immediate and future needs of the state penitentiary. The membership of the committee must include six members of the legislative assembly selected by the legislative council. The membership of the committee must include:

   a. Three members of the house of representatives, two of whom must represent the majority faction of the house of representatives and one of whom must represent the minority faction of the house of representatives; and

   b. Three members of the senate, two of whom must represent the majority faction of the senate and one of whom must represent the minority faction of the senate.

2. The legislative council chairman shall designate the committee chairman and vice chairman.

3. The committee shall operate according to the statutes and procedures governing the operation of other legislative council interim committees.

4. The committee shall engage consultant and architectural services, subject to legislative council approval, for the development of the following three correctional facility concepts:

   a. The construction of a new correctional facility on the existing state penitentiary site;

   b. The construction of a new correctional facility at a site other than the state penitentiary site; and

c. The remodeling of the existing state penitentiary facility.

5. Each of the three correctional facility concepts developed by the consultant and architect must:

   a. Include a master plan, staffing plan, a cost-benefit analysis, and project cost estimate;

   b. Be based upon housing a population of approximately nine hundred to one thousand inmates;

   c. Include options for expansion;

   d. Take into consideration the transfer of the inmates at the Missouri River correctional center to the new or remodeled facility; and

   e. Take into consideration the facility and staffing needs of the James River correctional center.

6. In developing the concepts, the committee shall seek the input of the department of corrections and rehabilitation.

7. Before June 1, 2008, the committee shall forward the three concepts along with a recommendation for one of the three concepts to the emergency commission for the commission's consideration and authorization.

8. If the emergency commission authorizes one of the three concepts, the emergency commission shall forward the authorized concept to the budget section of the legislative council. The budget section may approve or reject the concept as authorized by the emergency commission."

Page 4, remove lines 1 through 16

Page 5, line 3, replace "$88,332,091" with "$3,559,391"

Page 5, remove line 8

Page 5, line 9, replace "70,000" with "$70,000"

Page 5, line 10, replace "1,498,091" with "1,725,391"

Page 5, line 12, replace "88,332,091" with "3,559,391"

Page 5, after line 15, insert:

"**SECTION 15. INTENT - TEMPORARY SALARIES - FIELD SERVICES.** It is the intent of the sixtieth legislative assembly that the department of corrections and rehabilitation may use $250,000 of its 2007-09 biennium appropriation for temporary salaries for the field services division for supervision of offenders.

SECTION 16. LEGISLATIVE COUNCIL STUDY - RETIREMENT CRITERIA FOR STATE CORRECTIONAL OFFICERS AND PEACE OFFICERS. The legislative council shall consider studying, during the 2007-08 interim, retirement program criteria and benefits for correctional officers and peace officers employed by state agencies, including the feasibility and desirability of allowing these employees to retire with full retirement benefits at age fifty-five or the "rule of 85". The legislative council shall report

its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

SECTION 17. SPACE, OPERATIONAL, AND STAFFING PLAN - BUDGET SECTION REPORT. The department of corrections and rehabilitation shall prepare a space, operational, and staffing plan for the state penitentiary and James River correctional center. The plan must be based on the state penitentiary building project authorized by the sixtieth legislative assembly and the current facilities at the James River correctional center and the Missouri River correctional center. The plan must be presented at the first budget section meeting after March 1, 2008.

SECTION 18. LEGISLATIVE INTENT - CORRECTIONAL FACILITIES. It is the intent of the sixtieth legislative assembly that the correctional facility concepts to be developed pursuant to this Act not include any consideration of closure of the James River correctional center or the Dakota women's correctional and rehabilitation center in New England.

SECTION 19. EMERGENCY. Sections 9, 10, and 11 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Office of Management and Budget						
Total all funds	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Less estimated income						
General fund	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Legislative Council						
Total all funds	$0	$0	$250,000	$250,000	$0	$250,000
Less estimated income						
General fund	$0	$0	$250,000	$250,000	$0	$250,000
Department of Corrections and Rehabilitation						
Total all funds	$199,549,688	$237,996,004	($83,401,203)	$154,594,801	$162,171,312	($7,576,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($83,401,203)	$130,665,308	$138,241,819	($7,576,511)
Bill Total						
Total all funds	$199,549,688	$237,996,004	($42,151,203)	$195,844,801	$204,171,312	($8,326,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($42,151,203)	$171,915,308	$180,241,819	($8,326,511)

House Bill No. 1015 - Office of Management and Budget - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Transfer to State Penitentiary land fund			$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Total all funds	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Less estimated income						
General fund	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 110 - Office of Management and Budget - Detail of Conference Committee Changes

	TRANSFER TO STATE PENITENTIARY LAND FUND [1]	TOTAL CONFERENCE COMMITTEE CHANGES
Transfer to State Penitentiary land fund	$41,000,000	$41,000,000
Total all funds	$41,000,000	$41,000,000
Less estimated income		
General fund	$41,000,000	$41,000,000
FTE	0.00	0.00

1 This amendment adds a section to transfer $41 million from the general fund to the State Penitentiary land fund to be used for future correctional facilities accepted and approved under Senate Bill No. 2260.

House Bill No. 1015 - Legislative Council - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Operating expenses			$250,000	$250,000		$250,000
Total all funds	$0	$0	$250,000	$250,000	$0	$250,000
Less estimated income						
General fund	$0	$0	$250,000	$250,000	$0	$250,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 160 - Legislative Council - Detail of Conference Committee Changes

	ALTERNATIVE CONCEPTS AND PRELIMINARY DESIGN DEVELOPMENT [1]	TOTAL CONFERENCE COMMITTEE CHANGES
Operating expenses	$250,000	$250,000
Total all funds	$250,000	$250,000
Less estimated income		
General fund	$250,000	$250,000
FTE	0.00	0.00

1 This amendment provides an appropriation to the Legislative Council for prison facility alternative concepts and preliminary design development as provided for in Senate Bill No. 2260.

House Bill No. 1015 - Department of Corrections and Rehabilitation - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Field Services	$35,953,086	$35,213,361	($35,213,361)		$38,657,169	($38,657,169)
Prisons Division	140,093,278	179,331,778	(179,331,778)		100,063,278	(100,063,278)
Juvenile Community Services	8,895,140	8,895,140	(8,895,140)		8,895,140	(8,895,140)
Youth Correctional Center	14,608,184	14,555,725	(14,555,725)		14,555,725	(14,555,725)
Adult Services			131,143,936	131,143,936		131,143,936
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Total all funds	$199,549,688	$237,996,004	($83,401,203)	$154,594,801	$162,171,312	($7,576,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($83,401,203)	$130,665,308	$138,241,819	($7,576,511)
FTE	706.79	700.29	11.00	711.29	708.29	3.00

Dept. 530 - Department of Corrections and Rehabilitation - Detail of Conference Committee Changes

	REMOVES FUNDING FOR PRISON EXPANSION [1]	RESTORES FUNDING FOR CHAPLAINS [2]	RESTORES PAROLE AND PROBATION OFFICERS [3]	RESTORES FUNDING FOR DEFERRED MAINTENANCE [4]	PROVIDES FUNDING FOR TEEN CHALLENGE [5]	PROVIDES FUNDING AND FTE POSITION FOR INTERAGENCY AGREEMENT [6]
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Prisons Division	($85,000,000)	$64,000		$227,300		$118,500
Juvenile Community Services						
Youth Correctional Center						
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Total all funds	($85,000,000)	$64,000	$423,447	$227,300	$100,000	$118,500
Less estimated income						
General fund	($85,000,000)	$64,000	$423,447	$227,300	$100,000	$118,500
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Prisons Division		$100,000		(94,841,578)		(179,331,778)
Juvenile Community Services					($8,895,140)	(8,895,140)
Youth Correctional Center					(14,555,725)	(14,555,725)
Adult Services				131,143,936		131,143,936
Youth Services					23,450,865	23,450,865
Total all funds	$100,000	$100,000	$465,550	$0	$0	($83,401,203)
Less estimated income						
General fund	$100,000	$100,000	$465,550	$0	$0	($83,401,203)
FTE	0.00	0.00	5.00	0.00	0.00	11.00

[1] This amendment removes funding for the new building and demolition projects.

[2] This amendment restores funding removed by the House to convert 2 temporary chaplains to full-time equivalent positions.

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A section is added to provide for a space, operational, and staffing plan and a report to the Budget Section regarding the plan.

A section is added authorizing Field Services to use $250,000 of the 2007-09 biennium appropriation for temporary salaries for supervision.

A section is added providing for an emergency for Sections 9, 10, and 11.

This amendment combines the Prisons Division and Field Services line items into the Adult Services line item and combines the Youth Correctional Center and Juvenile Community Services line items into the Youth Services line item.

(2)

REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)

Bill Number 1015 (, as (re)engrossed): Date: 04-24-07

Your Conference Committee Human Resources

For the Senate:	YES / NO		For the House:	YES / NO	
Sen. Fischer	X		Chairman Rep. Pollert	X	
Sen. Grindberg	X		Rep. Wieland	X	
Sen. Krauter	X		Rep. Metcalf	X	

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) 1494 - 1498

___, and place _____ on the Seventh order.

X, adopt (further) amendments as follows, and place HB1015 on the Seventh order:

___, having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

(Re)Engrossed HB 1015 was placed on the Seventh order of business on the calendar.

DATE: 4/24/07
CARRIER: Rep. Wieland

LC NO. of amendment
LC NO. of engrossment
Emergency clause added or deleted
Statement of purpose of amendment

MOTION MADE BY: Sen. Grindberg

SECONDED BY: Sen. Fischer

VOTE COUNT 6 YES 0 NO 0 ABSENT

Revised 4/1/05

Carrier: Wieland

REPORT OF CONFERENCE COMMITTEE

HB 1015, as reengrossed: Your conference committee (Sens. Fischer, Grindberg, Krauter and Reps. Pollert, Wieland, Metcalf) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1494-1498, adopt amendments as follows, and place HB 1015 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1494-1498 in the House Journal and pages 1291-1295 and page 1343 of the Senate Journal and that Reengrossed House Bill No. 1015 be amended as follows:

Page 1, line 2, replace the third "and" with a comma

Page 1, line 3, after "12.1-32-07" insert ", and section 19-03.1-45"

Page 1, line 4, replace "and" with a comma and after "fees" insert ", and drug treatment"

Page 1, line 5, remove "and" and after "approval" insert "; to provide for a transfer; to provide an appropriation; to provide for a correctional facility review committee; to provide for a report to the budget section; to provide for a legislative council study; and to declare an emergency"

Page 1, line 22, replace "$8,138,211" with "($27,075,150)"

Page 1, line 23, replace "99,780,064" with "(79,551,714)"

Page 1, line 24, replace "964,482" with "(7,930,658)"

Page 2, line 1, replace "1,712,416" with "(12,843,309)"

Page 2, after line 1, insert:

"Adult services	131,143,936
Youth services	23,450,865"

Page 2, line 3, replace "109,095,173" with "25,693,970"

Page 2, line 5, replace "112,930,827" with "29,529,624"

Page 2, line 12, replace "Field" with "Adult" and replace "35,213,361" with "131,143,936"

Page 2, line 13, replace "Prisons division" with "Youth services" and replace "179,331,778" with "23,450,865"

Page 2, remove lines 14 and 15

Page 2, line 16, replace "237,996,004" with "154,594,801"

Page 2, line 18, replace "214,066,511" with "130,665,308"

Page 3, after line 17, insert:

"**SECTION 6. AMENDMENT.** Section 19-03.1-45 of the North Dakota Century Code is amended and reenacted as follows:

19-03.1-45. ~~Mandatory drug~~ Drug abuse assessment and treatment - Presentence investigation - Certified drug abuse treatment programs.

1. ~~When~~ If a person ~~located in Walsh, Pembina, or Grand Forks Counties~~ has pled guilty or has been found guilty of a felony violation of subsection 6 of section 19-03.1-23 ~~and~~, if that person has not previously pled guilty or been found guilty of any offense involving the use, possession, manufacture, or delivery of a controlled substance or of any other felony offense of this or another state or the federal government, and if the court imposes probation, the court shall impose a period of probation of not less than eighteen months in conjunction with a suspended execution of a sentence of imprisonment, a sentence to probation, or an order deferring imposition of sentence.

2. Upon a plea or finding of guilt of a person subject to the provisions of subsection 1, the court shall order a presentence investigation to be conducted by the department. The presentence investigation shall include a drug and alcohol evaluation conducted by a licensed addiction counselor.

3. If the licensed addiction counselor recommends treatment, the court shall require the person to participate in an addiction program licensed by the department of human services as a condition of the probation. The court shall commit the person to treatment through a licensed addiction program until determined suitable for discharge by the court. The term of treatment shall not exceed eighteen months and may include an aftercare plan. During the commitment and while subject to probation, the person shall be supervised by the department.

4. If the person fails to participate in, or has a pattern of intentional conduct that demonstrates the person's refusal to comply with or participate in the treatment program, as established by judicial finding, the person shall be subject to revocation of the probation. Notwithstanding subsection 2 of section 12.1-32-02, the amount of time participating in the treatment program under this section is not "time spent in custody" and will not be a credit against any sentence to term of imprisonment.

5. ~~The cost for all drug abuse assessments and certified drug abuse treatment programs shall be initially paid by the department. The court shall order the person to reimburse the department for the assessment and treatment expenses in accordance with the procedures of section 12.1-32-08. The department shall handle the collection of costs from the offenders in the same manner as it collects court costs, fees, and supervision fees.~~

~~6.~~ In this section:

   a. "Department" means the department of corrections and rehabilitation; and

   b. "Licensed addiction counselor" is a person licensed pursuant to section 43-45-05.1.

~~7. The provisions of this section shall be implemented as a pilot project in Pembina, Walsh, and Grand Forks Counties effective three months from the date of receipt of a federal grant for methamphetamine treatment being applied for by the department of human services. The department shall collaborate management of the pilot project with the department of human services to ensure services under the federal grant program for one half of the offenders mandated by the court to submit to mandatory treatment, not~~

~~to exceed twenty-three individuals. The department shall hire a program manager to manage the pilot project, collect statistics regarding the operation of the program, track participants in the program, and provide a report to the attorney general, the legislative council for distribution during the November 2006 legislative council meeting, and the sixtieth legislative assembly detailing the number of participants in the program, the cost of the program, relapse statistics, and other data concerning the effectiveness of the program.~~"

Page 3, replace lines 23 through 31 with:

"**SECTION 8. TRANSFER TO THE STATE PENITENTIARY LAND FUND - CONTINGENT APPROPRIATION.** The director of the office of management and budget shall transfer on July 1, 2007, $41,000,000 from the general fund to the state penitentiary land fund established in North Dakota Century Code section 54-23.3-04 to be used for correctional facilities. The funds are appropriated to the department of corrections and rehabilitation for a project authorized and approved under section 10 of this Act and are available for construction, for the biennium beginning July 1, 2007, and ending June 30, 2009. All income earned on the fund must be deposited in the state penitentiary land fund.

SECTION 9. APPROPRIATION - LEGISLATIVE COUNCIL. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $250,000, or so much of the sum as may be necessary, to the legislative council for prison facility alternative concepts and preliminary design development, as provided for in section 10 of this Act for the period beginning with the effective date of this Act and ending June 30, 2009.

SECTION 10. CORRECTIONAL FACILITY REVIEW COMMITTEE - MEMBERSHIP - DUTIES - RECOMMENDATIONS.

1. During the 2007-08 interim, the legislative council shall appoint a correctional facility review committee to address the immediate and future needs of the state penitentiary. The membership of the committee must include six members of the legislative assembly selected by the legislative council. The membership of the committee must include:

   a. Three members of the house of representatives, two of whom must represent the majority faction of the house of representatives and one of whom must represent the minority faction of the house of representatives; and

   b. Three members of the senate, two of whom must represent the majority faction of the senate and one of whom must represent the minority faction of the senate.

2. The legislative council chairman shall designate the committee chairman and vice chairman.

3. The committee shall operate according to the statutes and procedures governing the operation of other legislative council interim committees.

4. The committee shall engage consultant and architectural services, subject to legislative council approval, for the development of the following three correctional facility concepts:

a. The construction of a new correctional facility on the existing state penitentiary site;

b. The construction of a new correctional facility at a site other than the state penitentiary site; and

c. The remodeling of the existing state penitentiary facility.

5. Each of the three correctional facility concepts developed by the consultant and architect must:

a. Include a master plan, staffing plan, a cost-benefit analysis, and project cost estimate;

b. Be based upon housing a population of approximately nine hundred to one thousand inmates;

c. Include options for expansion;

d. Take into consideration the transfer of the inmates at the Missouri River correctional center to the new or remodeled facility; and

e. Take into consideration the facility and staffing needs of the James River correctional center.

6. In developing the concepts, the committee shall seek the input of the department of corrections and rehabilitation.

7. Before June 1, 2008, the committee shall forward the three concepts along with a recommendation for one of the three concepts to the emergency commission for the commission's consideration and authorization.

8. If the emergency commission authorizes one of the three concepts, the emergency commission shall forward the authorized concept to the budget section of the legislative council. The budget section may approve or reject the concept as authorized by the emergency commission."

Page 4, remove lines 1 through 16

Page 5, line 3, replace "$88,332,091" with "$3,559,391"

Page 5, remove line 8

Page 5, line 9, replace "70,000" with "$70,000"

Page 5, line 10, replace "1,498,091" with "1,725,391"

Page 5, line 12, replace "88,332,091" with "3,559,391"

Page 5, after line 15, insert:

"**SECTION 15. INTENT - TEMPORARY SALARIES - FIELD SERVICES.** It is the intent of the sixtieth legislative assembly that the department of corrections and rehabilitation may use $250,000 of its 2007-09 biennium appropriation for temporary salaries for the field services division for supervision of offenders.

SECTION 16. LEGISLATIVE COUNCIL STUDY - RETIREMENT CRITERIA FOR STATE CORRECTIONAL OFFICERS AND PEACE OFFICERS. The legislative council shall consider studying, during the 2007-08 interim, retirement program criteria and benefits for correctional officers and peace officers employed by state agencies, including the feasibility and desirability of allowing these employees to retire with full retirement benefits at age fifty-five or the "rule of 85". The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

SECTION 17. SPACE, OPERATIONAL, AND STAFFING PLAN - BUDGET SECTION REPORT. The department of corrections and rehabilitation shall prepare a space, operational, and staffing plan for the state penitentiary and James River correctional center. The plan must be based on the state penitentiary building project authorized by the sixtieth legislative assembly and the current facilities at the James River correctional center and the Missouri River correctional center. The plan must be presented at the first budget section meeting after March 1, 2008.

SECTION 18. LEGISLATIVE INTENT - CORRECTIONAL FACILITIES. It is the intent of the sixtieth legislative assembly that the correctional facility concepts to be developed pursuant to this Act not include any consideration of closure of the James River correctional center or the Dakota women's correctional and rehabilitation center in New England.

SECTION 19. EMERGENCY. Sections 9, 10, and 11 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Office of Management and Budget						
Total all funds	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Less estimated income						
General fund	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Legislative Council						
Total all funds	$0	$0	$250,000	$250,000	$0	$250,000
Less estimated income						
General fund	$0	$0	$250,000	$250,000	$0	$250,000
Department of Corrections and Rehabilitation						
Total all funds	$199,549,688	$237,996,004	($83,401,203)	$154,594,801	$162,171,312	($7,576,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($83,401,203)	$130,665,308	$138,241,819	($7,576,511)
Bill Total						
Total all funds	$199,549,688	$237,996,004	($42,151,203)	$195,844,801	$204,171,312	($8,326,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($42,151,203)	$171,915,308	$180,241,819	($8,326,511)

House Bill No. 1015 - Office of Management and Budget - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE

Transfer to State Penitentiary land fund			$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Total all funds	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
Less estimated income						
General fund	$0	$0	$41,000,000	$41,000,000	$42,000,000	($1,000,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 110 - Office of Management and Budget - Detail of Conference Committee Changes

	TRANSFER TO STATE PENITENTIARY LAND FUND [1]	TOTAL CONFERENCE COMMITTEE CHANGES
Transfer to State Penitentiary land fund	$41,000,000	$41,000,000
Total all funds	$41,000,000	$41,000,000
Less estimated income		
General fund	$41,000,000	$41,000,000
FTE	0.00	0.00

[1] This amendment adds a section to transfer $41 million from the general fund to the State Penitentiary land fund to be used for future correctional facilities accepted and approved under Senate Bill No. 2260.

House Bill No. 1015 - Legislative Council - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Operating expenses			$250,000	$250,000		$250,000
Total all funds	$0	$0	$250,000	$250,000	$0	$250,000
Less estimated income						
General fund	$0	$0	$250,000	$250,000	$0	$250,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 160 - Legislative Council - Detail of Conference Committee Changes

	ALTERNATIVE CONCEPTS AND PRELIMINARY DESIGN DEVELOPMENT [1]	TOTAL CONFERENCE COMMITTEE CHANGES
Operating expenses	$250,000	$250,000
Total all funds	$250,000	$250,000
Less estimated income		
General fund	$250,000	$250,000
FTE	0.00	0.00

[1] This amendment provides an appropriation to the Legislative Council for prison facility alternative concepts and preliminary design development as provided for in Senate Bill No. 2260.

House Bill No. 1015 - Department of Corrections and Rehabilitation - Conference Committee Action

	EXECUTIVE	HOUSE	CONFERENCE COMMITTEE	CONFERENCE COMMITTEE	SENATE	COMPARISON

	BUDGET	VERSION	CHANGES	VERSION	VERSION	TO SENATE
Field Services	$35,953,086	$35,213,361	($35,213,361)		$38,657,169	($38,657,169)
Prisons Division	140,093,278	179,331,778	(179,331,778)		100,063,278	(100,063,278)
Juvenile Community Services	8,895,140	8,895,140	(8,895,140)		8,895,140	(8,895,140)
Youth Correctional Center	14,608,184	14,555,725	(14,555,725)		14,555,725	(14,555,725)
Adult Services			131,143,936	131,143,936		131,143,936
Youth Services			23,450,865	23,450,865		23,450,865
Total all funds	$199,549,688	$237,996,004	($83,401,203)	$154,594,801	$162,171,312	($7,576,511)
Less estimated income	26,853,489	23,929,493		23,929,493	23,929,493	
General fund	$172,696,199	$214,066,511	($83,401,203)	$130,665,308	$138,241,819	($7,576,511)
FTE	706.79	700.29	11.00	711.29	708.29	3.00

Dept. 530 - Department of Corrections and Rehabilitation - Detail of Conference Committee Changes

	REMOVES FUNDING FOR PRISON EXPANSION [1]	RESTORES FUNDING FOR CHAPLAINS [2]	RESTORES PAROLE AND PROBATION OFFICERS [3]	RESTORES FUNDING FOR DEFERRED MAINTENANCE [4]	PROVIDES FUNDING FOR TEEN CHALLENGE [5]	PROVIDES FUNDING AND FTE POSITION FOR INTERAGENCY AGREEMENT [6]
Field Services			$423,447		$100,000	
Prisons Division	($85,000,000)	$64,000		$227,300		$118,500
Juvenile Community Services						
Youth Correctional Center						
Adult Services						
Youth Services						
Total all funds	($85,000,000)	$64,000	$423,447	$227,300	$100,000	$118,500
Less estimated income						
General fund	($85,000,000)	$64,000	$423,447	$227,300	$100,000	$118,500
FTE	0.00	2.00	3.00	0.00	0.00	1.00

	PROVIDES FUNDING FOR COMMUNITY SERVICE SUPERVISION GRANTS [7]	TRANSITION MEDICAL CARE [8]	ADDS 5 FTE POSITIONS TO REDUCE CASELOAD [9]	COMBINES PRISONS DIVISION AND FIELD SERVICES INTO ADULT SERVICES [10]	COMBINES YCC AND JUVENILE COMMUNITY SERVICES INTO YOUTH SERVICES [11]	TOTAL CONFERENCE COMMITTEE CHANGES
Field Services	$100,000		$465,550	($36,302,358)		($35,213,361)
Prisons Division		$100,000		(94,841,578)		(179,331,778)
Juvenile Community Services					($8,895,140)	(8,895,140)
Youth Correctional Center					(14,555,725)	(14,555,725)
Adult Services				131,143,936		131,143,936
Youth Services					23,450,865	23,450,865
Total all funds	$100,000	$100,000	$465,550	$0	$0	($83,401,203)
Less estimated income						
General fund	$100,000	$100,000	$465,550	$0	$0	($83,401,203)
FTE	0.00	0.00	5.00	0.00	0.00	11.00

[1] This amendment removes funding for the new building and demolition projects.

[2] This amendment restores funding removed by the House to convert 2 temporary chaplains to full-time equivalent positions.

[3] This amendment restores funding removed by the House for 3 FTE parole and probation officers, including operating expenses.

[4] This amendment restores $227,300 of the $667,500 removed by the House for deferred maintenance.

[5] This amendment adds funding for Teen Challenge.

6 This amendment provides funding for 1 FTE position and related operating expenses for the interagency agreement with the Department of Human Services provided for in Senate Bill No. 2136.

7 This amendment provides funding for community service supervision grants as provided for in Senate Bill No. 2243.

8 This amendment provides funding for transition medical care for inmates.

9 This amendment provides funding to add 5 FTE positions to reduce the caseload for Adult Services.

10 This amendment combines the Prisons Division and Field Services line items into the Adult Services line item.

11 This amendment combines the Youth Correctional Center and Juvenile Community Services line items into the Youth Services line item.

A section is added directing the Legislative Council to consider a study of the retirement criteria for state correctional officers and peace officers.

A section is added that amends North Dakota Century Code Section 19-03.1-45 relating to drug abuse assessment and treatment.

A section is added providing for a transfer from the general fund of $41,000,000 to the State Penitentiary land fund.

A section is added providing an appropriation to the Legislative Council for prison facility alternative concepts and preliminary design.

A section is added to provide for a space, operational, and staffing plan and a report to the Budget Section regarding the plan.

A section is added authorizing Field Services to use $250,000 of the 2007-09 biennium appropriation for temporary salaries for supervision.

A section is added providing for an emergency for Sections 9, 10, and 11.

This amendment combines the Prisons Division and Field Services line items into the Adult Services line item and combines the Youth Correctional Center and Juvenile Community Services line items into the Youth Services line item.

Reengrossed HB 1015 was placed on the Seventh order of business on the calendar.

2007 TESTIMONY

HB 1015

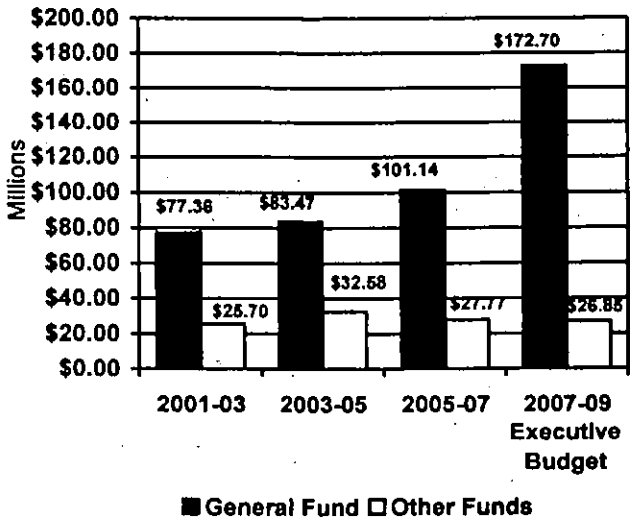
Prepared by the North Dakota Legislative Council staff for House Appropriations
January 9, 2007

Department 530 - Department of Corrections and Rehabilitation
House Bill No. 1015

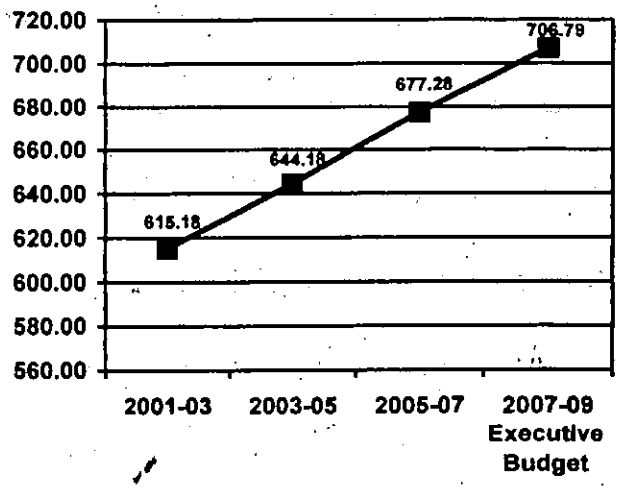
	FTE Positions	General Fund	Other Funds	Total
2007-09 Executive Budget	706.79	$172,696,199	$26,853,489	$199,549,688
2005-07 Legislative Appropriations	677.28	101,135,684	27,765,147	128,900,831 [1]
Increase (Decrease)	29.51	$71,560,515	($1,178,025)	$70,648,857

[1]The 2005-07 appropriation amounts do not include $68,000 of additional special funds authority resulting from Emergency Commission action during the 2005-07 biennium and do not include $21,934 general fund and $198,367 other funds capital construction carryover adjustments.

Agency Funding



FTE Positions



Executive Budget Highlights

	General Fund	Other Funds	Total
Juvenile Services - Juvenile Community Services			
1. Provides funding for salary adjustments for pending reclassifications	$156,462		$156,462
2. Provides funding for inflationary/workload increases	$170,138	$289,664	$459,802
Juvenile Services - Youth Correctional Center (YCC)			
3. Provides funding for the conversion of 4 temporary juvenile institution residential specialists and 1 temporary security officer to 5 FTE positions. The amount shown is net after adding $394,528 for salaries and benefits and reducing temporary salaries by $248,960.	$145,568		$145,568
4. Provides funding for inflationary/workload increases	$515,012	($42,992)	$472,020
5. Increases funding for the medical services contract	$150,000		$150,000
6. Provides funding for deferred maintenance **(executive budget identified as one-time funding)**	$512,955		$512,955
7. Provides funding for security lighting **(executive budget identified as one-time funding)**	$170,000		$170,000
8. Provides funding for equipment over $5,000	$128,500		$128,500
Adult Services - Field Services Division			
9. Provides funding for radio replacement **(executive budget identified as one-time funding)**	$243,000		$243,000
10. Provides funding for inflationary/workload increases	$3,269,060	($18,403)	$3,250,657
11. Provides funding for new halfway house programming	$1,500,000		$1,500,000
12. Increases funding for quarterhouse programs for a total of $328,000	$160,857		$160,857

13. Provides funding for new transition programming	$1,500,000		$1,500,000
14. Increases funding for faith-based programming for a total of $300,000	$150,000		$150,000
15. Adds the following 10.2 new FTE positions:			
6 FTE parole and probation officer II	$578,720		$578,72
3 FTE parole and probation officer III for drug court expansion	389,328		389,328
1 FTE community corrections agent	91,892		91,892
.20 FTE administrative staff position	28,776		28,776
Total 10.20 FTE positions added	$1,088,716		$1,088,716
Adult Services - Prisons Division			
16. Provides funding for salary adjustments for pending reclassifications	$591,772		$591,772
17. Provides funding for retirements	$165,000		$165,000
18. Provides funding for equipment over $5,000	$583,408	$555,500	$1,138,908
19. Provides funding for an inmate medical information system **(executive budget identified as one-time funding)**	$1,000,000		$1,000,000
20. Provides funding for prison expansion project **(executive budget identified as one-time funding)**	$42,000,000		$42,000,000
21. Provides funding for deferred maintenance **(executive budget identified as one-time funding)**	$1,780,125		$1,780,125
22. Increases funding for contract housing for a total of $9,588,597	$3,830,118		$3,830,118
23. Provides funding for inflationary/workload increases	$5,554,322	$3,603,688	$9,158,010
24. Adds the following 14.31 new FTE positions:			
State Penitentiary - 1 FTE registered nurse ($112,042), .75 FTE chaplain ($88,134), .25 FTE instructor ($22,874), .78 FTE account technician ($50,616), 1 FTE office assistant ($70,876), 1.25 FTE administrative assistant ($81,527), and .42 FTE classification pending ($60,434). The amount shown is net after reducing temporary salaries by $288,525.	$197,978		$197,978
James River Correctional Center - 1 FTE chaplain ($117,512), 5 FTE correctional officer III ($513,620), .27 FTE classification pending ($38,850), 1 FTE business manager ($112,042), .33 FTE account technician II ($23,425), and .17 FTE account technician I ($8,696). The amount shown is net after reducing temporary salaries by $91,504.	722,641		722,641
Missouri River Correctional Center - .50 FTE office assistant I ($38,712), .25 FTE chaplain ($29,378), .11 FTE classification pending ($15,828), .15 FTE account technician II ($10,648), and .08 FTE account technician I ($3,953). The amount shown is net after reducing temporary salaries by $27,326.	71,193		71,193
Total 14.31 new FTE positions	$991,812		$991,812

Other Sections in Bill

Section 4 of this bill amends North Dakota Century Code (NDCC) Section 12-65-08(1) by requiring the department, if the balance of the probationer violation transportation fund exceeds $75,000 on June 30 of the immediately preceding fiscal year, to waive any fees required to be paid by a county having jurisdiction over a probationer transferring residency to another state under the interstate compact.

Continuing Appropriations

No continuing appropriations for this agency.

Major Related Legislation

House Bill No. 1026 - This bill provides a general fund appropriation of $38,000,000 to the Department of Corrections and Rehabilitation for the renovation and expansion of the State Penitentiary, including replacement of the east cellhouse.

House Bill No. 1159 - This bill provides a general fund appropriation of $60,000,000 to the Department of Corrections and Rehabilitation for the acquisition of land and completion of Phase I of a project to construct a new correctional facility. The bill requires the department to contract with a prison facility consultant to develop a master site plan, including the design of a 950-bed facility with a plan for future expansion. The bill also provides legislative intent for future funding of Phase II of the correctional facility project and for the sale of the Penitentiary and Missouri River Correctional Center land and buildings with the proceeds deposited in the general fund.

House Bill No. 1076 - This bill amends NDCC Section 15.1-21-02 to exempt the high school education program at the Youth Correctional Center from high school curriculum requirements.

Senate Bill No. 2029 - This bill provides standards under which the Department of Corrections and Rehabilitation may implement an electronic home detention and global positioning system monitoring program.

Inmate Populations

Please refer to the attached schedule for information on estimated and actual monthly inmate populations for the 2005-07 and 2007-09 bienniums.

ATTACH:1

With the exception of these pages same testimony given to House and Senate

(A)

1/5/07
Dave Krabbenhoft
Dept. of Corrections

ND Department of Corrections and Rehabilitation (DOCR) 2007 – 2009 Executive Recommendation Overview

Prepared for the House Appropriations Committee

Representative Ken Svedjan, Chairman

January 5, 2007

Dave Krabbenhoft
Director of Finance and Administration

DOCR

2007 – 2009 Exec. Recommendation	2005 – 2007 Appropriation
Juvenile Services	**Juvenile Services**
• Youth Correctional Center (YCC) – $14.6 million	• Youth Correctional Center (YCC) – $13.0 million
• Juvenile Community Services (JCS) - $8.9 million	• Juvenile Community Services (JCS) - $8.0 million
Adult Services	**Adult Services**
• Field Services Division (FSD) - $36.0 million	• Field Services Division (FSD) - $27.1 million
• Prisons Division (PD) - $140.0 million	• Prisons Division (PD) - $81.0 million
Total DOCR - $199.5 million	**Total DOCR - $129.1 million**
• General Fund - $172.7 million	• General Fund - $101.2 million
• Other Fund - $26.8 million	• Other Fund - $27.9 million

DOCR - Juvenile Services
Youth Correctional Center (YCC)

- Located West of Mandan
- Secure correctional institution for both male and female adjudicated juveniles
- Provides appropriate educational and treatment programming to address the specific issues of each juvenile placed in the care and custody of the DOCR

DOCR - Juvenile Services
Youth Correctional Center (YCC)

07 – 09 Significant Budget Changes (cont.)

- Inflation / Workload - $150,000
- Funding Source Change - $590,000

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2005 – 2007 Appropriation:

- Total budget - $13.1 million
  - As of 11/30/06 - 71% expended – $9.3 million
  - Estimated at 6/30/06 - 100% (±2%) expended
  - No general fund turnback anticipated

DOCR - Juvenile Services
Community (JCS)

- Eight regional offices located throughout the State
  - Williston, Minot, Devils Lake, Grand Forks, Fargo, Jamestown, Bismarck, and Dickinson
- Comprehensive case management services provided to unruly and delinquent juveniles
- Number of juveniles currently committed to the care and custody of JCS total 388

DOCR - Juvenile Services Community (JCS)

07-09 Significant Budget Changes

- Employee Compensation - $423,000
  - 05-07 Continuation - $35,000
  - 07-09 Compensation adjustment - $156,000
  - Position reclassification - $156,000
  - 07-09 Health Insurance - $76,000
- Intensive In-Home expansion - $75,000
- Inflation / Workload - $100,000

some positions are not classified properly

DOCR - Juvenile Services Community (JCS)

2005 – 2007 Appropriation

- Total budget - $8.0 million
  - As of 11/30/06 – 73% expended - $5.8 million
  - Estimated at 6/30/06 – 100% (±2%)
  - No general fund turnback anticipated

DOCR - Adult Services Field Services (FSD)

- Regional offices located throughout the State
  - Williston, Minot, Rolla, Devils Lake, Grafton, Grand Forks, Fargo, Wahpeton, Oakes, Jamestown, Bismarck, Mandan, and Washburn
- Supervision of offenders that are sentenced to probation by the district courts or that are released on parole by the ND parole board.

DOCR - Adult Services
Field Services (FSD)

07-09 Significant Budget Changes

- Treatment / Programming - $7.6 million
  - BTC - $490,000
  - NCCRC - $950,000
  - Half-way House - $1.5 million
  - Quarter House - $160,000
  - Female Transition / Community Placement - $2.1 million

reflects growth of ↑ female inmate pop.

DOCR - Adult Services
Field Services (FSD)

07-09 Significant Budget Changes

- Treatment / Programming -- (cont.)
  - Faith Based Programming - $150,000
  - TRCC - $640,000
  - Electronic Monitoring - $97,000
  - Male Transition - $1.5 million
- One-time Spending - $240,000
  - Digital Radios - $240,000

DOCR - Adult Services
Field Services (FSD)

2005 – 2007 Appropriation:

- Total Budget – $27.1 million
  - As of 11/30/06 - 64.2% expended - $17.4 million
  - Estimated at 6/30/06 – 95% (±2%)
  - Estimated general fund deficiency - $957,860

related to strategy of inmate parole system.

DOCR - Adult Services

Prisons Division (PD)

05-07 Appropriation:

- Total Budget – $81.0 million
  - As of 11/30/06 – 70.3% expended - $56.9 million
  - Estimate at 6/30/06 – 101% (±2%)
  - Estimated general fund deficiency - $3.9 million

?QUESTIONS?

HOUSE APPROPRIATIONS COMMITTEE
HUMAN RESOURCES DIVISION
Representative Chet Pollert, Chairman
January 10, 2007

North Dakota Department of Corrections and Rehabilitation
Leann K. Bertsch, Director
Presenting Testimony Concerning: HOUSE BILL 1015

The Department of Corrections and Rehabilitation (DOCR) is committed to public safety, staff safety, and the safe, secure and humane supervision of offenders who are committed to it care and custody. Our staff of nearly 700 dedicated men and women, representing a broad range of professional disciplines, takes great pride in the performance of its duties and the protection of the public.

In North Dakota, very few inmates die in prison and so almost every one of them will eventually return to a local community. An important question revolves around how that offender will behave once he or she returns. In an ideal world we would have unlimited resources and provide every conceivable resource to each offender given to us. When reality shows its face we realize the importance of an offender management plan. We understand the need to place each offender in the least restrictive environment – an environment that is safe and cost effective. We must have a strategy that helps reduce risk and manage that risk we can't reduce.

The Department utilizes a re-entry model, the Transition From Prison To Community Initiative (TPCI), a national re-entry initiative spearheaded by the National Institute of Corrections (NIC). TPCI is a way of doing business that emphasizes the use of evidence-based practices in the way we interact with offenders as well as our management practices. It is reflected in our Offender Management Plan. It also emphasizes the need for collaboration with our partners to achieve the results we need to be successful. Under this model, the

DOCR strives from the first day of incarceration, to prepare offenders for successful reintegration into the community. Recognizing that more than 97% of offenders will return to the community after a period of incarceration, the goal is to enhance public safety by reducing recidivism. The Offender Management Plan is crucial in this regard as each phase builds toward re-entry and successful community adjustment.

The department has very little control over the numbers of offenders the courts send to us. We manage what is given to us and try to reduce the numbers by using effective, evidence- based practices. The diagram and chart depict the re-entry model the DOCR utilizes and upon which the offender management plan and budget is built.

Institutional Phase

The diagram illustrates the progression of offenders through the DOCR system, beginning with the admissions process within the Prisons Division.

Orientation/Classification:

We received 1100 new arrivals into the prison system in calendar year 2005, and each one of them spends their first 30 days in an orientation program. During orientation, inmates receive a battery of assessment tests to identify the problem areas (risk domains) that must be addressed if they are to stay out of prison in the future. Some of these risk domains we assess include problems with chemical addiction, poor education, lack of work skills, anger problems, mental health issues, family problems, and financial problems.

Development of Case Plan:

Once an offender's needs and risks are identified, a **case plan** is developed for each offender, outlining the type of programs the staff recommend he participate in during his prison sentence that will most greatly reduce his risk of re-offending.

Our goal is to try to have the inmate completed with these programs at about the halfway point in his sentence, so we can get him in front of the Parole Board, and hopefully have him safely transitioned back into the community.

Risk Reduction - Programs & Treatment

- Addiction Treatment: Between 80 and 85% of our offenders have a serious problem with alcohol and drug abuse, with the drug of choice being methamphetamine. elapsed while on community supervision.

-Sex Offender Treatment: Approximately 16% of our inmates that have a history of committing sex offenses. These offenders are screened and assessed for the type of sex offender therapy they require.

- **Intensive Sex Offender Group**
- **Low-intensity Sex Offender Group**.
- **Sex Offender Anonymous**
- **Individual therapy for special needs sex offenders** (those who cannot function in a group setting due to behavioral, mental health, or intellectual deficiencies).

-Mental Health Treatment: Approximately 37% of the inmate population have an Axis 1 mental illness diagnosis, and require psychotropic medication for daily functioning.

- **Individual counseling** with mental health professionals.
- **Special Assistance Unit** at the JRCC, a 24-bed mental health unit designed to help the inmate through the crisis, and get stabilized back on the prescribed medication.
- **Special Needs Mental Health group**.

-Anger Management: Nearly 21% of the new arrivals are incarcerated for a violent crime, and most of these are assessed as needing some form of anger management therapy.

- **Anger Management**

- **Intensive Anger Management**
- **Administrative Segregation Anger Management** pre-group, for those inmates locked in our most secure unit.
- **Alternatives to Violence** class, which takes place over 6 weekends annually and is led by volunteers.

-Religious Services.

-Education.

- Vocation Inmates leaving prison without job skills or vocational training are at a high risk to return.

- **Restaurant Management Class**
- **Auto Mechanics** program at the MRCC.
- **Rough Rider Industries** is an excellent program we offer at all three facilities that can help teach inmates a trade in woodworking, silk screening, upholstery, cut and sew operations, and welding, but there are only enough Industry jobs for about 20% of the male population.
- **Work release program**
- **Starting a new HVAC program through BSC**

Re-entry phase or Transition:

The re-entry process is a critical component in helping an offender successfully transition back into their community. Proper transitioning reduces the risk that offenders will commit new crimes. Effective transition programming is a "pre-requisite" for the Parole Board to authorize the release of an offender to parole. It is also cost effective. The Division of Field Services manages that transition by consolidating treatment gains the offender has made during his or her period of incarceration, providing linkages to community–based services, and placing the offender into appropriate community release programs. These transition programs include:

- **Tompkins Rehabilitation and Corrections Center (TRCC):**
- **Bismarck Transition Center (BTC):**
- **Centre Halfway House Program:**
- **Centre Quarter-way House Program:**
- **Female Transition Program:**
- **Parole Relapse:**
- **North Central Corrections & Rehabilitation Center (NCCRC – Rugby).**

As the diagram depicts, offenders may be sentenced directly to probation supervision by the DOCR. Just as in the institutional phase, assessments are done to determine the risk and needs of the probationer to determine the most effective supervision strategy.

Assessment Center:

The Assessment Center opened in June 2006. This allows the Department to place an offender in the Assessment center for up to 30 days to evaluate the most appropriate placement for that offender, whether it be a residential treatment program, return to court for revocation & perhaps incarceration, return to a community-based treatment program, etc.

Just as is done if an offender enters the correctional system through the prison system, a case plan is developed for each offender.

Case Planning is the "roadmap" that guides the corrections system as the offender moves through the correctional continuum. This re-entry case plan not only insures that each offender is managed and transitioned in a manner that is most effective for that offender but also that correctional resources are aligned where and when offenders most require them.

Risk Reduction – Program Treatment: The DOCR Field Services Division insures that a continuum of expectations are presented to the offender for the entire period of supervision. Support for reintegration is provided through a number of programs.

Risk Management: Just as in the institutional phase, risk that cannot be reduced is managed.

Each piece of this Offender Management Plan is critical and interdependent and is designed as a systemic approach to ensuring that the DOCR meets its goals of public safety, staff safety and maintaining safe, secure and humane supervision of offenders both in the facilities and the community.

Thank you for the opportunity to provide you with this information.

1

ND Department of Corrections and Rehabilitation (DOCR) 2007 – 2009 Executive Recommendation Overview

Prepared for the Senate Appropriations Committee

Senator Ray Holmberg, Chairman

March 5, 2007

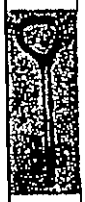
Dave Krabbenhoft
Director of Finance and Administration

DOCR
(millions)

DOCR	2005-07 Approp.	2007-09 Exec. Rec.	2007-09 House Version
Juvenile Services			
Youth Correctional Center (YCC)	$13.0	$14.6	$14.6
Juvenile Community Services (JCS)	$8.0	$8.9	$8.9
Adult Services			
Field Services (FSD)	$27.1	$36.0	$35.2
Prisons (PD)	$81.0	$140.0	$179.3

DOCR
(millions)

DOCR	2005-07 Approp.	2007-09 Exec. Rec.	2007-09 House Version
Total DOCR	$129.1	$199.5	$238.0
General Fund	$101.2	$172.7	$214.1
Other Fund	$27.9	$26.8	$24.0
FTE	677.28	706.79	700.29



DOCR - Juvenile Services
Youth Correctional Center (YCC)

- Located West of Mandan
- Secure correctional institution for both male and female adjudicated juveniles
- Provides appropriate educational and treatment programming to address the specific issues of each juvenile placed in the care and custody of the DOCR

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

- YCC Administration - $890,000
  - Planning, leadership, training, administrative services, and records and program management
  - 6.13 FTE
  - 6.1% of YCC budget

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

- Plant Services - $2.8 million
  - Daily operation and maintenance of facilities and equipment, management to completion of all capital improvement and extraordinary repair projects – 20 buildings, 125 acres
  - Monitoring of all utility services
  - 5.00 FTE
  - 18.8% of YCC budget

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

– Food Services - $600,000

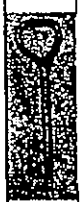
- Prepare and serve three nutritious meals and an evening snack to YCC residents and on-duty staff on a daily basis
- Average food cost per meal - $1.20
- 4.00 FTE
- 4.1% of YCC budget

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

– Medical Services - $610,000

- Physical health related services provided to juveniles in residence at the YCC
- 1.00 FTE
- 4.2% of YCC budget



DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

– Treatment Services - $1.4 million

- Individualized treatment programming and case management services provided to juveniles in residence at the YCC
- Services provided include: cognitive-behavioral counseling, drug and alcohol programming, family day sessions, grief counseling, and pastoral services

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

- Treatment Services – (cont.)
  - 11.87 FTE
  - 9.3% of YCC budget

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

- Education Services - $3.2 million
  - Provide educational services to juveniles in residence at the YCC through a fully accredited junior / senior high school – Marmot Schools, and adult education program (05-06 school year 432 students)

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

- Education Services – (cont.)
  - Services provided include:
    - Academic education – course work towards eighth grade and high school diploma
    - Career and technical education – entry level vocational skills
    - Adult education – alternative education for those 16 years of age or older

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

– Education Services – (cont.)

- Services provided include:
  - Special Education
  - Assessment and Counseling
- 19.84 FTE
- 21.7% of YCC budget

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

– Security / Supervision - $4.4 million

- Provide for public safety
- Provide for quality care and supervision of juveniles in residence at the YCC
  - Brown, Hickory, Maple and Pine cottages
  - 2006 ADP - 88
- 43.0 FTE
- 30.0% of YCC budget

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

– Work Programs - $40,000

- Provides for supervised employment opportunities through the Workforce Investment Act and the Youth Employment Program
- .09 FTE
- .3 % of YCC budget

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

- Training - $190,000
  - Provides for the ongoing training and education opportunities to the staff of the YCC
  - 1.0 FTE
  - 1.3% of YCC budget

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

- DOCR Administration - $600,000
  - Allocated share of DOCR central office costs
  - Central office provides administrative, financial and technology services to all DOCR divisions
  - 3.54 FTE
  - 4.1% of YCC budget

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 Exec. Recommendation:

- Total budget - $14.6 million
  - 11.5% increase from present budget
- Total general fund recommendation - $12.7 million
  - 21% increase from present budget ($2.2 million)
- Total FTE recommendation – 95.47
  - 5.0 new FTE

DOCR - Juvenile Services
Youth Correctional Center (YCC)

07 – 09 Significant Budget Changes

- Employee Compensation - $858,000
  - 05-07 Continuation - $92,000
  - Teacher Salary Increase - $198,000
  - 07-09 Compensation Adjustment - $343,000
  - 07-09 Health Insurance - $225,000
- 5.0 Temp Positions to FTE Status - $100,000
- One-time Spending - $820,000
  - Capital Projects / XO Repairs - $683,000
  - Equipment - $137,000

DOCR - Juvenile Services
Youth Correctional Center (YCC)

07 – 09 Significant Budget Changes (cont.)

- Inflation / Workload - $150,000
- Funding Source Change - $590,000

DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 House Changes:

- Increased Treatment Services - $200,000
  - Mental health services programming (psychologist, psychiatrist and licensed addiction counselor)

  (At dept.'s request funding moved from FSD line to YCC line)
- Reduced Capital Projects - $100,000
  - Entrance road security lighting / video surveillance reduced from $170,000 to $70,000

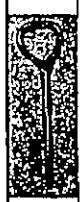
DOCR - Juvenile Services
Youth Correctional Center (YCC)

2007 – 2009 House Changes (cont.):

- Reduced XO Repair Funding - $127,459
  - Removed funding for Maple cottage and Hickory cottage roofing projects
- Reduced Equipment Over $5,000 Funding - $25,000
  - Removed funding for the purchase of optical equipment

DOCR - Juvenile Services
Community (JCS)

- Eight regional offices located throughout the State
  - Williston, Minot, Devils Lake, Grand Forks, Fargo, Jamestown, Bismarck, and Dickinson
- Comprehensive case management services provided to unruly and delinquent juveniles
- Number of juveniles currently committed to the care and custody of JCS total 388



DOCR - Juvenile Services
Community (JCS)

2007 – 2009 Exec. Recommendation:

- JCS Administration - $810,000
  - Planning, leadership, training, administrative services and program management
  - 3.0 FTE
  - 9.1% of JCS budget

DOCR - Juvenile Services Community (JCS)

2007 – 2009 Exec. Recommendation:

- Supervision - $3.7 million
  - Develop and implement individualized treatment and rehabilitation plans, based on comprehensive needs / risk assessments, for adjudicated juveniles
  - 28.5 FTE
  - 41.2% of JCS budget

DOCR - Juvenile Services Community (JCS)

2007 – 2009 Exec. Recommendation:

- Treatment Services - $4.1 million
  - Tracker program
  - Day Treatment program
  - Intensive In-Home program
  - 0.0 FTE
  - 45.6% of JCS budget

DOCR - Juvenile Services Community (JCS)

2007 – 2009 Exec. Recommendation:

- Training - $40,000
  - Quarterly training provided JCS staff
  - 0.0 FTE
  - 0.4% of JCS budget

DOCR - Juvenile Services Community (JCS)

2007 – 2009 Exec. Recommendation:

- DOCR Administration - $320,000
  - Allocated share of DOCR central office costs
  - Central office provides administrative, financial and technology services to all DOCR divisions
  - 0.72 FTE
  - 3.6% of JCS budget

DOCR - Juvenile Services Community (JCS)

2007 – 2009 Exec. Recommendation:

- Total budget - $8.9 million
  - 11.2% increase from present budget
- Total general fund recommendation - $5.4 million
  - 9.5% increase from present budget ($470,000)
- Total FTE recommendation – 32.22
  - No change from present budget

DOCR - Juvenile Services Community (JCS)

07-09 Significant Budget Changes

- Employee Compensation - $423,000
  - 05-07 Continuation - $35,000
  - 07-09 Compensation adjustment - $156,000
  - Position reclassification - $156,000
  - 07-09 Health Insurance - $76,000
- Intensive In-Home expansion - $75,000
- Inflation / Workload - $100,000

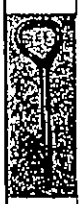
DOCR - Juvenile Services Community (JCS)

2007 – 2009 House Changes:

- None

DOCR - Adult Services Field Services (FSD)

- Regional offices located throughout the State
  - Williston, Minot, Rolla, Devils Lake, Grafton, Grand Forks, Fargo, Wahpeton, Oakes, Jamestown, Bismarck, Mandan, and Washburn
- Supervision of offenders that are sentenced to probation by the district courts or that are released on parole by the ND parole board.



DOCR - Adult Services Field Services (FSD)

- Management of community based programs
  - Evidence Based Practice
  - Supervision and programming that reduces the number of offenders that require incarceration
- Administration of the crime victim compensation program
- Provide administrative support to Parole Board and the Pardon Advisory Board

DOCR - Adult Services
Field Services (FSD)

2007 – 2009 Exec. Recommendation:

– FSD Administration - $1.1 million

- Planning, leadership, administrative services, and program management
- 5.5 FTE
- 3.0% of FSD budget

DOCR - Adult Services
Field Services (FSD)

2007 – 2009 Exec. Recommendation:

– Victims Services - $3.4 million

- Administration of the Victim Compensation and the Crime Victims Assistance programs
- Victim Compensation – provides to eligible victims medical and death benefits up to $25,000 per crime act

DOCR - Adult Services
Field Services (FSD)

2007 – 2009 Exec. Recommendation:

– Victims Services – (cont.)

- Crime Victims Assistance – provides funding to victim advocate programs and organizations that assist victims of domestic and sexual assault
- 2.0 FTE
- 9.5% of FSD budget

DOCR - Adult Services
Field Services (FSD)

2007 – 2009 Exec. Recommendation:

- Institutional Offender Services - $700,000
  - Provides support to the classification committee, case planning committee, and the parole and pardon advisory boards
  - DOCR sentencing report:
    - ASI / LSIR assessment information
    - Criminal history

DOCR - Adult Services
Field Services (FSD)

2007 – 2009 Exec. Recommendation:

- Institutional Offender Services – (cont.)
  - DOCR sentencing report: (cont.)
    - Current offense information
    - Programming participation
    - Institutional conduct
    - Viability of release plans
  - Coordination of community placements

DOCR - Adult Services
Field Services (FSD)

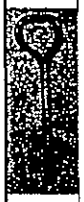
2007 – 2009 Exec. Recommendation:

- Institutional Offender Services – (cont.)
  - 6.0 FTE
  - 2.0% of FSD budget
- Interstate Compact - $170,000
  - Provides for the return of offenders located outside of the State who have violated the terms of their supervision
  - 0.0 FTE
  - 0.5% of FSD budget

DOCR - Adult Services
Field Services (FSD)

2007 – 2009 Exec. Recommendation:

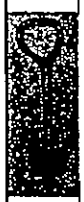
- Security / Supervision - $9.9 million
  - Provide for public safety
  - Management of offenders placed out of state via the interstate compact
  - Provide for the supervision of offenders on parole and/or probation status
    - Case supervision plan – individualized offender management plan based on the criminogenic needs and risks of the offender



DOCR - Adult Services
Field Services (FSD)

2007 – 2009 Exec. Recommendation:

- Security / Supervision – (cont.)
  - 4,891 offenders / inmates managed by FSD as of 1/1/07
    - 7.7% annual growth rate
    - 63.2% increase in the number of paroles
      - 1/1/07 – 372
      - 7/1/04 – 228
  - 75.35 FTE
  - 27.6% of FSD budget



DOCR - Adult Services
Field Services (FSD)

2007 – 2009 Exec. Recommendation:

- Treatment Services - $20.1 million
  - Bismarck Transition Center (BTC)
    - Transition, assessment and relapse services
  - Tompkins Rehabilitation and Corrections Center (TRCC)
  - Female transition / community placement
  - North Central Correctional and Rehabilitation Center (NCCRC) treatment

DOCR - Adult Services
Field Services (FSD)

2007 – 2009 Exec. Recommendation:

– Treatment Services – (cont.)

- Male transition programming
- Drug court
- Electronic monitoring
- Half-way house programming
- Quarter house programming
- Faith based programming

DOCR - Adult Services
Field Services (FSD)

2007 – 2009 Exec. Recommendation:

– Treatment Services – (cont.)

- 14.0 FTE
- 55.8% of FSD budget

DOCR - Adult Services
Field Services (FSD)

2007 – 2009 Exec. Recommendation:

– DOCR Administration - $570,000

- Allocated share of central office costs
- Central office provides administrative, financial and technology services to all DOCR divisions
- 2.96 FTE
- 1.6% of FSD budget

DOCR - Adult Services
Field Services (FSD)

2007 – 2009 Exec. Recommendation:

- Total Budget - $35.9 million
- Total general fund recommendation - $30.5 million
  - 53.3% increase from present budget ($10.6 million)
- Total FTE recommendation – 105.81
  - 10.2 new FTE

DOCR - Adult Services
Field Services (FSD)

07-09 Significant Budget Changes

- Employee Compensation - $914,000
  - 05-07 Continuation - $151,000
  - 07-09 Compensation Adjustment - $513,000
  - 07-09 Health Insurance - $250,000
- 10.2 New FTE - $1,208,000
  - 7.0 Parole Officer Positions - $750,000
  - 3.0 Drug Court Expansion - $428,000
  - 0.2 Treatment Director - $30,000
    (allocated central office position)

DOCR - Adult Services
Field Services (FSD)

07-09 Significant Budget Changes

- Treatment / Programming - $7.6 million
  - BTC - $490,000
  - NCCRC - $950,000
  - Half-way House - $1.5 million
  - Quarter House - $160,000
  - Female Transition / Community Placement - $2.1 million

DOCR - Adult Services
Field Services (FSD)

07-09 Significant Budget Changes

- Treatment / Programming – (cont.)
  - Faith Based Programming - $150,000
  - TRCC - $640,000
  - Electronic Monitoring - $97,000
  - Male Transition - $1.5 million
- One-time Spending - $240,000
  - Digital Radios - $240,000

DOCR - Adult Services
Field Services (FSD)

2007 – 2009 House Changes:

- Reduced Treatment Services - $200,000
  - At dept.'s request moved funding to YCC line to correct budgeting error
- Removed 4.5 FTE and Related Funding
  - 1.5 FTE - $168,778 (special fund) – .5 FTE from pilot project (2005 SB2341) not implemented and 1.0 FTE designated for civil sex offender community supervision
  - 3.0 FTE - $470,947 (general fund) – Parole officer salary, fringe and operating

DOCR - Adult Services
Field Services (FSD)

- 2007 – 2009 House Changes (cont.):
  - Increased Faith-Based Programming - $100,000
    - Funding directed at faith-based programming increased from $300,000 to $400,000
  - Supervision Fee Increase / Funding Source Change - $244,782
    - Replaced general funds with special funds via supervision fee increase - $40 per month to to $45 per month.

DOCR - Adult Services
Field Services (FSD)

- 2007 – 2009 House Changes (cont.):
  - Crime Victim Compensation Payments
    - Added section 10 to HB1015 to allow the DOCR to expend (in the 2005-07 biennium) general funds appropriated to the DOCR in 2005 SB2341 ($515,855) on crime victim compensation payments.

DOCR - Adult Services
Prisons Division (PD)

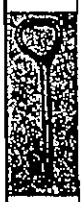
- Provides for the incarceration of adults sentenced, by the State's district courts, to the care and custody of the DOCR.
  - Male – 1,243 (3/1/07)
  - Female – 147 (3/1/07)
- Correctional facilities:
  - ND State Penitentiary (NDSP)
    - Located in Bismarck
    - 550 bed male facility
    - Main prison complex, houses primarily close and maximum security inmates

DOCR - Adult Services
Prisons Division (PD)

- Correctional facilities: (cont.)
  - James River Correctional Center (JRCC)
    - Located in Jamestown on the grounds of the ND State Hospital
    - 405 bed male facility
    - Medium security prison complex, houses primarily medium security inmates
  - Missouri River Correctional Center (MRCC)
    - Located along the Missouri River southwest of Bismarck

DOCR - Adult Services
Prisons Division (PD)

- Correctional facilities: (cont.)
  - Missouri River Correctional Center (MRCC)
    - 150 bed male facility
    - Minimum security prison complex, houses minimum security inmates
  - Contract Facilities
    - Dakota Women's Correctional and Rehabilitation Center (DWCRC)
      - Houses DOCR female inmates on a contract basis
      - Owned and operated by a county consortium (SWMCCC) consisting of six Southwestern ND counties



DOCR - Adult Services
Prisons Division (PD)

- Correctional facilities: (cont.)
  - Contract Facilities
    - DWCRC (cont.)
      - Located in New England
      - 126 bed female facility
      - Houses inmates at all security levels
    - ND County Jails
- Roughrider Industries (RRI)
  - Self-sufficient industrial program operated by the prisons division to provide inmate jobs

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

- PD Facility Administration - $6.4 million
  - NDSP - $2.1 million
  - JRCC - $1.3 million
  - MRCC - $410,000
  - RRJ - $2.6 million
- Planning, leadership, administrative services, records management, and program management

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

– PD Facility Administration – (cont.)
- 44.0 FTE
- 4.6% of prisons division budget

– PD Plant Services - $52.9 million
- NDSP - $48.9 million
- JRCC - $3.3 million
- MRCC - $680,000

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

– PD Plant Services – (cont.)
- Daily operation and maintenance of facilities, grounds, and equipment. Manages to completion all capital projects / improvements and extraordinary repair projects
- Monitoring of all utility services

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

– PD Plant Services – (cont.)
- 20.0 FTE
- 37.8% of prisons division budget

– PD Food Services - $6.9 million
- NDSP - $2.2 million
- JRCC - $4.1 million
- MRCC - $680,000

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

– PD Food Services – (cont.)

- Provide three nutritious well-balanced meals for inmates, ND State Hospital patients, and on-duty staff on a daily basis
- Average budgeted food cost per inmate meal - $1.27
- Average budgeted food cost per patient meal - $2.64

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

– PD Food Services – (cont.)

- 20.0 FTE
- 5.0% of prisons division budget

– PD Medical Services - $12.5 million

- NDSP - $6.1 million
- JRCC - $4.3 million
- MRCC - $1.2 million
- Contract Facilities - $900,000

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

– PD Medical Services – (cont.)

- Medical (including dental) provided to inmates at the community standard of health care (on-site and off-site services, drugs and supplies)
- Budgeted average medical daily rate per individual on inmate status - $11.11

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

– PD Medical Services – (cont.)

- DWCRC off-site medical and pharmaceutical costs paid directly by DOCR
- 28.5 FTE
- 8.9% of prisons division budget

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

– PD Treatment Services - $4.9 million

- NDSP - $2.9 million
- JRCC - $1.6 million
- MRCC - $360,000

- Individualized treatment programming and case management services

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

– PD Treatment Services – (cont.)

- Substance abuse, sex offender, anger management, domestic violence, mental health programming, grief therapy, and pastoral services
- 41.0 FTE
- 3.5% of prisons division budget

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

- PD Education Services – $1.1 million
  - NDSP - $490,000
  - JRCC - $190,000
  - MRCC - $380,000
- Adult education services in basic skills, adult literacy, and GED instruction / testing
- Career and technical education opportunities include restaurant management, auto mechanics, carpentry, and computer education

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

- PD Education Services – (cont.)
  - 7.0 FTE
  - 0.8 % of prisons division budget
- PD Security / Supervision - $39.0 million
  - NDSP - $14.6 million
  - JRCC - $12.1 million
  - MRCC - $2.7 million
  - Contract Facilities - $9.6 million

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

- PD Security / Supervision – (cont.)
  - Provides for a safe and secure environment for public, staff and inmates
  - Contract facilities budgeted daily housing rates:
    - DWCRC - $90.82
    - ND County Jails - $60.00

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

- PD Security / Supervision – (cont.)
  - 280.0 FTE
  - 24.3% of prisons division budget
- PD Work Programs - $12.8 million
  - NDSP - $400,000
  - JRCC - $300,000
  - MRCC - $130,000
  - RRI - $12.0 million

DOCR - Adult Services
Prisons Division (PD)

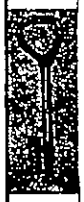
2007 – 2009 Exec. Recommendation:

- PD Work Programs – (cont.)
  - Reduce prison idleness by providing meaningful work opportunities and to teach job skills and work ethic
  - 16.0 FTE
  - 9.1% of prisons division budget

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

- PD Training - $460,000
  - NDSP - $200,000
  - JRCC - $240,000
  - MRCC - $18,000
- Provides pre-service and in-service training opportunities to the staff of the DOCR



DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

- PD Training – (cont.)
  - 3.0 FTE
  - 0.3% of prisons division budget
- DOCR Administration - $3.1 million
  - NDSP - $1.6 million
  - JRCC - $1.1 million
  - MRCC - $430,000

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 Exec. Recommendation:

- DOCR Administration – (cont.)
  - Allocated share of central office costs
  - Central office provides administrative, financial and technology services to all DOCR divisions
  - 13.79 FTE
  - 2.2% of prisons division budget

DOCR - Adult Services
Prisons Division (PD)

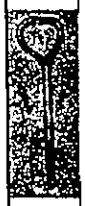
2007 – 2009 Exec. Recommendation:

- Total Budget - $140.1 million
- Total general fund recommendation - $124.1 million
  - 88.4% increase from present budget ($58.2 million)
    - 25% increase excluding $42 million capital project
  - Total FTE recommendation – 473.29
    - 14.3 new FTE

DOCR - Adult Services
Prisons Division (PD)

07-09 Significant Budget Changes

- Employee Compensation - $4.42 million
  - 05-07 Continuation - $629,000
  - 07-09 Compensation adjustment - $2.1 million
  - Position reclassification - $592,000
  - 07-09 Health Insurance - $1.1 million



DOCR - Adult Services
Prisons Division (PD)

07-09 Significant Budget Changes

- 14.3 New FTE – $982,000
  - 5.0 JRCC Lieutenants - $535,000
  - 7.5 Temp to FTE Status - $213,000
    (1.5 central office positions)
  - 1.0 JRCC Business Manager - $116,000
    (central office position)
  - 0.8 Treatment Director - $118,000
    (allocated central office position)

DOCR - Adult Services
Prisons Division (PD)

07-09 Significant Budget Changes

- DWCRC housing payment - $2.1 million
- Medical - $1.6 million
- Inflation / Workload - $1.8 million
  - Utilities / Food Service (DOCR & NDSH)
- One-time Spending - $48.9 million
  - NDSP Building Project - $42 million
  - Extraordinary Repairs - $1.8 million

DOCR - Adult Services
Prisons Division (PD)

07-09 Significant Budget Changes

- One-time Spending – (cont.)
  - Equipment - $1.1 million
  - Inmate Medical IT System - $1.0 million
  - License Plate Issue - $3.0 million

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 House Changes:

– Increased Capital Projects - $43 million

- Increased the scope and funding of the proposed NDSP building project. In addition to the project included in the Governor's recommendation, at the least, the House version provides for the demolition and replacement of 3 additional buildings (west unit, administration and DOCR building). The House version also calls for the relocation of the MRCC to the NDSP site and for the sale of the MRCC land. Total bed count under both proposals total approximately 950. Total project costs under the House version total $85 million.

DOCR - Adult Services
Prisons Division (PD)

2007 – 2009 House Changes (cont.):

– Removed 2.0 FTE and Related Funding to Convert Existing Chaplain Positions to FTE Status - $64,000

– Reduced XO Repair Funding - $667,500

- Removed funding for items with a priority rating greater than or equal to 26

– Reduced Equipment Over $5,000 Funding - $30,000

- Bobcat - MRCC

DOCR - Adult Services

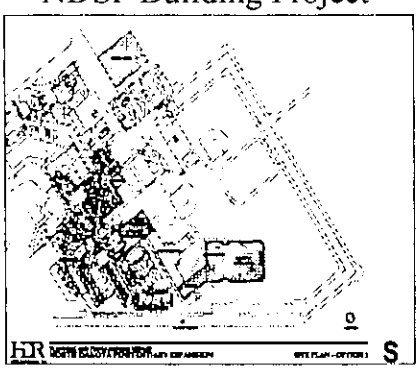
Prisons Division (PD)

2007 – 2009 House Changes (cont.):

- Removed License Plate Project Funding – RR1
  - $3 Million (special funds)

?QUESTIONS?

NDSP Building Project



Memorandum

To: Members of House Appropriations Human Resources Sub Committee

From: Tim Schuetzle, Prisons Division Director

Date: 1/24/2007

Re: Answers to Committee Questions

During my testimony to you on January 10, 2007 you requested the following additional information.

1) Lists of acronyms commonly used by the DOCR in their daily operations.

See attachment #1

2) What is the projected growth of the female population, and is there a certain age group that is contributing to this growth?

Dave Krabbenhoff has a sheet he will present to the committee that shows the projected population growth for both male and female inmates for the next 10 years. The age group of most female offenders coming into prison is the 24 to 29 year olds. The age group that represents the highest number of new arrivals for the male prisoners is the 18 to 25 year old range. The average age of female offenders entering the system was 29, and the average age of male offenders was also 29, but these averages are skewed by some older than average inmate arrivals in both categories.

3) Statistical data related to recidivism and methamphetamine treatment for females and males, as well as other statistical data on recidivism and treatment.

It's not possible for us to identify the recidivism rate specifically for meth users, as most addicted inmates in treatment are addicted to many type of substances, not just meth. We do not collect data specifically on meth users versus alcohol users. The recidivism rate for all our offenders for 2004 was 22%. The calculations are not yet completed for 2005.

4) Has the additional treatment staff approved by the last legislature had any positive effect on the recidivism rate?

It is too early to determine if the additional counselors we added this biennium has had any impact on our recidivism rate. The definition of recidivism is the percentage of inmates that return to prison on a new crime before 3 years have passed from their release date. Therefore, any recidivism reduction from these additional staff likely won't be known for at least 5 years. However, I can say that the additional staff (when we have been able to retain them) have helped by increasing the number of inmates that have an opportunity to attend treatment during their incarceration.

5) **Where did the treatment staff (particularly sex offender counselors) that left employment with the DOCR go? In state? Out of state?**

See attachment #2

6) **Do we have any data or information relating to staff turnover in regards to new facilities (new construction). Do new/modern facilities have any direct affect on staff turnover?**

I researched the National Institute of Corrections Library about this topic, and there have been no studies that address this issue. My personal and professional opinion is that a new prison or new work environment would have **no** impact on staff turnover rates. In exit interviews that I have completed with staff, not one has ever mentioned that they are leaving their job at the prison because they didn't like working in the older buildings. The vast majority said the reason for leaving is better pay at their new job. A few mentioned that "they did not like being around inmates" as a reason for leaving employment, but those feelings would exist in both a new, or old facility.

7) **What is the county jail correctional officer pay rates around the state as compared to the pay of our correctional staff?**

See attachment #3.

8) **Can we show that the one million dollars approved for equity pay last legislature strictly for correctional officers go to that targeted group?**

Yes. Dave Krabbenhoff has this information, and can share it with the committee.

9) What are the turnover rates for correctional staff in the bordering states (Minnesota, South Dakota, Montana, etc)?

We are still waiting for this information from Minnesota and Montana. The South Dakota DOC reported a turnover rate in 2006 of 22%. This is very similar to ours, when we add the full time and temporary officers together. South Dakota pay for starting Correctional Officers is lower than ours, but they commented that they give a large pay increase at the employees 2 year anniversary date, and usually, if they keep the staff the first two years, they will keep them for their entire career.

10) How long has the existing staff filling the six temporary positions (in the executive budget) been with the DOCR?

From pages 5 and 6 of my testimony, both of the chaplains have more than 4 years experience. The employee filling the full time temporary administrative assistant in the treatment department has been with the department for 6 months, but this has been a temporary position for 6 years. The other .25 administrative assistant has been employed for over a year, but this also has been a temporary position for over 6 years. The half time temporary Office Assistant I in the medical department had been filled for over 14 years by the same employee, but she left this fall because we could not get her full benefits. Her replacement has been with us for about 5 months. The full time Office Assistant III has been a temporary position for about 20 months, and has been filled by the same employee during this time frame. The RN temporary position was hired about 18 months ago, and the same employee has been in that position since it became open, and the .25 Instructor position has been a temporary position for 6 years, and it has been filled by an employee who has been with us for 14 years.

11) Why the RN Nurse position request for medical is not an LPN level position?

We already have two LPN positions among the 7 nurses at NDSP/MRCC, which comes to a little over one nurse per shift. LPN nurses must be supervised by an RN, which is a difficult requirement to meet when there is usually only one nurse on shift at a time. Since LPN's cannot work a shift by themselves, an RN is requested to allow us more flexibility in scheduling.

12) Can we get a full budget breakdown for DWCRC?

Dave K. is going to present this when you get into this part of the budget detail.

13) Why was the request for renovation in the last biennium $29 million, but the request this biennium is $42 million?

The original request was computed using 2004 construction costs, and did not include 125 more beds that was added to the plan during the interim session.

14) Are bonding payments still due on any of our current buildings?

Dave K. is covering this with you.

15) What is the inmate population projections for 10 years, 15 years and if possible, 20 years?

Dave Krabbenhoff has a spreadsheet where we projected the male and female populations through 2017 (ten years). Data accuracy further out than ten years becomes suspect.

16) What is the breakdown of the $31 million in capital improvements at the NDSP and MRCC that were spent over the last 20 years?

See Attachment #4

17) What is the breakdown of the same capital improvements completed at JRCC since the opening of that DOCR facility?

See attachment #5

18) What is the posted salary range for the RN level nurses at NDSP and JRCC?

We're advertising for an RN II position at JRCC, which is a grade 11 position with a salary grade range of $2557 to $3409/month. The posted salary range starts at $2800/month, and we area also offering a $1400.00 sign on bonus.

19) The history of all the FTE's attached to the Central Office since 1998, what was requested, when they were requested and when they were granted.

Dave Krabbenhoff will present this information to you when he discusses the Central Office detail.

20) What are the projected repair expenses for the 3 prisons through 2017?

See attachment #6

#1.

Department of Corrections and Rehabilitation Adult Services Acronyms

Prisons Division

AA- Alcoholics Anonymous
AS- Administrative Segregation Unit
ASI- Addiction Severity Index (screening tool to determine need for addiction treatment)
Capt- Captain
CM- Case Manager
CCW- Correctional Case Worker
COII- Correctional Officer 2
DD- Disciplinary Detention
DOCR- Department Of Corrections and Rehabilitation
DWCRC- Dakota Women's Correctional and Rehabilitation Center (New England)
EU- East Unit (aka East Cell House at NDSP)
GED- general equivalency diploma
GSI- gross sexual imposition
Inf- Infirmary Unit
ISO- Intensive Sex Offender treatment
JRCC- James River Correctional Center (medium custody state prison in Jamestown)
LISO- Low intensity sex offender treatment
LSI/R- Level of Service Inventory Revised (screening to determine areas of risks and needs)
Lt- Lieutenant
MnSOST-R- Minnesota sex offender screening tool-revised
MRCC- Missouri River Correctional Center (minimum custody state prison in Bismarck)
NCCRC- North Central Correctional Rehabilitation Center (Rugby)
NDSH- North Dakota State Hospital
NDSP- North Dakota State Penitentiary
NU- North Unit
Obs- Observation Unit
ODR- Officers Dining Room
OU- Overflow Unit
RRI- Rough Rider Industries
SAU- Special Assistance Unit (mental health unit at JRCC)
SU- South Unit
TRCC-Tompkins Rehabilitation & Correction Center-90 clinical beds collocated at the State Hospital
TU- Treatment Unit
Tx- treatment
WU- West Unit (aka West Cell House at NDSP)
IDR- Inmate Dining Room
SOtx- Sex Offender Treatment Group
SOEC- Sex Offender Education Class
COG- Cognitive Restructuring Group

Field Services Division

AA –Double A Felony
AA – Alcoholics Anonymous
ACA-American Corrections Association
AMA-Against Medical Advice
AS – Alco Sensor for breathylizer test
ASI-Addiction Severity Index
ATC-Admission To Caseload
BAC-Blood Alcohol Content
BTC-Bismarck Transition Center
CA –Clinical Assessment
CC – Collateral Contact
CCA – Community Corrections Agent
CG – Cog Group
CD –Chemical Dependency
CENTRE-Halfway House-Bismarck/Fargo
CIT-Crisis Intervention Team

COG-Cognitive Restructuring Program
CPP-Community Placement Program
CRC - Crisis Residential Center, Minot Trinity Hospital
CVA - crime victims account
CVC - crime victims compensation
D/C-Discharge
DOA-Date of Arrival (in institution)
DOB-Date of Birth
DOCR-Dept Of Corrections/Rehabilitation
DUI-Driving Under Influence
DUS-Driving Under Suspension
FA – File Audit
FA –Felony A (classification)
FB –Felony B
FC –Felony C
FITP - Female Inmate Transition Program-15 community beds for female inmates in transition (Bismarck/Fargo)
GA – Gamblers Anonymous
GSI-Gross Sexual Imposition
GT –Good Time (5 days/month)
HSC-Human Service Center (West Central HSC,etc.)
HH –Halfway House i.e. CENTRE
HV – Home Visit
IBM-Institutional Behavioral Monitoring
INS – Immigration Naturalization Service
IOP-Intensive Outpatient Program
IOSP-Institutional Offender Services Program
ISP-Intensive Supervised Parole-Bismarck/Fargo
LC – Last Chance Program
LSI/R-Level of Service Inventory Revised
MA –Misdemeanor A
MGT-Meritorious Good Time
MMPI-Minnesota Multiphasic Personality Inventory
MNSOST/R-Minnesota Sex Offender Screening Tool/Revised
NACVCB - national association of crime victims compensation boards
NAVAA- natioinal association of voca assistance administratorsNCIC-National Criminal Identification Center
NDCC-ND Century Code
NDSH-ND State Hospital
NIC – National Institute of Corrections
NS – No Show
OV – Office visit
OVC - office for victims of crime
PAB-Pardon Advisory Board
PB –Parole Board
PBSR-Performance Based Sentence Reduction (Good Time)
PO –Parole/Probation Officer or Peace Officer
PSI – Pre-sentence Investigation
PV – Parole/Probation Violator
RA – Reassessment
RC – Revocation Center
SA –States Attorney
SAA-Sex Anonymous Association
SID-State Identification Designation Number
SO –Sheriff's Office
TASC - Therapeutic Addiction Services & Corrections -30 bed all female ward
TFS-Termination From Sentence
TOP – Theft of Property
TRCC-Tompkins Rehabilitation & Correction Center-90 clinical beds collocated at the State Hospital
TRCU - Tompkins Rehabilitation and Corrections Unit- 30 bed all male ward primarily for first time prison sentences/nonviolent offender group
TX -Treatment
UA – Urine Analysis

UUMV – Unauthorized use of Motor Vehicle
VOCA - victims of crime act

#2.

Memorandum

To: Tim Schuetzle, Prison Division Director

CC: File

From: Michael Froemke, Dir. Treatment Dept.

Date: January 16th, 2007

Re: Response to Legislative Committee

The question that I was assigned to answer concerned the treatment staff that had left employment and if known the reasons for their departure. The focus is on the LAC and the Sex Offender HRC positions.

Substance programs:

1) Of the most recent three Licensed Addiction Counselor that left employment: Two left for more money and one left due to disabilities. Of the two that left for more money one went to work in state for Human Service Center and one left state to work at a public funded treatment center.

2) We also lost one Licensed Social Worker recently that worked in the Substance Abuse program to the ND State Hospital for more money.

3) When we look what has happened since 2005 we have lost 7 LACs.
   - Four out of the 7 left for higher paying jobs. Two took positions with the Dept. of Human Services. One left the state. And one took a position with a private treatment facility for considerably more money.
   - One left due to disability issues.
   - One was let go for performance issues.
   - One went back to college to complete a graduate degree. She indicated that she wanted to earn more money in her career.

Sex Offender Programs:

1) Of the three Human Relations Counselors that left the Sex Offender program:
   - Two of the three left for more money. The third was let go for performance issues.
   - One of the two that left went to work at a Human Service Center while the other left because of a career changing opportunity.

In Summary:

With the Licensed Addiction Counselors about 57% leave for more money and in those cases 50% leave for more money with a position at a Human Service Center.

With the Sex Offender Counselors 2/3 leave for more money and out of that number 50% leave for more pay with a Human Service Center.

#3.

SALARY SURVEY 2007

EMPLOYER	HOURLY SALARY(STARTING)
Dakota Womens CC(New England)	9.86/hr
Bismarck Transition Center	10.00/hr
Barnes County	10.07/hr
NDSP and JRCC	10.67/hr
Stutsman County	10.88/hr
Southwest County(Dickinson)	12.44/hr
Cass County	13.27/hr
Grand Forks County	13.35/hr
Burleigh County	14.76/hr
Morton County	14.94/hr

The hourly salary was based on a 173.3 hour work month as the state requires.

#4.

Capitol Projects Prisons Division
1982-2003

Warden and D. Warden House Retrofits	1982	128,100
Site Prep. And Tunnels	1982	910,560
Power Plant and Maintenance Facility	1982	3,131,960
Industries Bldg A, Remodel B and C	1982	2,621,151
Honor Dorm (Therapeutic Community)	1982 and 1992	1,157,000
Day Space(Non-Contact Visiting,Office and Store	1984 and 1987	320,000
Visiting and Core remodel	1985	1,445,000
Laundry- Shower	1985	100,000
East Tower -Yard Expansion	1985	472,000
East Cell House Locks	1985 and 1987	300,000
Traffic Corridor	1986	236,000
South Tower and Fence	1987	373,000
Sewer and Lift Station Retrofit	1987	63,500
Energy Retrofit, Lighting, Heat Recovery	1987	765,000
South Unit and Rec. Bldg, Remodel	1987	2,638,000
Women's Unit(North Unit) and Chiller	1988	3,335,000
Fire Suppression, Bldg.C, Overflow and ECU Attic	1989	82,000
Education Building	1989	1,100,000
Ad, Seg. DD Remodel	1989	330,000
MRCC, City Water and Sewer	1992	140,000
MRCC Dorm Building	1992	1,225,000
Food Services	1993	2,225,000
Staff Training, Operations, Central Communications	1994	300,000
Programs,(Mental Health-Chemical Dependency	1994	2,175,000
West Perimeter Security and North Tower	1992 and 1997	525,000
MRCC Energy Retrofit, Boilers, Lighting, N.G. Furnaces	1994 thru 2001	62,000
AS I Renovations	1998	265,000
AS II Renovation	1999	277,550
North Industries Security Fence	1999	77,800
Code Renovations, Life Safety and ADA	1990 thru 2000	215,000
Yard Lighting and Razor Wire	2001	61,400
Infirmary, Dental, X-ray Room, and Air Quality	2000 thru 2003	84,000
Total Building Construction Costs		27,141,021
Architects and Engineer Fees @ 8.5%		2,306,987
Furniture, Fixtures, and Equipment @ 6%		1,628,461
Total Project Costs		**31,076,469**

Total insured value of ND State Penitentiary Property	42,375,000
Total Insured Value of Missouri River Correctional Center Property	3,586,000

Capital Projects
James River Correctional Center

ET Remodel, 1 thru 4	1997	4,612,650
Yard Expansion	1999	170,095
RRI Building	1999	488,050
ET Remodel 5 and 6, Entrance Bldg.	2000	2,434,755
Phase II, Admin. Bldg, Laundry, Cooling Tower, Expanded Yard	2003 to 2005	2,375,380
18 A Elevator and Stair Tower	2006	584,000
20 Cell Addition, ET Building	2006	544,663
Storm Sash and Metal Ceiling, ET Building, BID PENDING	2007	435,337
Total Project Cost, includes A&E, FF&E		**11,644,930**

Funding Source Breakout	
VOTIS Grant	6,342,665
State Dollars	5,177,735

Total Insured value of all JRCC property	33,290,000

North Dakota State Penitentiary

Extraordinary Projects		2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Energy Retrofit-Matching Funds		$ 15,000.00	$ 15,900.00	$ 16,854.00	$ 17,865.00	$ 18,950.00
Steel Cell Furniture General Population		$ 58,500.00	$ 33,600.00			
Main Control Room Renovation-Upgrade			$ 600,000.00			
Visiting Room Relocation and Administrative Remodel	x		$ 1,089,000.00			
ECH Plumbing Flush Valves, Vac Breakers	x			$ 88,800.00		
Additional AS Cells- Hardened Steel Doors	x		$ 187,500.00			
Replumbing WCH					$ 44,000.00	
Master Plan Prisons Division		$ 200,000.00				
Perimeter Security Surveillance, Fence Shaker, Microwave		$ 80,000.00	$ 84,800.00	$ 45,000.00	$ 40,000.00	$ 40,000.00
	Total	**$ 353,500.00**	**$ 2,010,800.00**	**$ 150,654.00**	**$ 101,865.00**	**$ 58,950.00**

Building Repairs and Equipment		2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Replace Summer Boiler		$ 153,000.00				
Power House, header valves, refractory		$ 32,000.00				
Cooling tower fan replacement		$ 10,000.00				
Roof Repairs		$ 45,000.00	$ 47,700.00	$ 50,562.00	$ 53,595.00	$ 56,800.00
Chiller Overhaul					$ 26,000.00	
Video Network and Surveillance Upgrade		$ 80,000.00	$ 50,000.00	$ 35,000.00	$ 20,000.00	$ 20,000.00
Yard Expansion			$ 600,000.00			
Analog to Digital-Energy Management		$ 18,000.00	$ 24,000.00	$ 25,440.00		
Htg. & Cooling Equipment Replacement, (varies)		$ 15,000.00	$ 20,000.00	$ 22,000.00	$ 24,000.00	$ 26,000.00
Elevator Upgrade-Controls-Hydraulics	x		$ 42,000.00			
ADA, ECU, 8 accessible cells added	x		$ 260,000.00			
ADA Accessibility, Overflow Unit, and D D	x		$ 75,000.00			
ADA Issues, DOCR Building,Ramp & Stair Tower		$ 385,000.00				
ADA Issues, Medical Unit	x		$ 220,000.00			
ACA Stadard Compliance, S.F., Decibels,Natural Light	x	$ 80,000.00	$ 55,000.00			
Life Safety - Addressible Detection - Suppression			$ 25,000.00	$ 27,500.00		
Building Tuck Point and Caulk	x	$ 38,000.00				
North and South Sally Port Retrofit				$ 82,000.00		$ 56,000.00
Laundry Equipment Replacement	x		$ 142,000.00			
Heating system upgrade, Admin. Building	x		$ 185,000.00			
Window replacement, EU, WU and Admin. Building			$ 96,000.00	$ 215,000.00	$ 18,000.00	
Repairs to Wardens House		$ 260,000.00				
	Total	**$ 1,116,000.00**	**$ 1,841,700.00**	**$ 457,502.00**	**$ 141,595.00**	**$ 158,800.00**

North Dakota State Penitentiary

Infrastructure	2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Sewer Line Replacement		$ 72,000.00			
Water SVC Replacement and Double Loop	$ 78,000.00				
Video Network Backbone	$ 55,000.00				
Elec. Service Upgrades-Primary to Buildings		$ 15,000.00	$ 18,000.00	$ 22,000.00	
Parking Lot Expansion		$ 936,000.00			
Perimeter Lighting		$ 216,000.00			
Lift Station Upgrade & and Emergency Gen.		$ 180,000.00			
Standby Gen. Switch Gear (rate reduction) and Overhaul	$ 300,000.00	$ 46,000.00			
Road and Parking Lot Maintenance	$ 7,500.00	$ 8,250.00	$ 9,075.00	$ 9,985.00	$ 10,980.00
Move Communications Equip. Room to Secure Vault			$ 425,000.00		
Total	**$ 440,500.00**	**$ 1,473,250.00**	**$ 452,075.00**	**$ 31,985.00**	**$ 10,980.00**

NOTE (x) Indicates a project that would not be required if the East Cell House Replacement Project would be funded.

Extraordinary Projects		2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Fenced Perimeter,16 ft. + 3 razor			$ 227,000.00			
Perimeter Lighting			$ 68,000.00			
Treatment Building Code Renovations				$ 42,000.00		
Building Demo and Site Cleanup					$ 35,000.00	$ 20,000.00
Lighting-Kitchen, and Dining	x		$ 22,000.00			
Range Hood Replacement	x		$ 18,000.00			
Move Walk-in Cooler to Outside	x		$ 19,000.00			
	Total	$ -	$ 354,000.00	$ 42,000.00	$ 35,000.00	$ 20,000.00

Building Repairs and Equipment		2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Roof Repairs		$ 8,000.00	$ 8,000.00	$ 15,000.00		
Boiler Replacement					$ 8,500.00	
Life Safety- Addressable Detection			$ 22,000.00	$ 28,000.00		
Heat Pump Replacement		$ 12,000.00	$ 12,000.00	$ 15,000.00	$ 6,000.00	$ 6,000.00
Survellence Cameras			$ 24,000.00	$ 6,000.00	$ 6,000.00	$ 65,000.00
	Total	$ 20,000.00	$ 66,000.00	$ 64,000.00	$ 20,500.00	$ 71,000.00

Infrastructure		2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Pave Road to MRCC		$ 92,000.00				
High Voltage Power Distribution			$ 45,000.00			
CCTV Network Backbone	#	$ 18,000.00				
Generator Power to All Buildings				$ 52,000.00		
Road and Parking Lot Maintenance		$ 3,000.00	$ 8,000.00	$ 8,500.00	$ 9,000.00	$ 95,000.00
Entire Facility on City Water			$ 71,000.00			
	Total	$ 113,000.00	$ 124,000.00	$ 60,500.00	$ 9,000.00	$ 95,000.00

(x) indicates a project that would not be required if the Muli-Purpose Building Project would be funded.
(#) Indicate project that may be funded with grant dollars.

James River Correctional Center

Extraordinary Projects	2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Yard Expansion and additional razor wire	$ 65,000.00			$ 230,000.00	
Energy Retrofits, Matching Funds	$ 10,000.00	$ 11,000.00	$ 12,100.00	$ 13,310.00	$ 14,650.00
Grease Interceptor, Kitchen		$ 65,000.00			
Suppression System, A.B. Laundry & Kitchen	$ 75,000.00	$ 45,000.00	$ 40,000.00		
Steam and Elec. Metering	$ 48,000.00				
ET Bldg, modify DD cell ventilation		$ 14,900.00			
ET Crawlspace Improvements-Ventilation	$ 26,000.00				
AC, Program Building		$ 158,000.00			
Replace Maintenances Shop, Building Deteriorated				$ 400,000.00	
Total	**$ 224,000.00**	**$ 293,900.00**	**$ 52,100.00**	**$ 643,310.00**	**$ 14,650.00**

Building Repairs and Equipment	2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Asbestos Abatement	$ 60,000.00	$ 60,000.00	$ 60,000.00		
Roof Repairs	$ 85,000.00	$ 52,000.00	$ 89,000.00		
Chiller Overhaul				$ 35,000.00	
ADA Access Issues	$ 62,000.00				
Surveillance Upgrade			$ 20,000.00	$ 22,000.00	$ 24,200.00
Laundry Equipment	$ 90,000.00				
Duct cleaning and system calibration, ET Building	$ 435,000.00				
ET Building, replace existing ventilators		$ 915,000.00			
Four Corner Demo and Reroute, Shared cost with State Hospital		$ 300,000.00			
Htg. & Cooling Equipment replacement. (varies)	$ 12,000.00	$ 13,200.00	$ 14,520.00	$ 15,975.00	$ 17,575.00
Elevator Upgrades-Controls-cable	$ 15,000.00	$ 105,000.00	$ 18,150.00		
ACA Standard Compliance		$ 45,000.00	$ 49,500.00		
Improved Ventilaion and Unit Heaters E.T.		$ 236,000.00	$ 22,000.00		
Tuck Point and Caulk Buildings	$ 55,000.00				
Total	**$ 814,000.00**	**$ 1,726,200.00**	**$ 273,170.00**	**$ 72,975.00**	**$ 41,775.00**

Infrastructure	2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Perimeter Lighting			$ 108,000.00		
Standby Generator and Switch Gear		$ 225,000.00			
Sewer line Replacement, Internal and External	$ 32,000.00	$ 16,000.00	$ 12,000.00		
Waterline Replacement, Internal and External		$ 46,000.00			
Road and Parking Lot Maintenance	$ 5,000.00	$ 5,500.00	$ 6,050.00	$ 6,655.00	$ 7,320.00
Total	**$ 37,000.00**	**$ 292,500.00**	**$ 126,050.00**	**$ 6,655.00**	**$ 7,320.00**

DOCR OPTIONAL REQUEST AND RECOMMENDATION

Priority	Ref #	Description	Optional Request FTE	Optional Request General Fund	Recommendation FTE	Recommendation General Fund	Recommendation Federal Funds	Recommendation Special Funds	Recommendation Total	New Change No.
Base Request			677.28	$111,296,547	677.28	$111,296,547	$7,446,359	$19,137,196	$137,880,102	
Optional Requests:										
1	53019	Equity	0.00	$3,113,564					$0	
2	53016	Position reclassification	0.00	748,234		748,234			748,234	AA100
3	53001	Inflation - YCC medical	0.00	303,278		150,000			150,000	AA101
4	77056	Capital project	4.00	45,908,585		42,000,000			42,000,000	AA102
5	77002	JRCC COIII's	5.00	534,820	5.00	534,820			534,820	AA103
6	77003	JRCC COII's	8.00	766,880					0	
7	53008	JRCC Bus. Mgr.	1.00	116,018	1.00	116,018			116,018	AA103
8	53006	Treatment director	1.00	147,824	1.00	147,824			147,824	AA103
9	72001	JCS Intensive in-home	0.00	150,000		75,000			75,000	AA106
10	74004	Field Services PO's	14.20	1,528,808	7.00	750,000			750,000	AA103
11	79007	YCC-JIRS temp => FTE	4.00	313,512	4.00	99,883			99,883	AA108
12	77001	Inmate medical IT system	0.00	1,000,000		1,000,000			1,000,000	AA104
13	74012	Radio replacement - digital	0.00	243,000		243,000			243,000	AA105
14	77004	NDSP CO temp => FTE	6.00	558,660					0	
15	74006	IOSP PO's	4.00	517,273					0	
16	77005	JRCC food service	4.00	284,224					0	
17	77006	MRCC RN	1.00	116,268					0	
18	77007	NDSP admin temp => FTE	1.00	59,348	1.00	21,284			21,284	AA108
19	77008	NDSP RN temp => FTE	1.00	109,420	1.00	47,872			47,872	AA108
20	77009	NDSP office temp => FTE	1.00	68,306	1.00	33,674			33,674	AA108
21	77010	MRCC office asst temp => FTE	0.50	36,184	0.50	20,704			20,704	AA108
22	53010	AS Acct./Budget specialist	1.00	106,713					0	
23	53012	acct tech temp => FTE	1.00	68,418	1.00	18,126			18,126	AA108
24	53013	acct tech .5 FTE to 1 FTE	0.50	26,318	0.50	65			65	AA103
25	53011	JCS account tech	1.00	86,086					0	
26	53009	Prisons account tech	1.00	86,087					0	
27	79006	YCC security temp => FTE	1.00	68,118	1.00	29,257			29,257	AA108
28	79005	YCC clinical specialist	1.00	130,840					0	
29	53017	AS RNIII	1.00	126,443					0	
30	77011	NDSP edu. Temp => .25 FTE	0.25	22,846	0.25	4,030			4,030	AA108
31	77012	Chaplains temp => FTE	2.00	229,768	2.00	58,744			58,744	AA108
32	74009	Drug courts expansion	3.00	427,788	3.00	427,788			427,788	AA107
33	74005	24 hr duty CCA's - GPS	8.00	850,908					0	
34	77013	MRCC COII	1.00	95,860					0	

DOCR OPTIONAL REQUEST AND RECOMMENDATION

Priority	Ref #	Description	Optional Request FTE	Optional Request General Fund	Recommendation FTE	Recommendation General Fund	Recommendation Federal Funds	Recommendation Special Funds	Recommendation Total	New Change No.
Base Request			677.28	$111,296,547	677.28	$111,296,547	$7,446,359	$19,137,196	$137,880,102	
Optional Requests:										
35	77014	JRCC COII	4.00	397,452					0	
36	77015	JRCC sex off. Treatment	2.00	232,036					0	
37	53007	Research analysts	2.00	213,435					0	
38	74007	FS parole specialists	3.00	450,984					0	
39	77016	NDSP front lobby security	2.00	191,720					0	
40	77017	NDSP sex off. counselors	3.00	348,054					0	
41	77018	Treatment asst. temp => FTE	0.25	18,359	0.25	8,759			8,759	AA108
42	77019	MRCC security - COII	3.00	287,580					0	
43	77020	JRCC plumber	1.00	126,608					0	
44	77021	Prisons psychometrist	1.00	119,242					0	
45	77022	NDSP RNII	1.00	116,018					0	
46	74008	FS TRCC added staff	2.00	214,350					0	
47	74017	Field Services halfway houses	0.00	1,494,749		1,494,749			1,494,749	AA109
48	74019	Field Services quarter houses	0.00	328,073		328,073			328,073	AA109
49	77023	JRCC GED instructor	1.00	106,714					0	
50	77024	NDSP instructor	1.00	106,714					0	
51	77025	NDSP plant services	1.00	80,202					0	
52	77026	JRCC social worker	1.00	106,711					0	
53	77027	NDSP admin asst.	1.00	80,202					0	
54	77028	NDSP social worker	1.00	106,714					0	
55	77029	NDSP COIII investigator	1.00	106,964					0	
56	77030	NDSP COII's	2.00	191,720					0	
57	77031	MRCC plant supervisor	1.00	92,782					0	
58	77032	JRCC admin asst.	1.00	80,205					0	
59	74018	Field Services transition beds	0.00	1,458,473		1,458,473			1,458,473	AA109
60	77033	JRCC medical office asst.	0.50	40,956					0	
61	77034	NDSP COII	1.00	74,306					0	
62	77035	NDSP admin asst.	1.00	59,348					0	
63	77036	NDSP social worker	2.00	184,536					0	
64	77037	JRCC psychologist	1.00	164,052					0	
65	74016	20 bed male transition	0.00	448,950					0	
66	77066	Filenet IT application	0.00	206,000					0	
67	77063	Electronic signature pads	0.00	21,500					0	
68	53018	Document scanning	0.00	28,216					0	
69	53014	PC replacement	0.00	163,818					0	

DOCR OPTIONAL REQUEST AND RECOMMENDATION

			Optional Request		Recommendation					New
Priority	Ref #	Description	FTE	General Fund	FTE	General Fund	Federal Funds	Special Funds	Total	Change No.
Base Request			677.28	$111,296,547	677.28	$111,296,547	$7,446,359	$19,137,196	$137,880,102	
Optional Requests:										
70	53002	Equipment - YCC	0.00	136,459		136,459			136,459	AA110
71	53003	Funding source changes	0.00	216,861					0	
72	79008	YCC temp grounds keeper	0.00	50,336					0	
73	79009	YCC phy ed	0.00	16,698					0	
74	77038	NDSP COII RRI	1.00	95,860					0	
75	77039	JRCC COII	1.00	95,860					0	
76	77040	JRCC electrician	1.00	106,964					0	
77	77041	NDSP COII control room	1.00	95,860					0	
78	77042	NDSP COII property	2.00	191,720					0	
79	77043	NDSP COII infirmary	1.00	95,860					0	
80	77044	JRCC RNII	1.00	116,018					0	
81	77045	MRCC COII	3.00	287,580					0	
82	77046	JRCC deputy warden	1.00	147,826					0	
83	77047	NDSP case mgr - contracts	1.00	116,268					0	
84	77048	NDSP social worker	1.00	106,714					0	
85	77049	JRCC librarian II	1.00	116,018					0	
86	77050	NDSP COII transport	1.00	95,860					0	
87	77051	NDSP case worker	1.00	116,268					0	
88	77052	NDSP COII AS unit	5.00	479,300					0	
89	74010	Rugby/GF treatment	1.00	164,340					0	
90	77053	Extraordinary repairs	0.00	4,020,522		1,780,125			1,780,125	AA111
91	77055	Master plan	0.00	200,000					0	
92	79001	YCC security lighting	0.00	170,000		170,000			170,000	AA102
93	80001	RRI acct/budget spclst	1.00						0	
94	80002	RRI ISI	1.00						0	
95	80003	RRI ISI	1.00						0	
96	80004	RRI ISI	1.00						0	
97	77058	Prisons equip > $5,000	0.00	239,500		239,500			239,500	AA110
98	77059	Male/female contract housing	0.00	1,572,720		1,572,720			1,572,720	AA112
99	53015	Employee drug testing	0.00	18,765					0	
99	72002	JCS - targeted case mgmt	0.00	699,100					0	
99	74001	PSI writers	3.00	407,727					0	
99	74002	Funding source for PO's	0.00						0	
99	74003	Rugby district office	3.00	366,089					0	
99	74013	Faith-based programming	0.00	300,000		300,000			300,000	AA109

DOCR OPTIONAL REQUEST AND RECOMMENDATION

			Optional Request		Recommendation					New
Priority	Ref #	Description	FTE	General Fund	FTE	General Fund	Federal Funds	Special Funds	Total	Change No.
Base Request			677.28	$111,296,547	677.28	$111,296,547	$7,446,359	$19,137,196	$137,880,102	
Optional Requests:										
99	74014	SCRAM units	0.00	121,180					0	
99	74015	Victims services grants	0.00	500,000					0	
99	74020	Community service grants	0.00	380,000					0	
99	74021	FS integration w/ ITAG	0.00	3,750,000					0	
99	77060	Population contingency	0.00	2,635,789					0	
99	77061	Contract housing - no + TRCC	0.00	1,052,640					0	
99	77062	BWCRC - New England	0.00	2,257,398		2,257,398			2,257,398	AA112
99	77064	Inmate medical - dialysis	0.00	360,000					0	
99	79004	YCC extraordinary repairs	0.00	737,916		512,955			512,955	AA111
		Rounding/misc			0.01	171	4		175	
Options total			151.20	$90,036,158	29.51	$56,785,705	$4	$0	$56,785,709	

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Joseph J. Ibach, MAI

David L. Schwengler
Wade A. Becker

(2)

February 28, 2005

Mr. Dennis Fracassi
Director-Rough Rider Industries
3303 East Main Avenue
Bismarck, ND 58506-5521

RE: Complete Appraisal, Summary Report
Missouri River Correctional Center Land (985± Acres)
48th Avenue Southwest, Bismarck, ND 58504
Owner: State of North Dakota

Dear Mr. Fracassi:

This *Complete Appraisal* presented in a *Summary Report* was made in accordance with your request to develop an opinion of the above captioned property's fee simple market value (1) in its as-is condition or without the permanent easement for the proposed riverbank stabilization project and (2) assuming it is encumbered with the riverbank stabilization easement in place. This valuation premise or assuming that the subject property is encumbered with the proposed riverbank stabilization easement in place is a ***"hypothetical condition"***, or by USPAP definition: *"that which is contrary to what exists but is supposed for the purpose of analysis."* This hypothetical condition is clearly required for purposes of reasonable analysis within the appraisal's objective(s) and intended use. Use of this hypothetical condition still results in a credible analysis. The appraisal's intended use is to *"aid the 2005 Legislative Assembly in considering the future use of the property."* The appraisal is not intended for any other use or user.

The description of the subject property, the data and detailed analyses of all factors pertinent to the appraisal's specific objective, and all definitions, assumptions, and limiting conditions are presented in the enclosed appraisal report. In particular, your attention is directed to the following important limiting conditions:

1. This letter of transmittal does **not** represent the fully documented appraisal of the subject real estate. Sole reliance on the contents of this letter without considering the entire contents of the appraisal report (starts with this letter of transmittal and concludes with page 53) could lead to erroneous conclusions. Therefore, this letter must not be used in place of nor represented as the complete appraisal report.

2. The appraisal was prepared according to the 2005 edition of the *Uniform Standards of Professional Appraisal Practice* (USPAP) adopted by the Appraisal Standards Board of the Appraisal Foundation and the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice.

3. In the absence of a Phase I Environmental Site Assessment, the appraisal was developed assuming that no environmental hazards exist and that the subject property is "environmentally clean" with respect to all federal, state, and local laws. The appraisal inspection revealed no environmental concerns. A complete environmental site assessment should be secured in the event that more detailed and accurate information is needed concerning the property's environmental status. The appraisal is subject to revision by and at the discretion of the undersigned in the event that pertinent environmental information is disclosed indicating that such a revision is warranted.

4. No responsibility is assumed for matters which are legal in nature nor is any opinion rendered on the property's title. Fee simple ownership is implied which assumes that the property would have marketable title. Also, all information relative to the proposed permanent easement was supplied by the client. This appraisal and its results are based on the supply of materials' accuracy and reliability.

5. The subject property is improved with the Missouri River Correctional Center. The improvements were considered in the following appraisal but it was concluded that they have no contributory value. Also, the equipment and any other personal property used in the operation of the Missouri River Correctional Center are specifically excluded.

6. The appraisal assignment is made based on an impartial or unbiased perspective; it is not made for the purpose of favoring a specific cause of any particular party. The undersigned has no present or contemplated future interest in the real estate that is the subject of this analysis and all opinions were developed through the course of accepted analytical procedures. Therefore, neither the employment to make the analysis nor the compensation is contingent on the outcome of the analysis.

7. The subject property's concluded market values are based on a reasonable exposure time (the time needed to market the subject property *preceding* the appraisal's effective date) of one year. The market value is a nominal or gross value; no adjustment has been made for carrying costs or the time value of money which may be incurred over time if the real estate is marketed.

8. The assistance of Mr. Wade A. Becker, an employee of Dakota Appraisal & Consulting, LTD, and an Apprentice Real Estate Appraiser in the State of North Dakota, must be acknowledged in completing this appraisal. Mr. Becker was present during the inspection, assisted in gathering the information about the subject property and area market, assembled and verified portions of the sale data information, and provided input into the valuation process. However, the undersigned inspected the subject property, is the appraisal's author, and assumes full responsibility of the enclosed appraisal report.

Careful consideration has been made to the valuation methods employed and to an accurate analysis of the subject property and its related market. Based on the results of the appraisal investigation and analysis, it is my opinion that the subject property's appropriate fee simple values, as of February 2, 2005, are:

Objective #1: As-Is Market Value or <u>without</u> the Riverbank Stabilization Easement:
785 ± net usable acres x $10,000/acre = $7,850,000

Objective #2: Market Value <u>with</u> Permanent Riverbank Stabilization Easement:
727.50 ± net usable acres x $2,500/acre = $1,818,750

It has been a privilege to be of service. If you have any questions or comments after reading the appraisal report, please inquire.

Respectfully submitted,

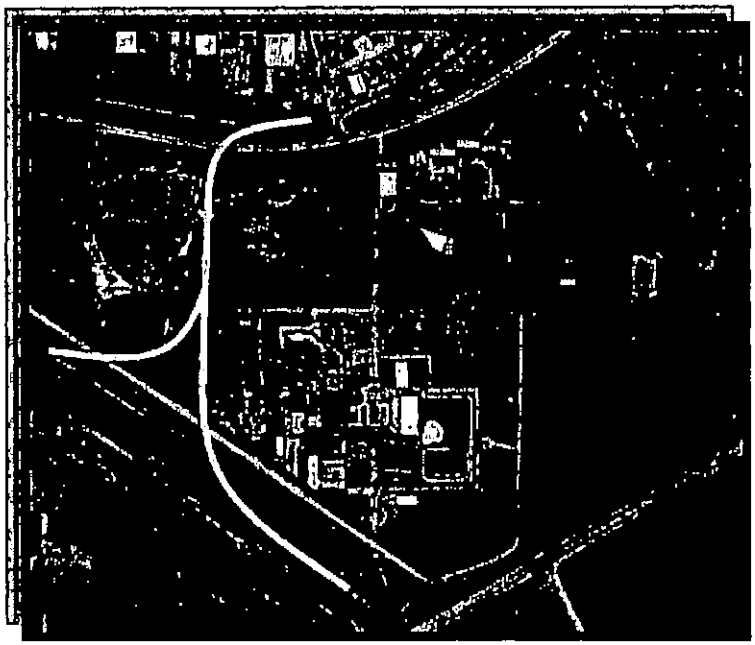
Joseph J. Ibach, MAI
ND CG #1009

MR. RICHARD FROHLICH
Director Plant Services - N.D. State Penitentiary

Summary Appraisal Report

Land Valuation Analysis
80± acres N.D. State Penitentiary Land
Part of Section 2, Township 138N, Range 80W
City of Bismarck, Burleigh County, ND 58502
Owner: State of North Dakota

Appraisal's Inspection/Effective Date:
December 12, 2006



Prepared by:
JOSEPH J. IBACH, MAI
NDCG#1009

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December 28, 2006

Mr. Richard Frohlich
Director Plant Services - ND State Penitentiary
3100 Railroad Avenue
Bismarck, ND 58502

Re: Summary Appraisal Report
Land Valuation Analysis only of
80± acres N.D. State Penitentiary Land
Part of Section 2, Township 138N, Range 80W
City of Bismarck, Burleigh County, ND
Owner: State of North Dakota

Dear Mr. Frohlich:

This *Summary Appraisal Report* was prepared in accordance with your request to develop *"A complete appraisal of approximately 80 acres, more or less of state property, including the site of the North Dakota State Penitentiary, to determine As-Is Market Value."* It was also verbally instructed that the building improvements (North Dakota State Penitentiary) be disregarded. The appraisal objective is then to develop an opinion of only underlying land's market value. Disregarding the existing improvements is then based on a ***"hypothetical condition"*** or by the *Uniform Standards of Professional Appraisal Practice* (USPAP) definition: *"that which is contrary to what exists but is supposed for the purpose of analysis."* This hypothetical condition is clearly required for purposes of reasonable analysis in the appraisal's objective(s) and intended use. The use of this hypothetical condition would not affect the assignment results, and therefore, still results in a credible analysis. The appraisal's intended use is to assist you and the State Legislature in determining the State's equity position as it relates to the feasibility of developing a new state penitentiary. The appraisal is <u>not</u> intended for any other use or user.

The subject property's description, the data and detailed analyses of all factors pertinent to the appraisal objective, and <u>all</u> definitions, assumptions, and limiting conditions are summarized in the following report. In particular, your attention is directed to the following important limiting conditions:

1. This letter of transmittal does **not** represent the fully documented appraisal of the subject real estate. Sole reliance by the reader on the contents of this letter without considering the entire contents of the appraisal report (starts with this letter of transmittal and concludes with page 47) could lead the reader to erroneous conclusions. Therefore, this letter must not be used in place of nor represented as the complete appraisal report.

2. The appraisal was prepared to conform to the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice and the most recent edition of the *Uniform Standards of Professional Appraisal Practice* (USPAP) adopted by the Appraisal Standards Board of the Appraisal Foundation Compliance to the reporting requirements set forth under Standards Rule 2-2(b) of USPAP was intended in completing this *summary* appraisal report. As such, supporting documentation concerning the data, reasoning, and analyses that were used in the appraisal process to develop the opinion of market value is an integral part of the appraisal and is incorporated into the analysis through reference. The appraisal report's depth of discussion is specific to your needs and to your intended use of the appraisal.

3. The appraisal was developed assuming that no environment hazards exist and that the subject parcel is "environmentally clean" with respect to all federal, state, and local laws. The appraisal is subject to revision by and at the discretion of the undersigned in the event that pertinent environment information is disclosed indicating that such a revision is warranted. All other assumptions are detailed in the appraisal report.

4. The appraisal assignment is made based on an impartial or unbiased perspective; it is not made for the purpose of favoring a specific cause of any particular party. The undersigned have no present or contemplated future interest in the real estate that is the subject of this analysis and all opinions were developed through the course of accepted analytical procedures. Therefore, neither the employment to make the analysis nor the compensation is contingent on the analysis's outcome.

5. The subject parcel's concluded market value is based on a reasonable exposure time (time needed to market the subject parcel *preceding* the appraisal's effective date) of about one year. The concluded market value is a nominal or gross value; no adjustment has been made for carrying costs or the time value of money which may be incurred over time if the real estate is marketed.

6. The assistance of Mr. Wade A. Becker, an employee of Dakota Appraisal & Consulting, LTD, and a Certified General Real Estate Appraiser in the State of North Dakota, must be acknowledged in completing this appraisal. Mr. Becker was present during the appraisal inspection, assisted in gathering the information about the subject property and area market, assembled and verified portions of the sale data information, and provided input into the valuation process. However, the undersigned inspected the subject property, is the appraisal's author, and assumes full responsibility of the enclosed appraisal report.

Careful consideration has been given to the valuation methods employed and to an accurate analysis of the subject parcel and its related market. Based on the results of the appraisal investigation and analysis, it is my opinion that the subject parcel's market value, subject to the hypothetical condition that the improvements be disregarded, effective December 12, 2006, is:

"FIVE MILLION DOLLARS
($5,000,000 or $1.43±/s.f.)

It has been a privilege to be of service. If you have any questions or comments after reading the appraisal report, please inquire.

Respectfully submitted,

Joseph J. Ibach, MAI
NDCG #1009

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SALIENT FACTS AND IMPORTANT CONCLUSIONS

I. Property Description

A.	Property Type:	80± acre N.D. State Penitentiary land - improvements to be disregarded.
B.	Address:	None assigned to the entire parcel. Generally, the parcel is located east of 26th Street, south of Main Avenue, and north and west of Bismarck Expressway.
C.	Metropolitan Area (MA):	13900 (Bismarck, ND)
D.	Census Tract #:	State 38, County 015, Tract 0109.00
E.	Legal Description:	Part of Section 2, Township 138 North, Range 80 West, Burleigh County, ND.
F.	City Parcel Number:	None assigned to entire tract.
G.	Parcel Data:	
	1. Size as provided by client:	80± acres
	2. Zoning:	"P" - Public Use District
	3. Flood Plain:	Zone X - not located in a flood plain.
H.	Real Estate Taxes:	Exempt
I.	Owner:	State of North Dakota

II.	Parcel's Highest & Best Use Conclusion:	Future mix of retail, commercial and light industrial development.
III.	Fee Simple Market Value Conclusion of the Underlying Land Parcel:	$5,000,000 or $1.43±/s.f.
IV.	Estimated Exposure Time:	Approximately One year

APPRAISAL'S CERTIFICATION AND STATEMENT OF ASSUMPTIONS AND LIMITATIONS

A. Certification

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.

2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.

3. I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

5. My engagement in this assignment is not contingent upon developing or reporting predetermined results.

6. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

7. The reported analyses, opinions, and conclusions were developed and this report has been prepared in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Practice of the Appraisal Institute, which include the *Uniform Standards of Professional Appraisal Practice.*

8. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

9. I have made a personal inspection of the property that is the subject of this report.

10. The assistance of Mr. Wade A. Becker, an employee of Dakota Appraisal & Consulting, LTD and a Certified General Real Estate Appraiser in the State of North Dakota, must be acknowledged in completing this appraisal. Mr. Becker assisted in gathering the information about the subject property and area market, assembled and verified portions of the sale data information, and provided input into the valuation process. However, the undersigned inspected the subject property, is the appraisal's author, and assumes full responsibility of the enclosed appraisal report.

11. As of the date of this report, I, Joseph J. Ibach, have completed the continuing education program of the Appraisal Institute.

12. The subject parcel's fee simple market value, subject to the hypothetical condition that the improvements be disregarded, effective December 12, 2006, is:

"FIVE MILLION DOLLARS"
($5,000,000 or $1.43±/s.f.)

Date: December 28, 2006

Signed _____
Joseph J. Ibach, MAI, NDCG#1009

B. Assumptions and Limitations of the Appraisal

This appraisal report is subject to the following limiting conditions:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be intact and marketable and free and clear of any or all liens or encumbrances unless otherwise noted. Special assessments have been addressed in the appraisal report.

2. Responsible ownership and competent property management are assumed.

3. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.

4. All engineering is assumed to be correct. The report's plat maps, plans, and all other illustrative material are included only to assist the reader in visualizing the property. The appraiser has made no survey of the property.

5. Except as addressed in the appraisal, it is assumed that no hidden or unapparent conditions exist in the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required.

6. It is assumed that full compliance with all applicable federal, state, and local environmental regulations and laws exists unless noncompliance is stated, defined, and considered in the appraisal report.

7. It is assumed that all applicable zoning and use regulations and restrictions have been complied with unless a nonconformity has been stated, defined, and considered in the appraisal report.

8. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

9. It is assumed that the utilization of the site and improvements is within the described property's boundaries and that no encroachment or trespass exists unless noted in the report.

10. While the Appraiser has inspected the subject property and has considered the information developed in the course of such inspection together with the information provided by the ownership and client, the Appraiser is not qualified to verify or detect the presence of hazardous substances or environmental liabilities by visual inspection or otherwise, nor qualified to determine the effect, if any, of known or unknown substances or liabilities present. Unless otherwise stated in the report, the final conclusion of value is based on the assumption that the subject property is free of hazardous substances, hazardous waste contamination, and all other environmental liabilities, and it is specifically assumed that present and subsequent ownerships will exercise due diligence to ensure that the property does not become otherwise contaminated.

11. The concluded market value is based on cash, its equivalent, or on financing terms available for the property type in its locale as of the effective appraisal date. No consideration has been given to the assumption of favorable existing financing (if any) or favorable seller-financing.

12. The distribution, if any, of the total valuation between site and improvements applies only under the stated program of utilization. The separate allocations for site and improvements and any other value components must not be used in conjunction with any other appraisal and are invalid if so used.

13. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event only with proper written qualification and only in its entirety.

14. The appraiser herein by reason of this appraisal is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.

15. The forecasts, projections, or operating estimates contained herein are based on current market conditions, anticipated short-term supply and demand factors, and a continued stable economy. These forecasts are, therefore, subject to changes with future conditions.

16. Unless specifically cited in the appraisal report, no value has been allocated to mineral rights or deposits.

17. Unless otherwise addressed within the appraisal report, no consideration has been afforded to any potential Natural, Cultural, Recreational, or Scientific value that may or may not be inherent to the subject property.

II. APPRAISAL PROCESS

A. INTRODUCTION/SCOPE OF WORK (rev.7-1-06)

This client or the State of North Dakota acting through its Department of Corrections and Rehabilitation, as represented by Mr. Richard Frohlich, requested that an appraisal of only the 80± acre North Dakota State Penitentiary parcel be prepared; the improvements are to be disregarded. An ***appraisal*** is defined as:

> *The act or process of developing an opinion of value.*
> (Appraisal Institute, *The Dictionary of Real Estate Appraisal, Fourth Edition*: 15)

An appraisal involves the selective research into appropriate market areas, the assemblage of pertinent data, the use of appropriate analytical valuation techniques, and the application of knowledge, experience, and professional judgment to develop and appropriate solution to an appraisal problem. The appraisal provides the client with the appraiser's opinion of real property value that reflects all pertinent market evidence. It is essential that the appraisal communicate accurate analyses and opinions in such a manner that it will be meaningful to the client and not be misleading in the marketplace. (The previous paragraph was paraphrased from *The Appraisal of Real Estate*, 12th Edition as published by the Appraisal Institute.)

A concerted effort has been made to complete this appraisal so as to conform to the 2006 edition of the *Uniform Standards of Professional Appraisal Practice* (USPAP). USPSP was developed in 1986/87 for the purpose of promoting and preserving public trust in the appraisal profession. Appraisal standards for the profession were created which specify the procedures to be followed in performing an appraisal; they are referenced throughout the following appraisal report. The appraisal procedures detail the process of assembling, classifying, analyzing, and interpreting the data used in developing an opinion of the subject property's value reflecting only the opinion(s) of the appraiser(s) involved in the analysis.

In 2006, the "Scope of Work Rule" was added "to emphasize the requirements for problem identification, determining the appropriate scope of work, and disclosure of the scope of work that was performed in an appraisal, appraisal review, and appraisal consulting assignments." On page 12 of the 2006 edition USPAP, the "Scope of Work Rule" is detailed as:

> *For each appraisal, appraisal review, and appraisal consulting assignment, an appraiser must:*
>
> 1. *identify the problem to be solved;*
> 2. *determine and perform the scope of work necessary to develop credible assignment results; and*
> 3. *disclose the scope of work in the report.*
>
> *An appraiser must properly identify the problem to be solved in order to determine the appropriate scope of work. The appraiser must be prepared to demonstrate that the scope of work is sufficient to produce credible assignment results.*
>
> *Scope of work includes, but is not limited to, the following:*
> - *the extent to which the property is identified;*
> - *the extent to which tangible property is inspected;*
> - *the type and extent of the data researched; and*
> - *the type and extend of analysis applied to arrive at opinions or conclusions.*

The *Uniform Standards of Professional Appraisal Practice* (USPAP) details the process of "developing" a real property appraisal (Standard Rule 1) and "reporting" the appraisal (Standard Rule 2). Standard 1 states that *"In developing a real property appraisal, an appraiser must identify the problem to be solved, determine the scope of work necessary to solve a problem, and correctly complete research and analyses necessary to produce a credible appraisal."* Standard 2 of USPAP states that each written real property appraisal must be *reported* using one of the following three options or (1) Self-Contained Report, (2) Summary Report, and (3) Restricted Use Report.

Each appraisal option is dependent upon the level of detail required in the report. A comprehensive level of detail is presented in the Self-Contained Report; a less detailed, yet concise level of information is presented in the Summary Report; and a minimal level of detail is presented in the Restricted Use Report. USPAP contains specific guidelines that determine what constitutes a Self-Contained, Summary, and Restricted Use Report and when use of a particular option is appropriate. In this particular assignment, the client agreed that the appraisal be reported in a Summary format. Therefore, a *Summary Appraisal Report* will be developed and presented. As such, it presents sufficient information to enable the client and other intended users, as identified, to understand it properly.

This *Summary Appraisal Report* requires that the undersigned:

1. Define the appraisal problem: that is the identification of the real estate and properly and accurately identifying the appraisal's client and any other intended users, the intended use of the appraiser's opinions and conclusions, type and definition of value(s), appraisal's effective date(s), the subject of the assignment and its relevant characteristics, and assignment conditions.

2. Inspect the subject property to note the property's relevant valuation characteristics. The subject property's inspection was conducted only within the context of the appraisal process to uncover valuation issues. This "appraisal inspection" involved a visual inspection of only the subject land. The improvements are <u>not</u> of this assignment. Particular attention should be noted in that:

    a. No special expertise is implied as it relates to but not limited to sanitary sewer or water systems, drainage, soil conditions, or any other property component.
    b. No special expertise is implied relating to the existence of hazardous materials or detrimental environmental conditions to include but not limited to radon gas, lead based paint, mold, sexual predators, etc.

    Based on the preceding, the appraisal inspection, as it relates to the land addresses only the observed conditions that would likely impact its overall appeal and marketability. Any and all references to the inspection infers only to an "appraisal inspection". Qualified experts should be employed to inspect and address any area of concern. If negative conditions are discovered, the appraiser should be notified as the value conclusion may require modification.

3. Investigate the real estate market for both general and detailed information using several of the following sources:

   a. Office files.
   b. Federal, state, and local agencies relating to general data and trade associations and private business enterprises relating to the specific property type.
   c. Market participants including brokers/real estate agents, buyers, sellers, lenders, property managers, landlords, and/or tenants.
   d. County Recorder's/Register of Deeds' records.
   e. County and/or City Assessor records.
   f. Multiple Listing Service records.
   g. City and/or County Planning and/or Engineering Offices.
   h. Building Inspector's Office.
   i. Information provided by the property owner, manager, and/or any other individual(s) involved in the property.

   Search parameters such as dates of sales, leases, locations, sizes, types of properties, and distances from the subject will start with relatively narrow constraints and, if necessary, be expanded until sufficient data has been retrieved (in the appraiser's opinion) to develop an opinion of the appropriate value or until the available pool of data has been reasonably exhausted. Researched sales data will be viewed when physically possible but, at a minimum, a photograph provided by a reputable source, and if found to be appropriate, efforts will be made to verify the data with persons directly involved in the transactions such as buyers, seller, brokers, or agents. At the appraiser's discretion, some data will be used without personal verification if, in the appraiser's opinion, the data appear to be correct. In addition, any appropriate listings or properties found through observations during the data collection process will be considered. Only the data deemed to be pertinent to the valuation process will be reported and, when conflicting information was provided, the source determined to be the most reliable was used. Data believed to be unreliable was not included nor used as a basis for the value conclusion. All supporting documentation will be included in the appraisal report and/or in-file depending on the type of reporting format.

4. Investigate and analyze any pertinent easements or restrictions on the fee simple ownership of the subject property. If a title report is not available, a visual inspection and identification of readily apparent easements or restrictions will be relied upon.

5. Analyze the assembled data and reach conclusions regarding the subject property's market value, as defined in the report as of the date of value using the appropriate identified valuation technique(s) or the Cost, Sales Comparison, and/or Income Capitalization approaches.

The entire appraisal process with further expansion of the scope of work when applicable is detailed in the following report, starting with a proper identification of the subject property and concluding with a concluded opinion of its market value(s). For ease of use, an outline format has been used in the following appraisal.

B. SUBJECT PROPERTY IDENTIFICATION:

1. Property Type:

The real estate that is the subject of this appraisal consists of an 80± acre parcel that is improved with the North Dakota State Penitentiary. At the client's request, the appraisal assignment will disregard the building improvements. Only the underlying land parcel's valuation will be addressed.

2. Address/Location:

No specific street address identifies the entire subject property. Generally, the parcel is located east of 26th Street, south of Main Avenue, and north and west of Bismarck Expressway. The street address of "3100 Railroad Avenue, Bismarck, North Dakota" identifies a portion of the subject property that is improved with the North Dakota State Penitentiary. This location places the property on the city's southeast peripheral edge.

3. Metropolitan Area (MA): 13900 (Bismarck, ND)

4. Census Tract #: State 38, County 015, Tract 0109.00

5. City Parcel Numbers: None assigned to entire tract.

6. Legal Description:

A survey or precise legal description identifying the subject parcel was not provided. Therefore, the following legal description was developed by the undersigned based upon client provided information.

> *"Part of Section 2, Township 138N, Range 80W, City of Bismarck, Burleigh County, North Dakota."*

This legal description is sufficiently accurate for purposes of this analysis but should not assumed to be correct but should not be relied upon for legal matters such as title transfers, mortgage, etc. The exhibit on page 12 aids in visualizing the location of the identified parcel.

7. Ownership History:

Detailing the subject property's ownership history is a mandatory element of a fully documented appraisal that conforms to the *Uniform Standards of Professional Appraisal Practice* (USPAP). Standards Rule 1-5 of USPAP requires that the appraisal "*must, if such information is available to the appraiser in the normal course of business*:

> *(a) analyze all agreements of sale, options, or listings of the subject property current as of the effective date of the appraisal; and*
>
> *(b) analyze all sales of the subject property that occurred within the three (3) years prior to the effective date of the appraisal."*

The intent of this requirement is to encourage the research and analysis of prior sales of the subject; the time frames cited are minimums. A complete title search of the subject property has not been made nor is an opinion of the title intended to be rendered in the following discussion. The Burleigh County Recorder's office and the client or Mr. Richard Frohlich were consulted to reasonably formulate the subject property's ownership history. This ownership history applies only for the purposes of this appraisal.

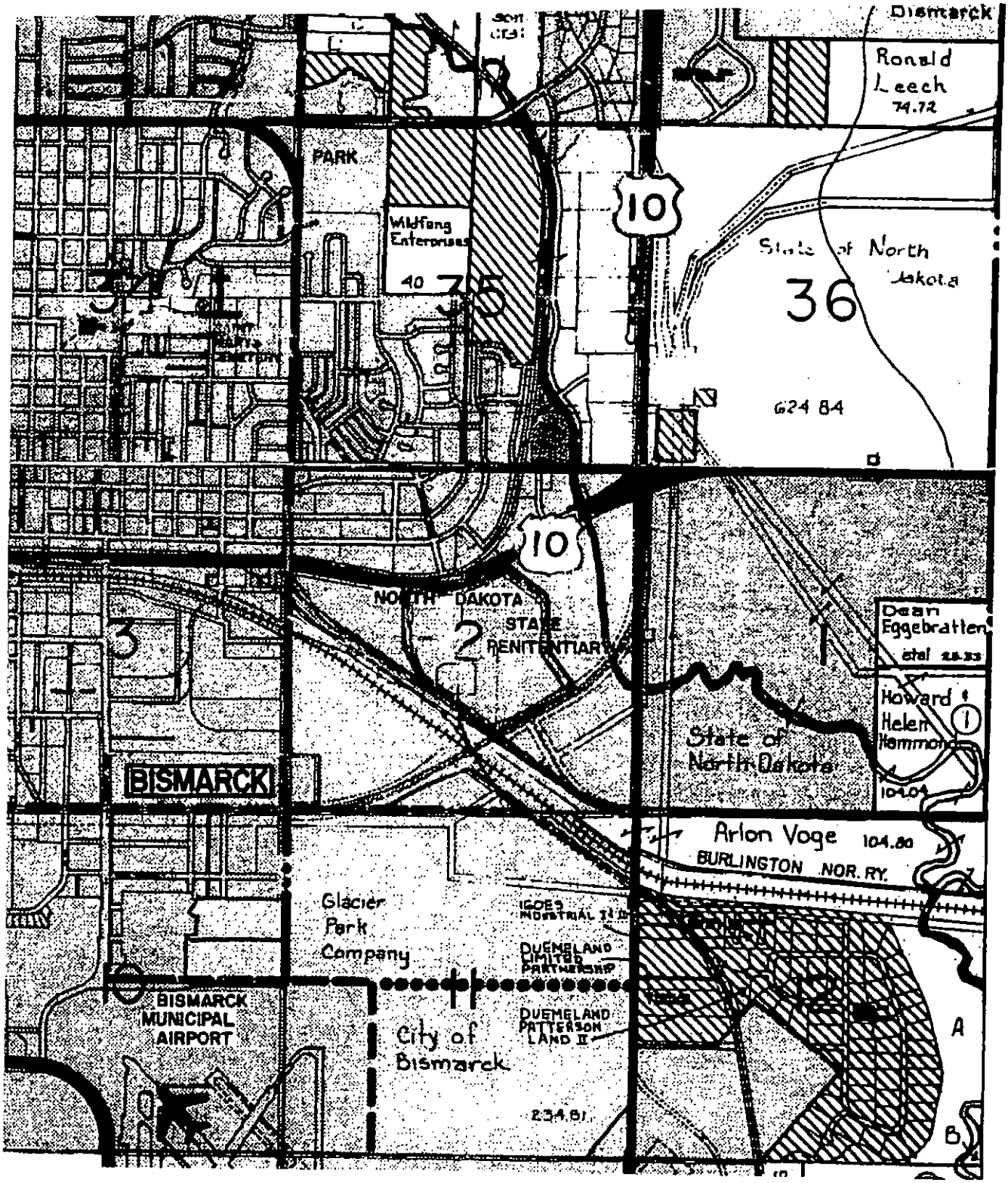
This property has been owned by the State of North Dakota at least since the development of the North Dakota State Penitentiary in the 1910's. To date, no attempt has been made to market the subject property.

NORTH

PARCEL MAP

(Source: Midland Atlas of Burleigh County)
(Detailed boundaries are not exact - this is not a survey.)

Outlines Subject Parcel - 80± acres



C. PROBLEM IDENTIFICATION:

1. Appraisal's Intended Use and User:

The appraisal contract was secured by Mr. Richard Frohlich, Director Plant Services, N. D. State Penitentiary representing the client or the State of North Dakota acting through its Department of Corrections and Rehabilitations. The appraisal's intended use is to assist Mr. Frohlich and the State Legislature in determining the State's equity position as it relates to the feasibility of developing a new state penitentiary. No other use or users are implied.

2. Appraisal Objective(s):

The appraisal objective was identified through the "Personal Service Contract" and verbal discussions with the client as developing an opinion of only the subject land's ***market value***, defined as:

> *"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:*
>
> - *Buyer and seller are typically motivated;*
> - *Both parties are well informed or well advised, and acting in what they consider their best interests;*
> - *A reasonable time is allowed for exposure in the open market;*
> - *Payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and*
> - *The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."*
>
> (Appraisal Institute, *The Dictionary of Real Estate Appraisal, Fourth Edition:* 177-178 as provided by 12 C.F.R. Part 34.42(g); *55 Federal Register* 34696, August 24, 1990, as amended at *57 Federal Register* 12202, April 9, 1992; *59 Federal Register* 29499, June 7, 1994)

3. Property Rights Appraised:

"Fee simple" title or ownership or free of encumbrances or restrictions that could affect ownership or title in the property.

4. Effective Date(s) of Value Opinion(s): December 12, 2006

5. Report Completion Date: December 28, 2006

6. Extraordinary Assumptions: None

7. Hypothetical Conditions:

At the client's request, this appraisal will disregard the building improvements (N.D. State Penitentiary) and develop an opinion of only the underlying land parcel's market value. Disregarding the improvements is termed a ***"hypothetical condition"***, or by USPAP definition: *"that which is contrary to what exists but is supposed for the purpose of analysis."* This hypothetical condition is clearly required for purposes of reasonable analysis in the appraisal's objective(s) and intended use. The use of this hypothetical condition would not affect the assignment results, and therefore, still results in a credible analysis.

8. Summation of Appraisal Problem:

Develop an opinion of the identified subject land's or parcel's fee simple market value, effective December 12, 2006, or the date of the appraisal inspection based on the hypothetical condition that the parcel is vacant of all building improvements. The results will be used to assist the client and the State Legislature in determining the State's equity position as it relates to the feasibility of developing a new state penitentiary.

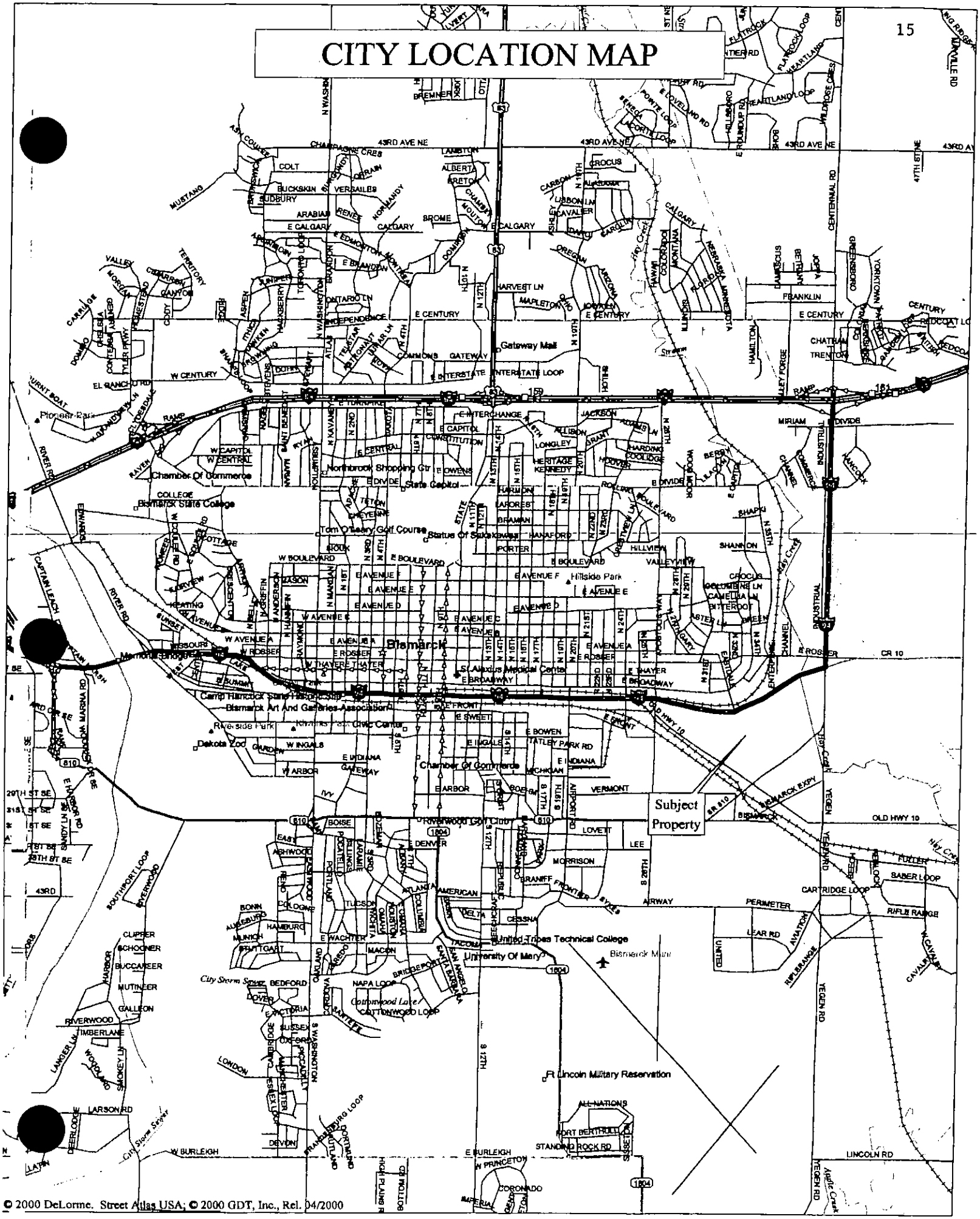
9. Special Instructions and Other Conditions:

The appraisal was prepared to conform to the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice and the most recent edition of the *Uniform Standards of Professional Appraisal Practice* (USPAP), adopted by the Appraisal Standards Board of the Appraisal Foundation.

10. Competency Statement:

The competency provision of the *Uniform Standards of Professional Appraisal Practice* (USPAP) recognizes that the background and experience of appraisers can vary widely, and that a lack of knowledge or experience can lead to inaccurate or inappropriate appraisal practice. The undersigned has achieved ample experience in the appraisal of properties similar to the subject property, is board-certified through the North Dakota Real Estate Appraiser Qualification and Ethics Board or the applicable appraiser regulatory agency if other than North Dakota, and has successfully completed numerous educational courses offered by the Appraisal Institute and other providers (see enclosed Qualifications). Additionally, every effort has been made to secure the information, knowledge, and applicable data needed to complete this assignment. It is the opinion of the undersigned that all necessary steps have been taken to ensure proper development of the appraisal.

CITY LOCATION MAP



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D. MARKET AREA ANALYSIS:

1. Subject Market Area Delineation:

Bismarck, North Dakota's metropolitan area (MA) had a 2000 population of 94,719 which includes Mandan, North Dakota. It is North Dakota's second largest MA with its population increasing 13% over the last decade or about 1.3% per year. Bismarck is the predominant community having a 2000 population of 55,532 as compared to its "sister" city or Mandan with a 2000 population of 16,718. The communities are separated only by the Missouri River.

2. Location and Transportation:

The area's central state location and availability of transportation facilities are perceived as being beneficial to the local economy. The primary mode of area transportation is still via the highway system with Interstate 94 and U.S. Highway 83 intersecting in north Bismarck. The area is also served by a regional airport and freight rail service.

3. Economic Base:

Bismarck's primary source of wage and salary employment closely follows the state's leading industries led by general services at about 40% of employment, government at more than 20%, and retail and wholesale trade at about 17.5%. Non-ag employment totaled 55,200 in 2005 as compared to 51,000 in 2001 or an increase of 1.65% annually. The community's annual unemployment rate has varied between 2.5% to 4.0% from 1995 through 2005 or rates historically less than the state and the nation.

Much of the community growth can be tied to significant expansion in six major business sectors or:

a. Medical - The largest segment of the general services employment consists of medical personnel. Bismarck offers two major hospitals or St. Alexius Medical Center employing about 2,129 and Medcenter One Health Systems employing about 1,954; these two hospitals are the community's major non-government employers.

b. Government - Since Bismarck is the State Capitol of North Dakota and the county seat of Burleigh County, it is a foregone conclusion that, with a proliferation of government agencies and continued government involvement, government will continue to be one of the largest employers in the city.

c. Retail/Wholesale Trade: The Bismarck-Mandan retail trade area serves approximately 200,000 people in a 100 mile radius. This large trade area and the resulting retail growth was the primary reason for the largest retail expansion in Bismarck's history in 2005-2006. Specifically, two 220,000 square foot Wal-Mart Supercenters, a 146,000 square foot Sam's Club, and several multi-tenant retail centers opened.

d. Private Industries: Bismarck is fortunate in that it is the home or headquarters for several significant North Dakota companies. Also, in August of 2005, ground was broken for the Northern Plains Commerce Centre (NPCC) or an industrial, distribution, and technology park with about 220 acres. The NPCC will have the ability to accommodate manufacturers, distributors, and agricultural producers to compete in the global economy by improving opportunities for strategic sourcing, exporting, and access to markets through a transload facility.

e. Energy Resources: The large reserves of lignite coal, natural gas, and oil in western North Dakota makes Bismarck the headquarters to several energy related companies to include Montana Dakota Utilities, Capital Electric, North American Coal, and The Coteau Properties.

f. Higher Education: Bismarck is the home to Bismarck State College, University of Mary, United Tribes Technical College, and Medcenter One College of Nursing. These four institutions' enrollment exceeds 7,000 students. As a result, the combination of students and staff create a significant impact on the local economy.

4. Real Estate Trends:

Diversification in the employment base has also resulted in reasonable growth in most segments of the real estate market. The single family residential market, both in terms of new construction and sales of existing residences, has had sustainable growth. Multi-family development is moderate but reflects a favorable vacancy rate approximating 5%. New commercial development has been occurring in almost every market segment to include office, retail, medical facilities, and warehousing. The only segments somewhat absent from new construction market are those of lodging and manufacturing. Historically, Bismarck has had a comparatively small manufacturing base. Again, the expansion of the retail sector has been significant in recent years. The current supply of competitive commercial property of any type available for sale is limited. Few commercial or industrial properties are currently listed for sale and a limited amount of land exists. A somewhat limited supply of commercial properties has been the primary reason for the significant new construction. The predominant reason for the purchase of most area commercial properties still continues to be for owner occupancy or owner/user reasons.

5. Mandan Overview:

Mandan's economic base benefits from having several large employers to include one of the state's largest industrial operations or Tesoro Oil Refinery, Burlington Northern Santa Fe Railroad, Cloverdale Foods, and National Information Solutions Cooperative (NISC). In contrast to the late 1980's, Mandan has seen economic improvement in recent years. Some of the more significant economic development trends include:

- Over 765 acres of land has been annexed since 2001 for both commercial and residential development.
- 721 new residential units have been added to Mandan's market between 2000 to 2005.
- Single family residential permits have averaged more than 75 permits per year since 2002.
- The total value of all building permits has more than doubled from $16 million in 2002 to $35 million in 2005 and nearly $35 million through October of 2006.
- Sales tax collections reached a record of $1.2 million in 2005. Collections for the first nine months of 2006 are tracking at a 17% increase over the same period in 2005.

Mandan's speculative commercial real estate market still has somewhat limited demand, especially in its ability to generate rent supporting new development costs, especially if not strategically located. Thus, a degree of external obsolescence in the form of a rental market not sufficient to support replacement cost may exist in select market segments.

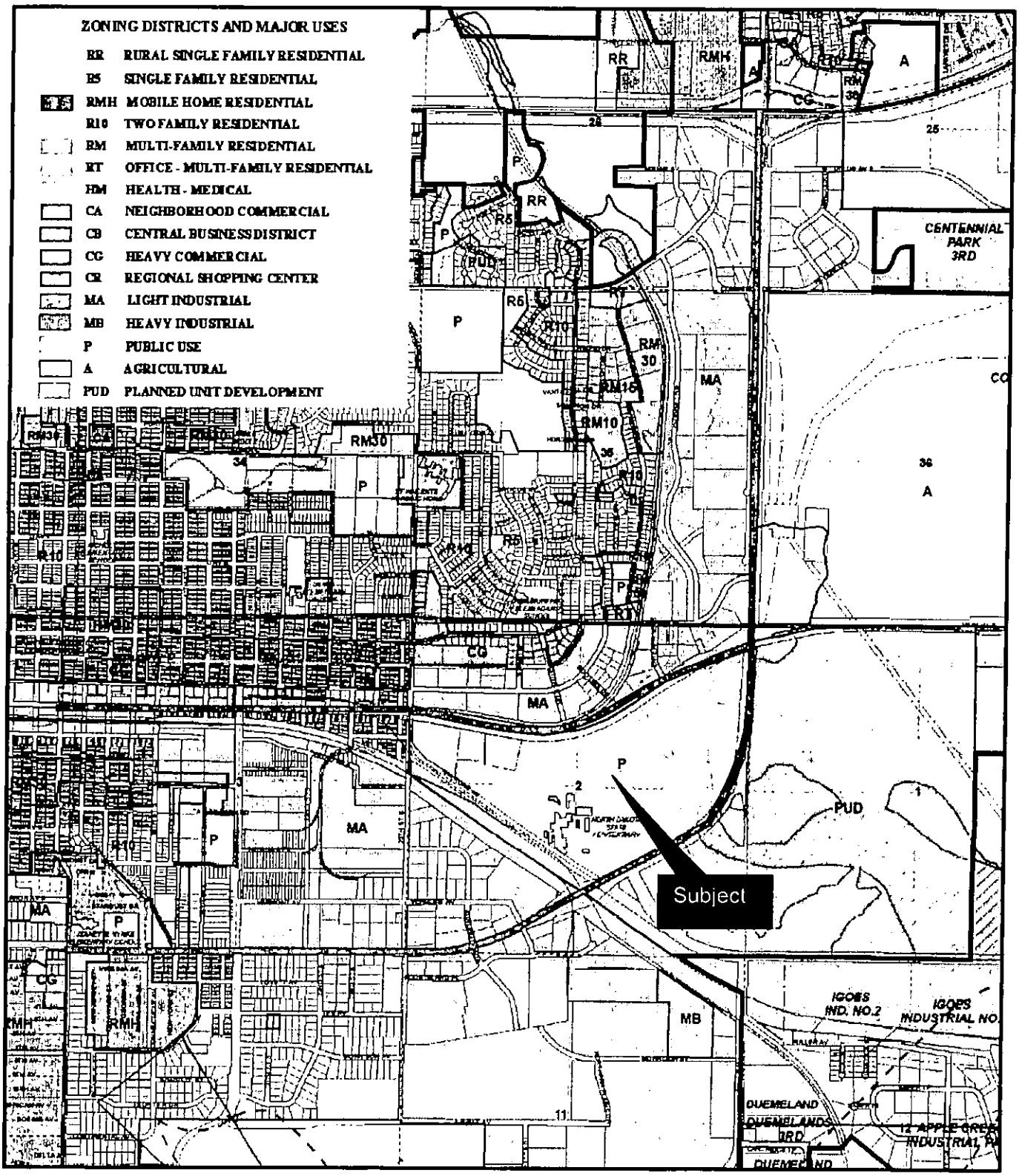
6. Conclusions-Relevance to Subject Property:

The local metropolitan area possesses those value-impacting characteristics that should continue to create demand for most segments of the area real estate market. The diversity in the economic base provides for a favorable community business climate. In turn, the marketability of most area properties has been favorably impacted and continued growth is anticipated.

ZONING/NEIGHBORHOOD LOCATION MAP

NORTH

- Highlights Neighborhood Traffic Arterial Corridors.



E. NEIGHBORHOOD ANALYSIS:

1. Identified Boundaries:

The subject's broader neighborhood, a large commercial and/or industrial area, is located in the southeast part of Bismarck, exclusive of the manufactured housing parks. It is generally bordered on the north by Main Avenue and/or the Burlington Northern Santa Fe Railroad tracks, on the west by 17th Street to Bismarck Expressway to University Drive, on the south by the public land used by the Bismarck Municipal Airport, and on the east by Bismarck's City limits and/or Yegen Road. These neighborhood boundaries were selected since they separate differing land uses.

2. Access:

By far, Bismarck Expressway is the neighborhood's major traffic arterial. Interstate 94 is the main interstate commerce route with Main Avenue and Bismarck Expressway then providing direct links to Bismarck's central, south, and east commercial districts. The neighborhood accessibility was greatly enhanced (1) in 1985 when a much needed, direct connecting link for South Bismarck to Mandan and Interstate 94 was opened or the Bismarck Expressway bridge and (2) in 2004 when the reconstruction of East Bismarck Expressway from a two lane to a four lane traffic carrier was completed. Reconstruction began at about the intersection of Divide Avenue and extended south about one and one-half miles to its intersection with Main Avenue. This reconstruction project significantly enhanced traffic flow through the neighborhood. The major north-south intersecting traffic arterials are South 26th Street, Airport Road, and University Drive. Numerous other secondary intersecting streets provide for adequate internal neighborhood access. Collectively, good neighborhood accessibility is provided.

3. Development/Land Uses/Trends:

Neighborhood development started in about 1970 or when the city's largest regional shopping center or Kirkwood Mall was constructed. Kirkwood Mall is located between 3rd and 7th Streets, north and adjacent to Bismarck Expressway. The neighborhood grew at a modest rate during most of the 1980s until a significant neighborhood development occurred. The Bismarck Expressway overpass opened in 1985 which provided a much needed, direct connecting link for south Bismarck to Mandan and Interstate #94.

The broader neighborhood is now about 85% developed with the vast majority of the undeveloped "transitional" land located in the immediate subject area. Notable development in and around the subject area includes the MDU Service Center, United States Post Office, Slumberland Furniture, MAC's Hardware, Bismarck Public Works Department complex, North Dakota Game & Fish Department, and Valley Sport & Marine. More importantly however is that two of the communities more significant development projects have occurred in the immediate neighborhood area over the past one-two years. First, a large vacant land tract, located on the southeast corner of East Bismarck Expressway and South 26th Street, was developed with a Wal-Mart Supercenter and Sam's Club. This development has and will continue to spur a multitude of supportive retail/commercial development projects in the form of retail strip centers, restaurants, c-stores, sales and service facilities, etc.

Second, plans are evolving to develop a 220 acre parcel of the city owned Airport Industrial Park with a transportation hub and industrial park known as the Northern Plains Commerce Centre (NPCC). The first phase included a mainline rail spur, road grading, water and sewer installation, and the completion of Bobcat manufacturing facility in 2006. In August of 2006, the NPCC announced that an agreement was reached to build a 90,000 square foot agricultural processing facility for United Pulse Trading to be owned by a Canadian investor's group known as Saskcan Pulse Trading, Inc. Phase II of the facility includes bringing the mainline rail into the center, construction of the transload facility, and paving roads. This phase is expected to be operational by the spring of 2007. Additionally, a 150 acre parcel of privately owned land will be available for development adjacent to the transportation hub site.

Neighborhood properties are predominantly owner-occupied with the percentage of tenant occupants being negligible. The general appearance and maintenance level of area properties is rated average to good. Collectively, this new development has and will continue to have a significant impact on this area's future growth.

4. Services:

All municipal utilities and services and general amenities competitive with other areas of Bismarck are provided.

5. Conclusions-Relevance to the Subject Property:

The subject neighborhood's market appeal has been greatly enhanced over the past one-two years by the recent developments and the general decline in available vacant commercial and/or industrial sites throughout the community. The subject property's locational characteristics are strategic to possible future area growth.

F. PARCEL DESCRIPTION:

1. Introduction:

The subject parcel was improved with the N.D. State Penitentiary facility as of the appraisal's inspection date or December 12, 2006. At the client's request, the appraisal will disregard the building improvements though all site preparation and installation of utilities would be complete. Likewise, all plats, surveys, zoning maps, etc. are assumed to be reliable; no warranty is implied as to their accuracy. Lastly, it will be assumed that the parcel is environmentally clean and no adverse soil conditions exist.

2. Identification:

Again, a survey or precise legal description identifying the property was not provided. The legal description detailed on Page 10 was developed by the undersigned based on client provided information. Additionally, the parcel size of 80± acres was based on a reasonable estimation by the client. Any significant changes or deviations from this parcel size may require appraisal report modifications. The Bismarck City Assessor's office has not assigned a parcel number to this entire property as it is tax exempt.

3. Location and Adjacent Land Users:

No specific street address identifies the entire subject property. Generally, the parcel is located east of 26th Street, south of Main Avenue, and north and west of Bismarck Expressway in Section 2, Township 138N, Range 80W, Bismarck, ND. The street address of "3100 Railroad Avenue, Bismarck, North Dakota" identifies a portion of the subject parcel that is improved with the North Dakota State Penitentiary. This location places the land on the city's southeast peripheral edge or a favorable location as it has extensive frontage along two major traffic arterials or Bismarck Expressway and Main Avenue.

Adjacent land users to the north and across Main Avenue include a multitude of commercial/retail development. The N.D. Game & Fish building and the Community Family Forrest land is located to the east. Predominantly vacant "transitional" agricultural land is located adjacent to the parcel's southeast side with the BNSF railroad right-of-way to the southwest transitioning to evolving retail/commercial development. Land use to the west includes the "proposed" railroad spur right-of-way transitioning to the State Lab facility. This rail spur is proposed as a convenient link between the Canadian Pacific Railroad line located north and adjacent to Main Avenue and the Northern Plains Commerce Center. Area land use consistency was apparent.

4. Access and Visibility:

Exceptionally good access to and from the area and to the subject property is provided by Bismarck Expressway, Main Avenue, and 26th Street. Access onto the parcel is limited to the extension of Railroad Avenue along the parcel's southwest side and one egress/ingress point off Main Avenue near the center of the parcel's north boundary. No egress/ingress currently exists off Bismarck Expressway. If developed, optimum parcel access would have to be achieved by an extensive internal street network.

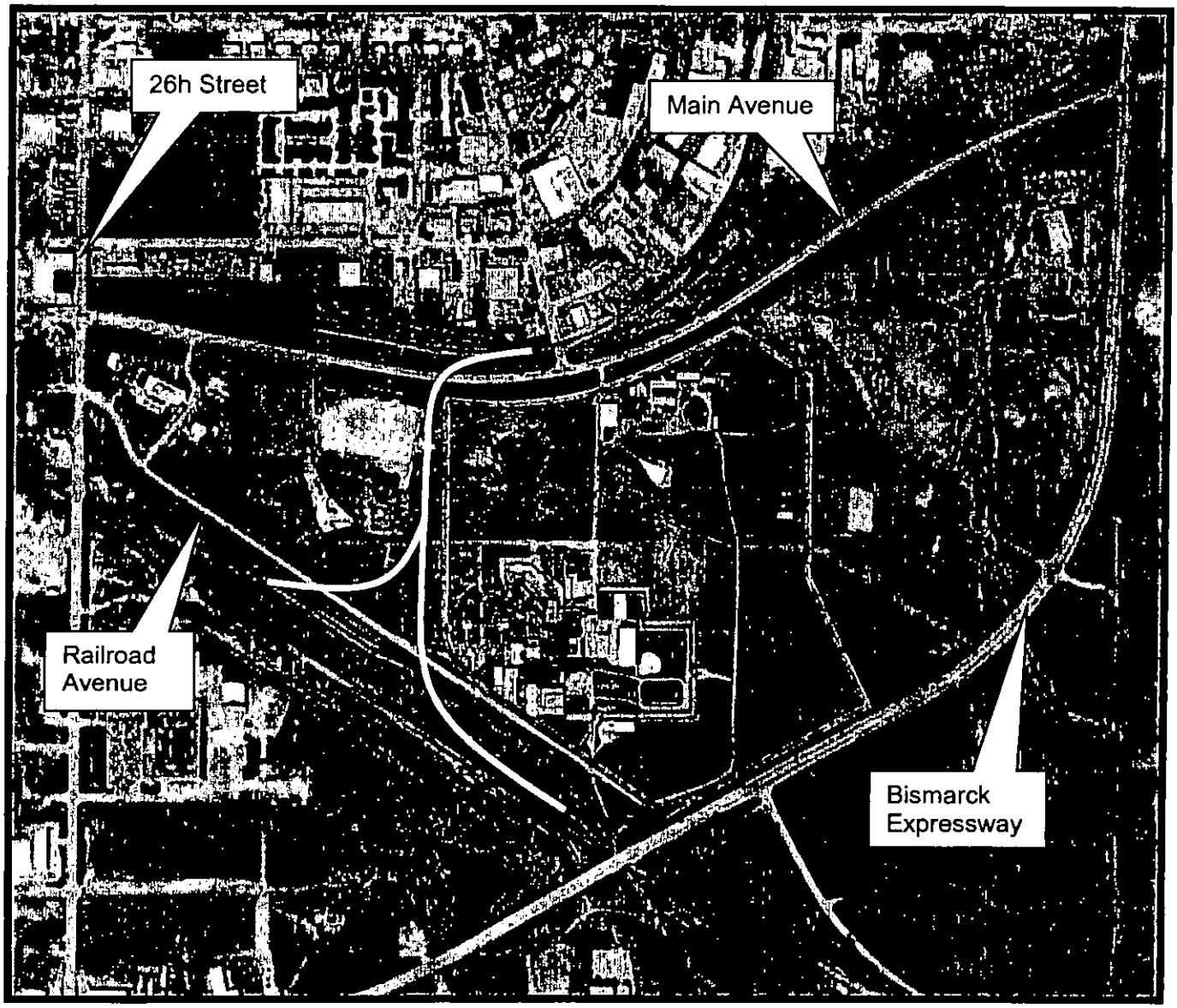
The parcel areas located in proximity to the arterial corridors or Bismarck Expressway and Main Avenue afford good visibility. However, the parcel's significant depth limits the exposure to the areas beyond the immediate arterial corridors.

NORTH

AERIAL PHOTO

- Outlines Subject Parcel - 80± acres
- Location of Proposed Railroad Track

(Source: Google Earth)
(Detailed boundaries are not exact - this is not a survey.)



5. Physical Characteristics (Shape, Size, Use, Topography, Etc.):

The previous aerial photo greatly assists in visualizing this parcel's physical characteristics. The following valuation process will demonstrate that the parcel's size of 80± acres or 3,484,800 s.f. is comparatively large relative to other area land parcels purchased for commercial/light industrial development. It features approximately 1,700' of frontage along Main Avenue on the north, 1,200' along Bismarck Expressway on its southeast side, and 1,000' along Railroad Avenue on its southwest side. Parcel depth ranges from 1,500'± along its west side or along the proposed railroad spur right-of-way to 2,100' along its east boundary. The parcel has mostly level topography with an elevation below the adjacent street level. Generally, the parcel is low lying, especially in its northwest corner. These low lying areas, combined with the parcel's reported high water table, would require significant site preparation to ready it for development. In the absence of a soil test, it can only be assumed that the soils are sufficient to support development.

6. Flood Plain Status, Easements, Environmental Concerns, and Other Encumbrances:

The flood map located in the Addenda details that the site is located in a Zone "X" flood plain or not in an identified flood hazard area. Zone X areas do not require flood insurance as a required contingency in obtaining lender financing. The visual site inspection did not reveal any environmental concerns. Likewise, a recorded plat detailing easements, encumbrances, or any other type of site encumbrances does not exist. Thus, it can only be assumed that no significant site encumbrances exist. The site is located in the corporate city limits of Bismarck and, therefore, it can only be assumed that all municipal services and public utilities have been provided to the parcel through proper easements.

7. On- and Off-Site Improvements:

The adjacent streets are concrete and/or asphalt surfaced but have not been improved with curbing, street lights, storm sewer, or sidewalks. All municipal services (electricity, natural gas, telephone, and water) are installed to the N.D. State Penitentiary but their current size and capacity would likely be insufficient to support development of the entire parcel. Even so, the on-site existence of the utilities would be perceived as a favorable market characteristic.

8. Zoning:

The subject parcel is zoned "P" - Public Use District. Section 14-04-16, page 144, of the City of Bismarck Zoning Ordinance details that "*The P public use district is established as a district in which the predominant use of land is for public use.*" Permitted uses include educational groups, public recreational groups, water treatment plants, buildings and necessary on-site facilities required for conduct of government, commercial recreation groups occupying public owned lands, sewer treatment plants, municipal landfills, parking lots, gift shops occupying pubic owned lands, food service establishments exclusive of drive-in restaurants, occupying public owned lands, and even special uses to include airports and cemeteries. Various lot size, setback requirements, and regulations exist depending on a particular use. This zoning is specific to all area publicly owned land. If the property were placed on the open market and sold, rezoning would then be required.

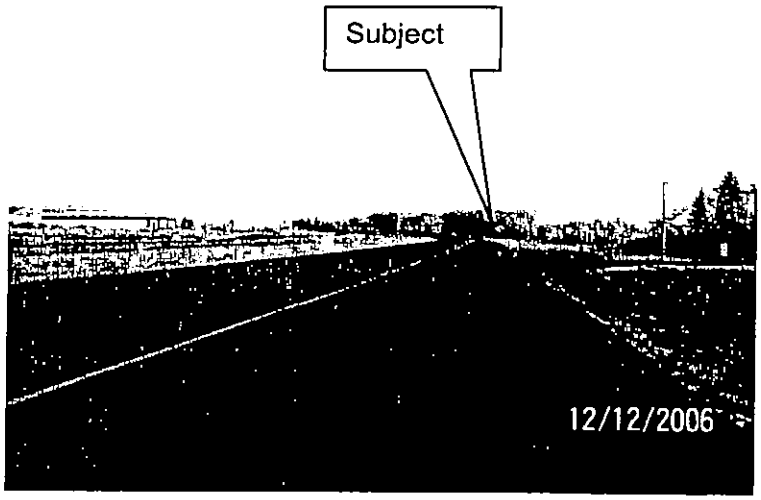
9. Conclusions:

This 80± acre land parcel has several favorable characteristics to include (a) extensive frontage along two major traffic arterials or Bismarck Expressway and Main Avenue, (b) ease of neighborhood access, (c) good visibility, and (d) availability of all municipal utilities. Limiting characteristics include (a) its comparatively large size and depth, (b) limited egress/ingress from the adjacent traffic arterials, and (c) low lying elevations and reported high water table requiring extensive site preparation if ever developed. The combination of these somewhat opposing characteristics creates a unique land parcel.

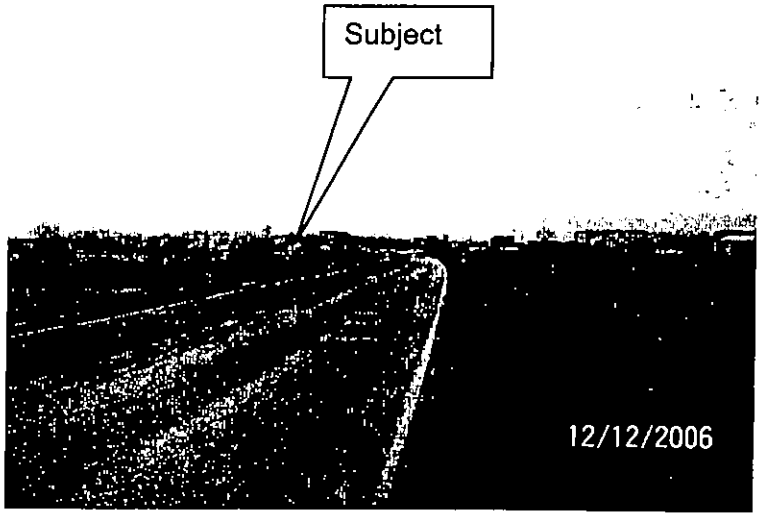
10. Photographs:

The following photographs, taken on December 12, 2006, attempt to depict the parcel's overall characteristics and vicinity/street scenes but are not to be regarded as necessarily all inclusive.

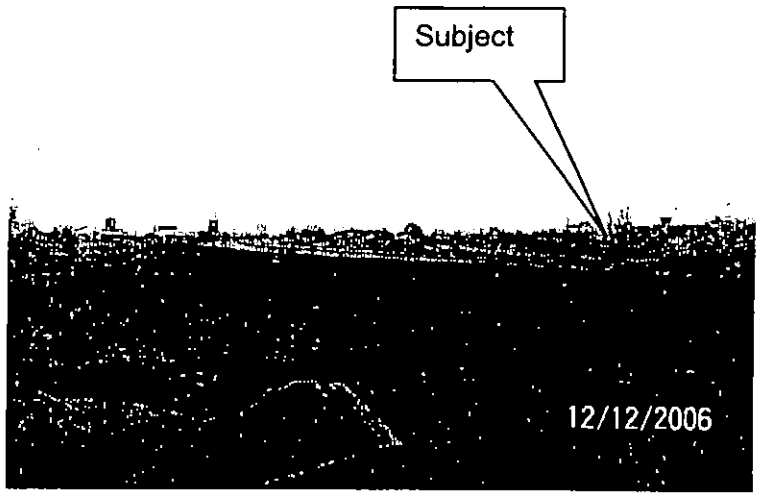
Street scene looking east on East Main Street.



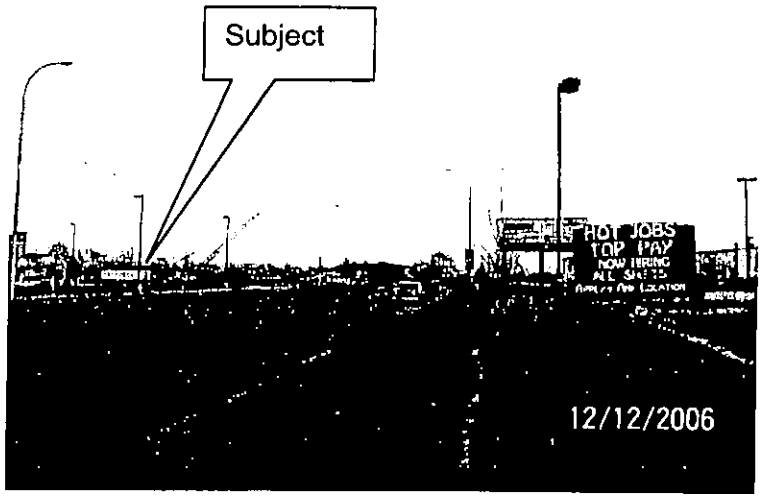
Street scene looking southwest on East Main Street.



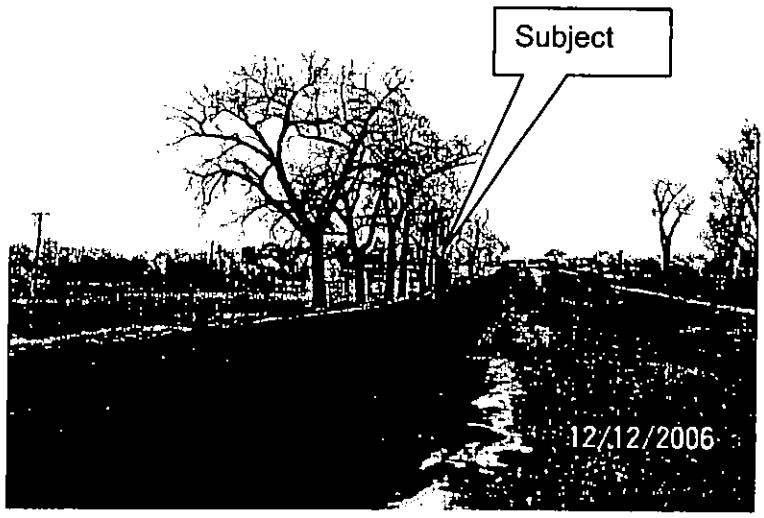
Street scene looking southwest on East Bismarck Expressway.



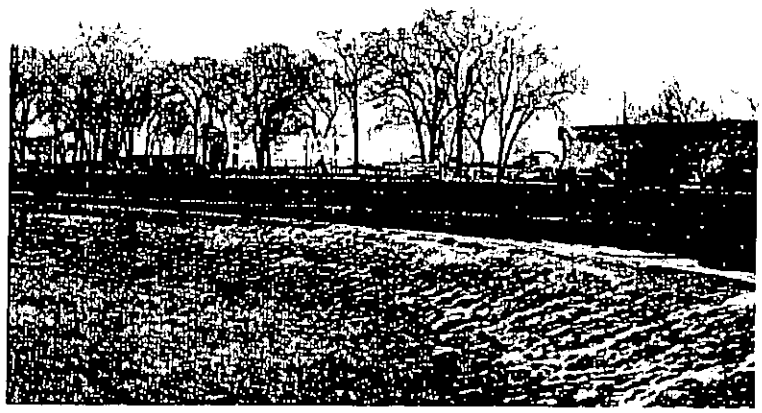
Street scene looking northeast on East Bismarck Expressway.



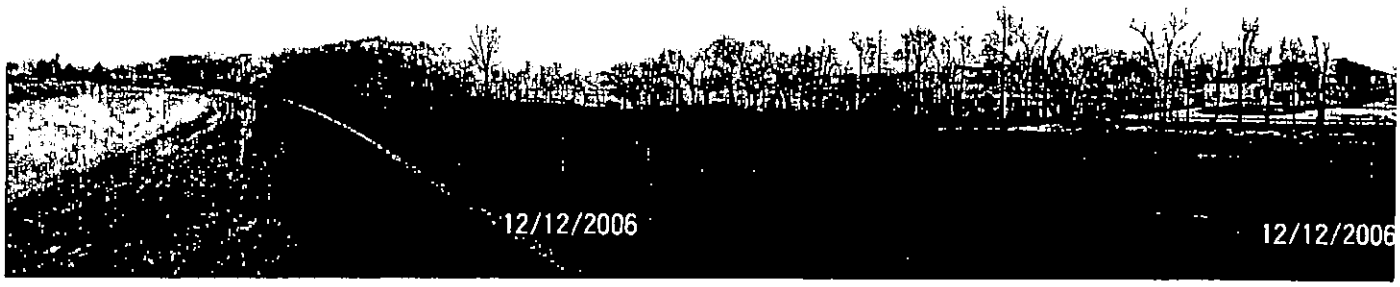
Street scene looking southeast on Railroad Avenue.



Access point off East Main Street located near the middle of the parcel north boundary.



Property overview looking east from just beyond the location of the proposed railroad tracks.



Property overview looking southeast from just beyond the parcel's northwest corner.

Property overview looking southwest from just beyond the parcel's northeast corner.

G. HIGHEST AND BEST USE ANALYSIS

1. Introduction:

Highest and best use is a market driven concept or analysis that attempts to identify the most *probable* and *profitable*, competitive use to which the market and property can support; key determinants in the concept of value. In essence, this analysis reconciles the previously assembled market information into the foundation on which the applicable value rests. Because of its importance, the definition of ***highest and best use*** is presented as:

> *The reasonably probable and legal use of vacant land or an improved property which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum profitability.*
> (Appraisal Institute, *The Dictionary of Real Estate Appraisal, Fourth Edition*: 135)

Conclusions of highest and best use for real estate are normally made according to two premises. The first premise assumes that the site is *vacant* and *available* for development and the second premise addresses the highest and best use of the site *as improved*. The subject parcel's highest and best use conclusion is made according to only one premise or as vacant as the building improvements will be disregarded for the purpose of this analysis.

2. Highest and Best Use As-Vacant Analysis:

The four criteria formulating the parcel's highest and best as vacant, are now applied:

a. Legally Permissible: Typically, the most obvious legal consideration that affects development of a particular site is zoning. It was previously detailed that the subject parcel is zoned as "P" or Public Use District. This zoning is definitely restrictive as it relates to permitted uses. However, a distinct probability exists that the parcel would be rezoned if alternative uses were planned. Its location on the southeast peripheral edge of the Bismarck city limits creates a locational appeal factor that implies a land use transition beyond its current use. Reference to the previous zoning map (page 18) indicates that, by far, the predominant land to the north, south, and west is zoned "MA" or light industrial. The land east of Bismarck Expressway is zoned "PUD" or Planned Unit Development and is improved with the Missouri Valley Fairgounds. Therefore, re-zoning would not be a restricting characteristic relative to future development. No other legal considerations were noted that would restrict parcel development.

b. Physically Possible:

The test of physical possibility addresses the parcel's physical characteristics (location, size, topography, soil types, etc.) as to how they will impact its highest and best use. The two most significant characteristics that would readily impact this parcel's probable use(s) would be that of size and location. Most other physical characteristics or those relating to elevation, drainage, site preparation, etc. would not have a measurable impact on its probable use.

The subject parcel's 80± acres allows for considerable flexibility as to possible future uses. This size is comparatively large when compared to other land parcels purchased for commercial and/or light industrial development. (The sales referenced in the following valuation process have parcel sizes ranging from about 2 acres to 60 acres.) Subdividing the subject parcel into smaller tracts is a consideration but optimum utility would still results if viewed as one parcel. Specifically, the parcel's combination of access, shape, and potential uses precludes optimum value if subdivided into smaller development parcels.

The other significant characteristic that will impact its probable use is location. The subject parcel is located on the city's extreme southeast peripheral edge and features frontage along the two major traffic arterial servicing the neighborhood or Bismarck Expressway on the south and Main Avenue on the north. Again, the broader neighborhood is approximately 85% developed with the vast majority of the undeveloped "transitional" land located in the immediate area. Historically, most area land tracts were perceived as having a more commercial/light industrial appeal. However, the neighborhood's recent "big box" retail development of Wal-Mart and Sam's Club has and will continue to spur a multitude of surrounding retail/commercial development. This recent retail development has had a significant impact on the area's use potential and/or appeal.

Another significant change occurred with the development of a neighborhood transportation hub and industrial park known as the Northern Plains Commerce Centre. It is located approximately one mile south of the subject parcel. This project's continued evolution has prompted the City of Bismarck to "link" it with the BNSF railroad tracks bordering the parcel's south boundary and the Canadian Pacific Railroad line located north and adjacent to Main Avenue. The proposed railroad spur, located adjacent to the parcel's west boundary, would provide the necessary link between the existing railways.

Based on this analysis, it is probable that the subject parcel's land area located along Bismarck Expressway could support retail/commercial development similar to what has been evolving along this traffic arterial. Conversely, the Main Avenue corridor has far inferior appeal when compared to the Bismarck Expressway corridor and has experienced limited development over the last several years. Therefore, the area along Main Avenue and the parcel's interior or "back" locations most likely will be developed with general commercial/light industrial development or development supportive of the Northern Plain Commerce Centre such as transit/distribution warehouses, trucking terminals, service businesses, and/or storage facilities.

Considered collectively, the subject parcel's locational and physical characteristics readily indicate that a mix of commercial/industrial development would be the parcel's predominant land use though intensive retail/commercial development would likely evolve along the Bismarck Expressway corridor.

c. Financially Feasible:

The preceding tests of legal permissibility and physically possible imply that the parcel's probable use includes a mix of commercial/light industrial development with more intensive retail/commercial uses probable along the Bismarck Expressway corridor. Prior to the recent "big box" retail development, neighborhood development consisted predominantly of general commercial and/or light industrial. The neighborhood's continued growth and its evolution has resulted from the city's natural growth progression and from the now limited supply of commercial sites with favorable locational attributes. The significant amount of development occurring in the immediate area and even at other peripheral areas of Bismarck suggests that this parcel's appeal now extends beyond it current use. A limited number of vacant sites exist along Bismarck Expressway and, for this reason, a market is and will continue to evolve for secondary or back locations. Additionally, the ongoing development and success of the nearby Northern Plains Commerce Centre could result in increased demand for secondary sites. Based on these market observations, development of the subject parcel with a mix of retail, commercial and light industrial development would be financially feasible.

d. Maximally Productive:

The preceding three tests imply that the parcel's highest and best use would be a mix of retail, commercial, and/or light industrial uses. Selecting a particular mix of uses that would be financially feasible and result in maximum economic productivity would be dictated by the current balance of supply within each particular market segment. Again, a zoning change to light industrial zoning would be required. Re-zoning is a reasonable expectation as numerous sites with similar neighborhood locations are appropriately zoned. Generally, the demand for commercial and/or light industrial sites offering good characteristics is in reasonable balance though some exceptions exist where demand even exceeds the available supply, especially those sites containing optimum locational characteristics. Immediate development (within one year) of the entire 80± acres parcel is not likely. Rather, it would develop as the market around the neighborhood's major land use evolves.

Based on this market analysis, the subject 80± acre parcel's highest and best use is concluded to be a mix of commercial/light industrial development with more intensive retail/commercial uses along the Bismarck Expressway corridor. The conclusion as the subject parcel's highest and best use is the basis for the following valuation analysis.

H. VALUATION PROCESS (rev. 2-1-05)

The previous discussion and analysis outlined the appraisal problem, detailed the subject's area market, neighborhood, and the subject property, and concluded with a determination of the property's highest and best use. The next step or developing a reliable opinion of the property's applicable value normally involves the three traditional valuation techniques or the: (1) Cost Approach, (2) Sales Comparison Approach (also known as the Market Approach), and (3) Income Capitalization Approach. The reliability of these valuation techniques hinges on the proper assemblage and comparison of similar market data to include sufficient information to estimate the improvements' current reproduction or replacement cost (basis for the Cost Approach), sale and/or asking prices of similar improved properties (basis for the Sales Comparison Approach), and data needed to estimate and convert future anticipated benefits (generally termed "net income") into a value indication (basis for the Income Capitalization Approach). And lastly, the subject property's market value is concluded by reconciling the three techniques' results.

Each valuation technique is not an independent system of valuation unrelated to the other technique(s) or method(s). The entire valuation process is comprised of integrated, interrelated, and inseparable techniques and procedures that have the common objective of providing a convincing and reliable value indication. Each valuation technique normally references conclusions from the other technique(s). For these reasons, there is no predetermined sequence in the application of the applicable valuation techniques.

In this particular assignment, the Cost Approach is not applicable as it based on the hypothetical condition that the improvements be disregarded. By far, only the Sales Comparison Approach is used in the appraisal of vacant sites. This valuation technique is the most recognized method of buying and selling similar land in the area market as it provides the most accurate reflection of actual market behavior. The Income Capitalization Approach is most applicable to properties purchased predominantly for their income-producing potential. The area market simply has not realized sufficient investment-only motivated purchases of similar sites to provide consistent, reliable trends for site capitalization and/or discount rates. Similar sites are most frequently purchased for owner occupancy/use. Thus, insufficient data is available for a reliable, conclusive market value indication by the Income Capitalization Approach.

Again, the valuation analysis of vacant sites typically involves the Sales Comparison Approach. The methodology used in the Sales Comparison Approach is continued in the following report.

I. SALES COMPARISON APPROACH:

1. Introduction:

The Sales Comparison Approach is a method of developing an indication of a site's market value by assembling, analyzing, and comparing the subject site to *recent* and *similar* properties that have sold, are under contract, and/or current listings. If sufficient data is available and properly analyzed, the resulting pattern generally provides an indication of probable market value. Typically, the Sales Comparison Approach is the most reliable and easily understood method of providing a market value opinion, especially for properties that are bought and sold regularly. This valuation technique can normally be accomplished in two basic steps or: (1) research the market for the applicable market data and analyze the market data to determine a relevant unit(s) of comparison and (2) reconcile the data to the subject parcel resulting in a single value indication or a range of values.

2. Market Data Assemblage:

Application of the Sales Comparison valuation technique starts by assembling "recent and similar" market data, preferably comparable sales or, if necessary and available, competitive listings. This market data should be similar to the subject parcel in property rights conveyed, locational characteristics, physical characteristics, and use or potential use. Again, the subject parcel consists of an 80± acre transitional use parcel located on the southeast peripheral edge of Bismarck. The highest and best use analysis concluded that the subject parcel would be perceived as having a mix of commercial/light industrial development with more intensive retail/commercial uses along the Bismarck Expressway corridor. In researching the market, eight sales were assembled affording reasonably similar characteristics.

The primary sources used in researching this market included the local multiple listing service (MLS), Burleigh County Recorder's and Tax Director's office, Bismarck City Assessor's office, commercial real estate brokers, and in-file data. All parcels were personally inspected.

Price per square foot, extracted by dividing the sales price (excluding special assessments as all were buyer assumed) by each site's total size, was selected as the common unit of comparison. This unit of comparison was chosen for analytical purposes since it is the most widely recognized and most easily understood comparative unit in the local market. This assembled market data is tabulated on the following chart. The sales are arrayed by price per square foot, lowest to highest. The adjoining map depicts the location of the site sales in relation to the subject parcel.

COMPARABLE PARCEL SALES

	Seller/ Buyer	Location	Sale Date	Zoning	Parcel Size	Price/ Sq.Ft	Comments.
1.	Wetzstein/ Hushka & Mandan 94 Investors	Old Red Trail Mandan	1-06	MA & RM	2,597,035 s.f. or 59.62 acres	$0.91	Buyers intend to rezone as commercial and develop.
2.	Boehm & Larson/ Trees Investors, LLP	U.S. Highway 83 Bismarck	7-04	A	837,659 s.f. or 19.23 acres	$1.49	Purchased as "raw" land, rezoned, platted, improved with city services, & now partially now improved with TSC & Furniture Row.
3.	Meadowlark Hills, LLC/ G4 LLC	U.S. Highway 83 Bismarck	1-05	CG	1,269,624 s.f. or 29.15 acres	$1.50	Improved with Wal-Mart Supercenter.
4.	JL Partnership/ VP Properties	East Bismarck Expressway Bismarck	1-05	MA	2,561,894 s.f. or 58.81 acres	$1.82	Improved with Wal-mart Supercenter & Sam's Club.
5.	Anderson Ltd.Partnership/ EDJ Investments L.P./ CNLRS Bismarck, ND, LLC	1400 Block West Century Avenue Bismarck	9-04	CG	2,010,050 s.f 232,931 s.f. 2,242,291 s.f. or 51.49 acres	$2.04	Pinehurst Square - Improved with retail power center including Lowe's, Kohl's, Old Navy, etc.
6.	Traynor Investments/ Linden & Diana Cofell/ S&P Partnership	1430 Industrial Dr. 1400 Industrial Dr. Bismarck	8-04 8-04	MA MA	147,600 s.f. 335,962 s.f. 483,562 s.f. or 11.10 acres	$1.75 $2.31 $2.14	Industrial Drive frontage though perceived as Bismarck Expressway site.
7.	Anderson Ltd Partnership/ Futuresource Corp.	1200 W. Century Ave. Bismarck	12-03	A	403,393 s.f. or 9.26 acres	$3.84	Improved with MDU campus.
8.	Edith Schweitzer/ Warner of Sturgis, LLC	Lot 1, Block 1, & Lots 1-3, Block 2, Schweitzer Addition Bismarck	9-04	CG	744,440 s.f or 17.09 acres	$4.06	Home Depot tract with outlots
Subject Parcel:		3100 Railroad Ave./ East Bismarck Expressway Bismarck	N/A	P	3,484,800 s.f. or 80± acres	N/A	Bismarck Expressway & Main Avenue frontage.

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3. Market Data Analysis:

In theory, two absolutely identical parcels simply do not exist since no two parcels can occupy the same location. The sales have then been analyzed through use of the relative comparison analysis, as opposed to qualitative analysis using specified adjustments. (The local market precludes the ability to quantify accurate adjustments.) This relative comparison analysis or "parcel-to-parcel" comparison is more reflective of typical market behavior and tends to provide a more accurate market value range.

The application of the qualitative analysis in the comparable sales indicated reasonably good similarity in most elements of consideration or property rights conveyed, financing terms, and condition of sale. All eight sales involved the transfer of fee simple ownership. Thus, no adjustments for ownership rights are required. All were sold on the basis of cash or cash-equivalent term and all listed prices reflect cash or cash equivalent terms; thus, no adjustments are necessary for special financing. Individual motivations for each sale are apt to be as diverse as the market and, consequently, it simply is impossible to adjust each sale for individual sale and/or purchasing motivations. The eight sales sold from December of 2003 to January of 2006. It is unlikely that this particular market segment has had a measurable change over the last three years. Even so, an attempt will be made to reflect current market conditions.

The remaining factors requiring analytical consideration are differences in physical characteristics to include location and parcel size. The eight sales indicate an overall price/value range of $0.91 to $4.06/square foot. When applied to the subject parcel's size of 3,484,800 s.f. or 80± acres, the following price/value range results:

3,484,800 s.f.	x	$0.91/s.f.	=	$ 3,171,168
3,484,800 s.f.	x	$4.06/s.f.	=	$14,148,288

This comparatively wide price/value range undoubtedly brackets the subject parcel's anticipated market value. However, this price range can be narrowed when observing some noted property characteristics.

Three sales or Sales #6 through #8, selling between $2.14/square foot and $4.06/square foot, are perceived as the upper limit price indictors. Specifically, these three sales (1) afford locations in more established neighborhoods having superior development appeal and (2) they feature comparatively smaller parcels sizes ranging from 9.26 acres to 17.09 acres. Generally, smaller parcels sell for more on a price per square foot basis that large parcels, all other things considered equal.

The remaining five sales or Sale #1 through Sale #5 indicate a price/probable market value range of about $0.90/square foot to $2.00/square foot. Sale #1 is the most recent sale selling in January of 2006 for $0.91/square foot. The parcel offers good similarity in terms of size (nearly 60 acres) and features extensive street frontage and good Interstate 94 exposure. However, its Mandan market location is far inferior to the subject parcel's Bismarck location. Sale #5 or the "Pinehurst Square" parcel, selling for $2.04/square foot in September of 2004, also offers good similarity in terms of size (51.49 acres). This parcel is located on the northeast quadrant of Exit 157 and has exceptionally good access and visibility from Interstate 94. As such, this parcel is perceived as affording an excellent location in its developing neighborhood and the entire community. The parcel has since been developed with a retail power center or with development that extends beyond that of the subject parcel's development potential.

Most consideration is given to Sales #2, #3, and #4. Sales #2 and #3, selling for about $1.50/square feet, afford similar locational characteristics as they were located in an evolving commercial "strip" neighborhood along a major traffic arterial or U.S. Highway 83. Both parcels are perceived as being slightly superior as their combined physical characteristics (location, size, and shape) resulted in an entire parcel supportive of retail development. It is important to note, however, that both parcels were located just beyond Bismarck's urbanized development and incurred significant development cost in terms of municipal improvements and site preparation. Sale #4, selling in January of 2005 for $1.82/s.f., is a comparatively large (58.81 acres) industrial zoned parcel located in the subject neighborhood with 1,100± feet of frontage along Bismarck Expressway. Parts have been resold and improved with Wal-Mart and Sam's Club. This parcel is superior in terms of its locational appeal as it affords a corner location with exceptionally good access and visibility from Bismarck Expressway. This parcel is comparatively large but, yet, its rectangular shape and corner location was entirely supportive of retail development. Comparatively, the previous highest and best use analysis detailed that only the subject parcel areas located in proximity to the Bismarck Expressway corridor would be supportive of intensive retail/commercial development.

The final element of consideration required for a properly developed market value relates to reasonable exposure time (i.e., the length of time the subject property would have been exposed for sale in the market had it sold at the market value concluded in this analysis as of the date of this valuation). The information gathered through assemblage of the market data and conversations with various market participants indicated that, if competitively priced, an exposure time should not have exceeded on year.

The preceding market analysis suggests a probable price/market value range of something more than Sale #1 at about $0.90/square foot or about $3,136,000 but considerably less than Sale #5 at about $2.00/square foot or $6,970,000 with most consideration afforded to Sales #2 through #4 ranging from about $1.50 or $5,227,000 to $1.80/square foot or $6,273,000. The simple lack of vacant competitive parcels located *anywhere* within the defined neighborhood, or for that matter in the entire community, definitively enhances the subject parcel's overall appeal and marketability. Even so, the market value conclusion must be tempered by its comparatively large size, less than ideal frontage along Bismarck Expressway, and elevation issues. Based on this analysis and considering the subject parcel's overall characteristics, its fee simple market value, as of December 12, 2006, based on the hypothetical condition that the existing improvements are disregarded, is concluded at:

"FIVE MILLION DOLLARS
($5,000,000 or $1.43±/s.f.)

ADDENDA

PERSONAL SERVICE CONTRACT

The parties to this contract are the State of North Dakota, acting through its Department of Corrections and Rehabilitation (STATE), and Dakota Appraisal and Consulting, Ltd. (CONTRACTOR);

1. SCOPE OF SERVICE

CONTRACTOR, in exchange for the compensation paid by the STATE under this contract, agrees to provide the following services:

A complete land appraisal of approximately 80 acres, more or less of state property, including the site of the North Dakota State Penitentiary, to determine **As-is Market Value**. Legal property description is portions of NW ¼, Section 2, Township 138, Range 80, Burleigh County, North Dakota. Appraisal process shall include a **Summary Report** to detail: (1) Introduction and Scope of Work; (2) Subject Property Description; (3) Definition of Any Appraisal Problems; and (4) Statement of Competency; (5) Market Area Analysis; and (6) Neighborhood Analysis.

2. TERM OF CONTRACT

The term of this contract is for a period of two months, commencing on the 1 day of November, 2006, and terminating on the 31st day of December, 2006, unless earlier terminated as provided in Article 4 herein.

3. COMPENSATION

STATE will pay for the services provided by CONTRACTOR under this contract an amount not to exceed to be paid at the completion of project.

4. TERMINATION OF CONTRACT

a. Termination without cause. This contract may be terminated by either party upon 30 days' written notice.

b. Termination for lack of funding or authority. The STATE may terminate this contract effective upon delivery of written notice to the CONTRACTOR, or on any later date stated in the notice, under any of the following conditions:

1) If funding from federal, state, or other sources is not obtained and continued at levels sufficient to allow for purchase of the services or supplies in the indicated quantities or term. The contract may be modified by agreement of the parties in writing to accommodate a reduction in funds.

2) If federal or state laws or rules are modified or interpreted in a way that the services are no longer allowable or appropriate for purchase under this contract or are no longer eligible for the funding proposed for payments authorized by this contract.

3) If any license, permit or certificate required by law or rule, or by the terms of this contract, is for any reason denied, revoked, suspended or not renewed.

Termination of this contract under this subsection is without prejudice to any obligations or liabilities of either party already accrued prior to termination.

c. Termination for cause. The STATE by written notice of default to the CONTRACTOR may terminate the whole or any part of this contract, after providing CONTRACTOR seven (7) days to cure any such default:

1) If the CONTRACTOR fails to provide services required by this contract within the time specified or any extension agreed to by the STATE; or

2) If the CONTRACTOR fails to perform any of the other provisions of this contract, or so fails to pursue the work as to endanger performance of this contract in accordance with its terms.

The rights and remedies of the STATE provided in the above clause related to defaults by the CONTRACTOR are not exclusive and are in addition to any other rights and remedies provided by law or under this contract.

5. FORCE MAJEURE

CONTRACTOR shall not be held responsible for delay or default caused by acts of government agencies, strikes, labor disputes, theft, vandalism, unavailability of parts, materials or supplies, fire, riot, acts of God or war if the event is beyond the CONTRACTOR's reasonable control and the CONTRACTOR gives notice to the STATE immediately upon occurrence of the event causing the delay or default or which is reasonably expected to cause a delay or default.

6. RENEWAL

This contract will not automatically renew. STATE will provide written notice to CONTRACTOR of its intent to renew this contract at least sixty days before the scheduled termination date.

7. MERGER AND MODIFICATION

This contract constitutes the entire agreement between the parties. There are no understandings, agreements, or representations, oral or written, not specified within this contract. This contract may not be modified, supplemented or amended, in any manner, except by written agreement signed by both parties.

8. SEVERABILITY

If any term of this contract is declared by a court having jurisdiction to be illegal or unenforceable, the validity of the remaining terms shall not be affected, and, if possible, the rights and obligations of the parties are to be construed and enforced as if the contract did not contain that term.

9. ASSIGNMENT AND SUBCONTRACTS

CONTRACTOR may not assign or otherwise transfer or delegate any right or duty without the STATE's express written consent. However, the CONTRACTOR may enter into subcontracts provided that any such subcontract acknowledges the binding nature of this contract and incorporates this contract, including any attachments. CONTRACTOR is solely responsible for the performance of any subcontractor. CONTRACTOR shall not have the authority to contract for or incur obligations on behalf of the STATE.

10. NOTICE

All notices or other communications required under this contract shall be given by registered or certified mail and are complete on the date mailed when addressed to the parties at the following addresses:

Leann K. Bertsch
Director, N. D. D.O.C.R.
PO Box 5521
Bismarck, N. D. 58506-5521

and

Joseph Ibach, MAI
PO Box 1235
Bismarck, N. D. 5850201235

11. APPLICABLE LAW AND VENUE

This contract is governed by and construed in accordance with the laws of the State of North Dakota. Any action to enforce this contract must be brought in the District Court of Burleigh County, North Dakota.

12. SPOLIATION – NOTICE OF POTENTIAL CLAIMS

CONTRACTOR shall promptly notify STATE of all potential claims which arise or result from this contract. CONTRACTOR shall also take all reasonable steps to preserve all physical evidence and information which may be relevant to the circumstances surrounding a potential claim, while maintaining public safety, and grants to the STATE the opportunity to review and inspect the evidence, including the scene of an accident.

13. INDEMNITY

CONTRACTOR shall defend, indemnify, and hold harmless the State of North Dakota, its agencies, officers, and employees (NORTH DAKOTA), from any and all claims of any nature, including all costs, expenses and attorneys' fees, which may in any manner result from or arise out of this contract, except for claims resulting from or arising out of NORTH DAKOTA's sole negligence. The legal defense provided by CONTRACTOR to NORTH DAKOTA under this provision must be free of any conflicts of interest, even if retention of separate legal counsel for NORTH DAKOTA is necessary. CONTRACTOR shall also defend, indemnify, and hold NORTH DAKOTA harmless for all costs, expenses, and attorneys' fees incurred in establishing and litigating the indemnification coverage provided in this section. The obligation in this section shall continue after termination of this contract, or any extensions or renewals of it.

14. INSURANCE

a. Required Coverages. CONTRACTOR shall secure and keep in force during the term of this contract, from insurance companies authorized to do business in North Dakota, the following insurance coverages covering the CONTRACTOR for any and all claims of any nature which may in any manner arise out of or result from this contract:

1) Commercial general liability, including contractual coverage, and products or completed operations coverage (if applicable), with minimum liability limits of $250,000 per person and $1,000,000 per occurrence.

2) Automobile liability, with minimum liability limits of $250,000 per person and $1,000,000 per occurrence.

3) Workers compensation coverage meeting all North Dakota statutory requirements, including: a) an "all states endorsement" to cover claims occurring outside the State of

North Dakota if any of the services provided under this contract involve work outside the State of North Dakota; and b) employer's liability or "stop gap" insurance of not less than $1,000,000 as an endorsement on the workers compensation or commercial general liability insurance if CONTRACTOR is domiciled outside the State of North Dakota.

4. Professional errors and omissions, including a three year "tail coverage endorsement", with minimum liability limits of $1,000,000 per occurrence and in the aggregate.

b. General Insurance Requirements. The insurance coverages listed above must meet the following additional requirements:

1) Any deductible or self insured retention amount or other similar obligation under the policies shall be the sole responsibility of the CONTRACTOR.

2) This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and must be placed and maintained for the term of this contract and any extensions with insurers rated "A" or better by A.M. Best Company, Inc., provided any excess policy follows form for coverage. The policies shall be in form and terms approved by the STATE. "Follows form" means the excess policy must be written with the same terms and conditions as the policy to which it is excess.

3) NORTH DAKOTA will be defended, indemnified, and held harmless pursuant to Section 13 to the full extent of any coverage actually secured by the CONTRACTOR in excess of the minimum requirements set forth above. The duty to indemnify NORTH DAKOTA under Section 13 shall not be limited by the insurance required in this section.

4) NORTH DAKOTA shall be endorsed on the commercial general liability policy, including any excess policies (to the extent applicable), as additional insureds, with respect to liability arising out of operations performed by or on behalf of the CONTRACTOR, but only to the extent of damages directly caused by the negligence of the CONTRACTOR. NORTH DAKOTA shall have the same rights and coverages as CONTRACTOR under said policies, unless any loss, claim or action is caused by the negligence of one or more of the additional insureds. The additional insured endorsement for the commercial general liability policy shall be written on a form equivalent to the ISO 1985 CG 20 10 form, or such other form as approved by the STATE, and the endorsement shall not limit or delete NORTH DAKOTA's coverage in any way based upon NORTH DAKOTA's acts or omissions.

5) The insurance required in this section, through a policy or endorsement, shall include:

a. a provision that the policy and endorsements may not be canceled or modified without thirty (30) days' prior written notice to the undersigned STATE representative;

b. a provision that any attorney who represents NORTH DAKOTA under this policy must first qualify as and be appointed by the North Dakota Attorney General as a Special Assistant Attorney General as required under N.D.C.C. § 54-12-08;

c. a provision that CONTRACTOR's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by NORTH DAKOTA and that any insurance, self-insurance or self-retention maintained by NORTH DAKOTA shall be excess of the CONTRACTOR's

insurance and shall not contribute with it, unless any loss, claim or action is caused by the negligence of one or more of the additional insureds;

d. cross liability/severability of interest coverage for all policies and endorsements.

6) The legal defense provided to NORTH DAKOTA under the policy and any endorsements must be free of any conflicts of interest, even if retention of separate legal counsel for NORTH DAKOTA is necessary.

7) CONTRACTOR shall, upon request, furnish a certificate of insurance, the additional insured endorsement adding NORTH DAKOTA as an additional insured, a copy of the insurance policy and all endorsements relative to this agreement, to the undersigned STATE representative prior to commencement of this contract.

8) Failure to provide insurance as required in this section is a material breach of contract entitling STATE to immediately terminate this contract.

15. ATTORNEY FEES

Each party shall be responsible for its own attorneys fees incurred as a result of instituting any action pursuant to this contract to obtain performance from the other party.

16. ALTERNATIVE DISPUTE RESOLUTION – JURY TRIAL

The STATE does not agree to any form of binding arbitration, mediation, or other forms of mandatory alternative dispute resolution. The parties have the right to enforce their rights and remedies in judicial proceedings. The STATE does not waive any right to a jury trial.

17. CONFIDENTIALITY

CONTRACTOR agrees not to use or disclose any information it receives from the STATE under this contract that the STATE has previously identified as confidential or exempt from mandatory public disclosure except as necessary to carry out the purposes of this contract or as authorized in advance by the STATE. The STATE agrees not to disclose any information it receives from CONTRACTOR that the CONTRACTOR has previously identified as confidential and which is protected from mandatory public disclosure under a specific exception to the North Dakota open records law, N.D.C.C. § 44-04-18. The duty of STATE and CONTRACTOR to maintain confidentiality of information under this section continues beyond the term of this contract, or any extensions or renewals of it.

18. COMPLIANCE WITH PUBLIC RECORDS LAW

CONTRACTOR understands that, except for disclosures prohibited in Section 17, the STATE must disclose to the public upon request any records it receives from CONTRACTOR. CONTRACTOR further understands that any records which are obtained or generated by the CONTRACTOR under this contract, except for records that are confidential under Section 17, may, under certain circumstances, be open to the public upon request under the North Dakota open records law. CONTRACTOR agrees to contact the STATE immediately upon receiving a request for information under the open records law and to comply with the STATE's instructions on how to respond to the request.

Notwithstanding the foregoing, CONTRACTOR shall retain ownership of, and all rights in and to, all intellectual property made, conceived, invented, reduced to practice or otherwise owned by CONTRACTOR prior to entering into this contract (the "CONTRACTOR Intellectual Property"). To the

extent any materials delivered or otherwise provided to STATE by CONTRACTOR in furtherance of CONTRACTOR's obligations hereunder contain CONTRACTOR Intellectual Property, CONTRACTOR hereby grants to STATE a limited license to use and/or copy such CONTRACTOR Intellectual Property, but only to the extent such use and/or copying is in furtherance of the purpose of this contract.

19. WORK PRODUCT, EQUIPMENT AND MATERIALS

All work product, equipment or materials created or purchased under this contract belong to the STATE and must be delivered to STATE at STATE's request upon termination of this contract. CONTRACTOR agrees that all materials prepared under this contract are "works for hire" within the meaning of the copyright laws of the United States and assigns to STATE all rights and interests CONTRACTOR may have in the materials it prepares under this contract, including any right to derivative use of the material. CONTRACTOR shall execute all necessary documents to enable STATE to protect its rights under this section.

20. INDEPENDENT ENTITY

CONTRACTOR is an independent entity under this contract and is not a STATE employee for any purpose, including but not limited to the application of the Social Security Act, the Fair Labor Standards Act, the Federal Insurance Contribution Act, the North Dakota Unemployment Compensation Law and the North Dakota Workers' Compensation Act. CONTRACTOR retains sole and absolute discretion in the manner and means of carrying out the CONTRACTOR's activities and responsibilities under this contract, except to the extent specified in this contract.

21. NONDISCRIMINATION AND COMPLIANCE WITH LAWS

CONTRACTOR agrees to comply with all applicable laws, rules, regulations and policies, including but not limited to those relating to nondiscrimination, accessibility and civil rights. CONTRACTOR agrees to timely file all required reports, make required payroll deductions, and timely pay all taxes and premiums owed, including but not limited to sales and use taxes and unemployment compensation and workers' compensation premiums. CONTRACTOR shall have and keep current at all times during the term of this contract all licenses and permits required by law, including any license or permit required under N.D.C.C. ch. 43-23.3.

22. STATE AUDIT

All records, regardless of physical form, and the accounting practices and procedures of CONTRACTOR relevant to this contract are subject to examination by the North Dakota State Auditor or the Auditor's designee. CONTRACTOR will maintain all such records for at least three years following completion of this contract.

23. PREPAYMENT

The STATE will not make any advance payments before performance by the CONTRACTOR under this contract.

24. TAXPAYER ID

CONTRACTOR's North Dakota tax ID number is: 45036968101.
CONTRACTOR's federal employer ID number is: 45036968101.

26. HAZARDOUS MATERIALS

CONTRACTOR's obligations hereunder expressly exclude any work or services of any nature associated or connected with the identification, abatement, cleanup, control, removal or disposal of hazardous materials or substances, including, but not limited to, asbestos or PCB's in or on the premises. The STATE represents that, to the best of its knowledge, there is no asbestos or hazardous material in the STATE's buildings that will in any way affect CONTRACTOR's work. Should CONTRACTOR become aware of or suspect the presence of asbestos or hazardous materials, CONTRACTOR shall have the right to stop work in the affected area immediately and notify the STATE. The STATE will be responsible for doing whatever is necessary to correct the condition in accordance with all applicable statutes and regulations. The STATE agrees to assume responsibility for any claims arising out of or relating to the presence of asbestos or hazardous materials in the STATE's building, except those that arise from CONTRACTOR's negligence.

27. EFFECTIVENESS OF CONTRACT

This contract is not effective until fully executed by both parties.

CONTRACTOR

Dakota Appraisal + Consulting, Ltd

BY: _____

ITS: President

DATE: 11-6-06

STATE OF NORTH DAKOTA
DEPARTMENT OF CORRECTIONS AND
REHABILITATION

_____

BY: LeAnn K. Bertsch, Director

DATE: 11-8-06

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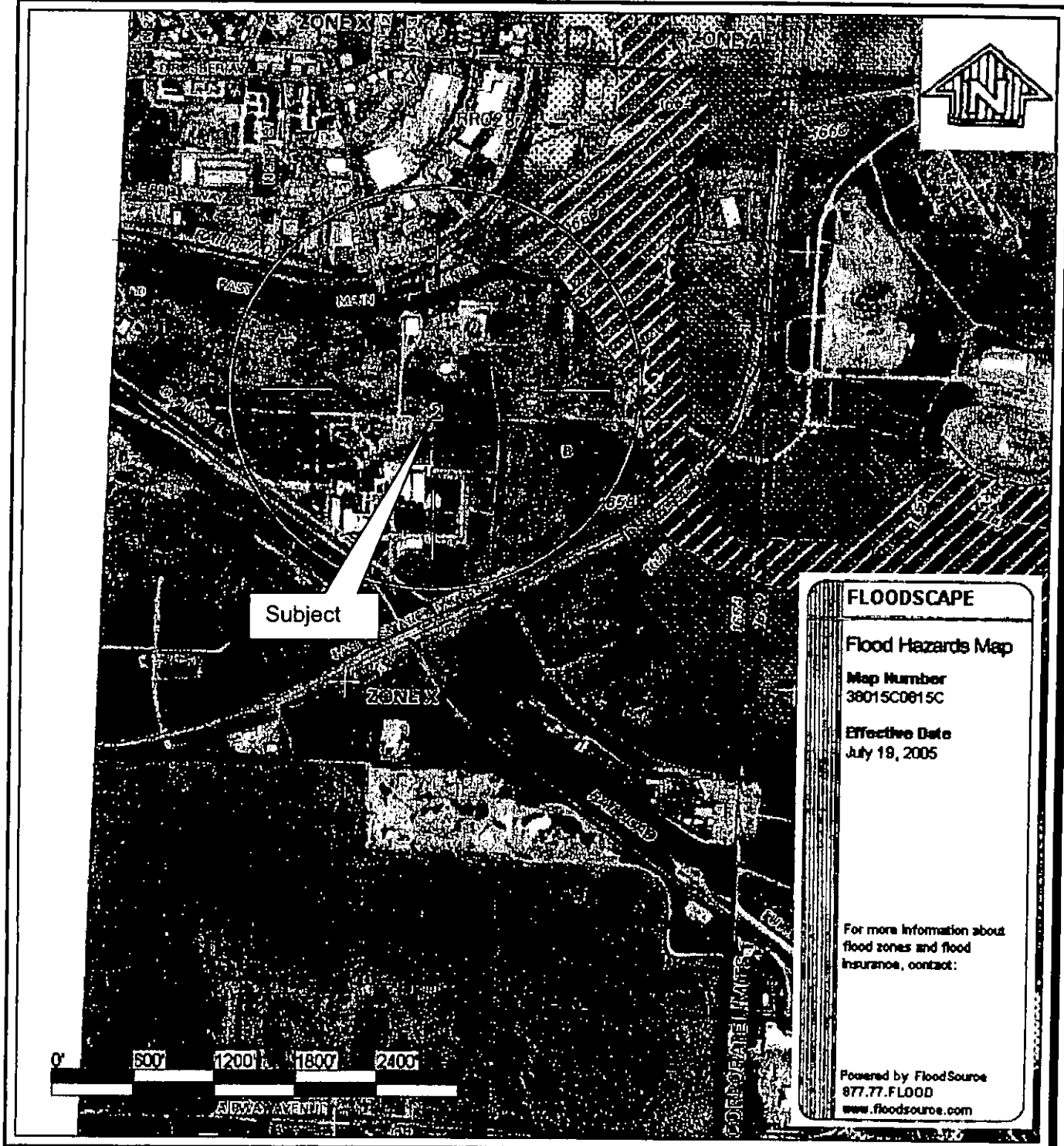
Dakota Appraisal

EAST BISMARCK EXPRESSWAY
Bismarck, ND 58504



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QUALIFICATIONS
JOSEPH J. IBACH, MAI

EDUCATION

Appraisal Institute - Successfully Completed Courses

1976-Present
Course 410 & 420, *Standards of Professional Practice*
Course 110, *Faculty Training Workshop*
Course 1B-A, *Capitalization Theory & Techniques, Part A*
Course 1B-B, *Capitalization Theory & Techniques, Part B*
Course 1A1, *Real Estate Appraisal Principals*
Course 1A2, *Basic Valuation Procedures*
Course 2-1, *Case Studies in Real Estate Valuation*
Course 2-2, *Valuation Analysis & Report Writing*
Course 3, *Rural Valuation*
SREA Course 201, *Principals of Income Property Appraising*

1971 - 1975 Dickinson State College, Dickinson, North Dakota
B.A. Degree, Business Administration
B.S. Degree, Secondary Education

1967 - 1971 Linton Public High School, Linton, North Dakota

SEMINARS

2001 – Present

**National Standards of Professional Appraisal Practice Update*, June 2006, Sponsored by ND Appraisal Board (7 hrs.)
**Residential Cost Approach & USPAP Compliance*, December 2005, Sponsored by ND Appraisal Board (7 hrs.)
**The Professional's Guide to the Uniform Residential Appraisal Report*, August 2005, Sponsored by ND Appraisal Board (7 hrs.)
**Peer to Peer: Is My Judgment Up to Standards?*, November 2004, Sponsored by ND Appraisal Board (7 hrs.)
**Business Practices and Ethics*, October 2004, Sponsored by MN Chapter Appraisal Institute (8 hrs.)
**National USPAP Update*, October 2004, Sponsored by MN Chapter Appraisal Institute (7 hrs.)
**Avoiding Liability as a Residential Appraiser*, December 2003, Sponsored by ND Appraisal Board (7 hrs.)
**Scope of Work*, September 2003, Sponsored by ND Appraisal Board (7 hrs.)
*Appraisal 106: *Appraisal Investment & Financial Analysis*, August 2003, Sponsored by PROSOURCE Educational Services, Inc. (15 hrs.)
**USPAP Update 2003*, December 2002, Sponsored by ND Appraisal Board (7 hrs.)
**Counting The Cost*, December 2002, Sponsored by ND Appraisal Board (7 hrs.)
**National Summer Conference Courses*, June 2001, Sponsored by Appraisal Institute (12.5 hrs.)
**Case Studies in Commercial Highest & Best Use*, June 2001, Sponsored by MN Chapter Appraisal Institute (7 hrs.)
**Appraisal Report Writing*, April 2001, Sponsored by ND Appraisal Board (3.5 hrs.)
**USPAP 2001*, April 2001, Sponsored by ND Appraisal Board (4.0 hrs.)

WORK EXPERIENCE

1982-Present Dakota Appraisal & Consulting, Ltd., Bismarck, North Dakota; Owner/President.

1977-1982 Ray Reilly Appraisal Consultants, Inc., Grand Forks, North Dakota
Fee Appraiser on a multitude of appraisal assignments.

1975-1977 Gate City Savings and Loan Association, Bismarck, North Dakota
Staff Appraiser responsible for all residential and commercial appraising and the supervision of construction loans.

STATE CERTIFICATIONS

North Dakota CG#1009, South Dakota #324CG-2006R, Minnesota #4001062, Montana #241, and Wyoming #420.

QUALIFICATIONS (Cont'd.)
JOSEPH J. IBACH, MAI

PROFESSIONAL MEMBERSHIPS
*MAI Member of the Appraisal Institute
*President of North Dakota Real Estate Appraiser Qualification and Ethics Board, 1996 to present. (Board member since 1993)
*Federal Housing Administration (FHA) approved appraiser
*Realtor Member of the Bismarck-Mandan Board of Realtors
*American Society of Farm Managers & Rural Appraisers
*Board Member Fannie Mae North Dakota Partnership

COURT TESTIMONY Qualified as an expert witness in Walsh, Emmons, Burleigh and Mercer County District Courts and U. S. District Bankruptcy Court in Fargo, Bismarck, and Minot, ND

PARTIAL LIST OF MAJOR CLIENTS SERVED

Financial Institutions:
American National Bank, Bank America Mortgage, Bank Center One, Bank of North Dakota, BNC National Bank, Bremer Bank, Dakota Community Bank, Farm Credit Services, First American Bank West, First International Bank, First Southwest Bank, First Western Bank & Trust, Gate City Bank, Imperial Thrift & Loan Assoc. (Glendale, CA),), Ocwen Federal Bank (West Palm Beach, FL), Ramsey National Bank & Trust Co., Security State Bank (Linton, ND), Steams Bank (St. Cloud, MN), State Bank of Fargo, Superior Bank (Rosemont, IL), U.S. Bank National Association, Wells Fargo Bank, Yellowstone Bank.

Government Agencies:
City of Bismarck, City of Minot, Emmons County, Federal Deposit Insurance Corporation (FDIC), General Services Administration (GSA), N.D. Department of Transportation, N.D. Public Service Commission, Oliver County, N.D. State Land Department, N.D. State Water Commission, University of North Dakota, U.S. Army Corps of Engineers, U.S. Bureau of Reclamation, U.S. Department of Agriculture, U.S. National Park Service, Veterans Administration.

Employee Relocation Companies:
AMCO Relocation, Cendant Mobility Relocation, Coldwell Banker Relocation Management Services Inc., Corporate Transfer Service, Equitable Relocation Management Corp., GMAC, Homequity, PHH Relocation, Prudential Relocation, WHR Group, Inc.

Businesses/Corporations:
Advanta Mortgage, Alliance Pipeline Co., Basin Electric Power Cooperative, Brutger Equities, Burlington Northern/Santa Fe Railroad, Cities Service Company, Cloverdale Foods Company, Diamond Shamrock, Dougherty Funding, Falkirk Mining, FannieMae, FreddieMac, G.E. Assurance Holdings, Inc., Glaser Financial, GreenTree Mortgage, Houston Engineering, Inc., Minnkota Power Cooperative, North American Coal, North Central Food Systems, Inc., St. Alexius Medical Center, Scott Financial Corp., Super Valu Stores, Inc, Tharaldson Enterprises, The Nature Conservancy, Ulteig Engineers, United Power Cooperative, Venture Mortgage, Wal-Mart, and numerous realty firms, law firms, and private clients.

TYPES OF ASSIGNMENTS

1. Residential: Single family & multi-family, condominium units & projects, townhouse units & projects.
2. Commercial: Motels/hotels, resorts, medical clinics, office buildings, retail/commercial buildings, automobile dealerships, grain elevators, industrial buildings, restaurants, manufactured housing parks, financial institution buildings, gas stations, convenience stores, truck stops, warehouses, agricultural processing facilities, etc.
3. Land: Residential, commercial, industrial, farms, and ranches.
4. Other: Condemnation (representing property owners and condemning agencies), rent analysis, informational studies, and feasibility studies.

North Dakota
Real Estate Appraiser
Qualification and Ethics Board

NORTH DAKOTA REAL ESTATE APPRAISER
QUALIFICATIONS AND ETHICS BOARD

THIS IS TO CERTIFY THAT No. CG-1009

Joseph J. Ibach

Is fully qualified in the State of North Dakota as a:
CERTIFIED GENERAL REAL PROPERTY APPRAISER

To be in force until 1/1/08
unless sooner suspended or revoked as provided by law.

Date of issue 1/1/07

NORTH DAKOTA REAL ESTATE APPRAISER BOARD

By Jodie R Campbell
Executive Secretary

THIS IS TO CERTIFY THAT

Joseph J. Ibach

IS FULLY QUALIFIED IN THE STATE OF NORTH DAKOTA AS A:

CERTIFIED GENERAL REAL PROPERTY APPRAISER

PERMIT NO. **CG-1009**

FROM THE DATE HEREOF UNLESS TERMINATED BY THE APPRAISAL BOARD

IN WITNESS WHEREOF, The Appraisal Board has caused these presents to be signed and the official seal to be hereunto affixed this 16th day of December, 19 91

North Dakota Real Estate Appraiser Qualifications and Ethics Board

Jodie R Campbell
Executive Secretary

47

Proposed amendments to HB 1015

Either

1. Page 4, Remove Lines 1 through 6.

Or

2. Page 4, Line 4, Overstrike "The Department Shall"
Remove Lines 5 and 6.

The purpose of these amendments is to maintain state ownership of the land occupied by the Missouri River Correctional Facility.

The first amendment removes the entire Section regarding moving MRCC prisoners to the main penitentiary. The second amendment would permit moving the prisoners, but remove the language selling the land.

The land is a more valuable asset than the money it will attract, particularly with the current budget surplus. As Bismarck-Mandan grows and Missouri River frontage becomes less available, the land will appreciate much faster than will money in the bank.

Once sold, it leaves public ownership forever. The land could be a unit of Fort Abraham Lincoln State Park, it could be a Game and Fish Department site, and it could be part of a spectacular Missouri River Greenway at the south end of Washington Street. Or it could be sold. But that decision should not be made now.

North Dakota Penitentiary Building Project

Planning and Programming

East Cell House Removal and Expansion of Specialized Facilities

PROJECT REPORT

January 10, 2007

Submitted By:
Ritterbush/ Ellig/ Hulsing Architects with HDR Architecture, Inc.

North Dakota Penitentiary Building Project

Planning and Programming
East Cell House Removal and Expansion of Specialized Facilities

SECTION 1 – INTRODUCTION 1.1-1.4

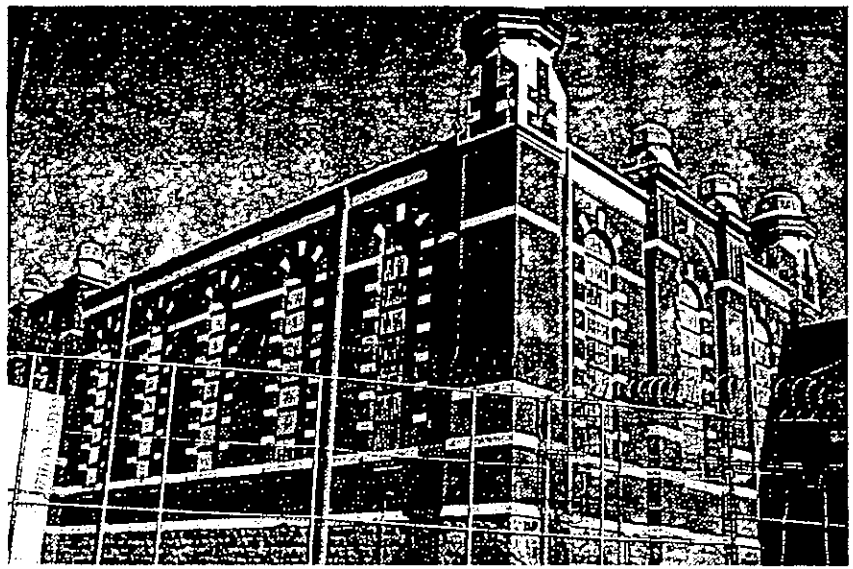
Purpose of Report
Methodology for System Assessment
Background of Corrections Facility
Goals and Missions
Existing Conditions and Observations

SECTION 2 – SYSTEM ASSESSMENT AND EXISTING 2.1-2.4

Bed Needs and Projections

SECTION 3 – RECOMMENDED SOLUTION.....3.1-3.6

Site Constraints
Program Strategy
Site Development
Construction Cost Opinions



East Cellhouse, North Dakota State Penitentiary, Bismarck

North Dakota Penitentiary Building Project

Planning and Programming

East Cell House Removal and Expansion of Specialized Facilities

1 Introduction

PURPOSE OF REPORT

For a number of years, the North Dakota State Penitentiary has been operating over capacity and in somewhat sub-standard conditions, at least in portions of it. This has negatively affected the facility both financially and from a public safety standpoint.

In May 2004, the North Dakota Department of Corrections commissioned Ritterbush, Ellig, Hulsing Architects in conjunction with HDR Architecture, Inc., to review the North Dakota State Penitentiary's current facilities (starting with the East Cellhouse, project future needs, and identify potential solutions to address the overcrowding issue. The tangible goals of this effort include:

- Address immediate overcrowding issues and project future need to optimize the Penitentiary's program options. Outline need for General Population Cell House.
- Close the East Cellhouse and redistribute inmates to either other existing areas of the prison or to new facilities within the prison.
- Assess the medical facilities onsite and determine their ability to meet the needs of the facility.
- Assess the orientation facilities and their ability to meet the needs of the facility.
- Assess the segregation facilities and their ability to meet the needs of the facility.
- Assess other factors such as visitation, laundry and other services.
- Assess the facility's site and the impacts of any new structures on it and the penitentiary's infrastructure.

METHODOLOGY FOR SYSTEM ASSESSMENT

It is necessary to have a clear understanding of the issues that are causing the prison's issues and specifically, the factors that are accelerating the problem. In order to have an understanding, REH/ HDR examined the entire penitentiary system. It is important to recognize the interrelationship of each component as no one factor alone is responsible for the facility's issues, rather a component of a much larger issue.

- Issues Driving Bed Needs – REH/ HDR explored trends for population, crime rate, and other factors driving needs, including types of classification, age, health needs and orientation program needs. We also compared this data from the North Dakota Department of Corrections anecdotally with other jurisdictions.

- Government: Law Enforcement & Courts – We examined overall crime rates and sentencing trends. REH/ HDR also considered system wide impacts that could affect inmate populations such as new laws, statutes, and current operating procedures and methods, including those outside of the control of the North Dakota Department of Corrections.

- Corrections System – REH/ HDR reviewed admissions, average length of stay and daily population figures for the past few years. We also examined operating costs. REH/ HDR conducted an analysis of the penitentiary facility conditions and reviewed the cost/impact of operating these facilities. Additional infrastructure capacities and conditions were evaluated for future need

After reviewing this data, REH/ HDR was able to draw conclusions about probable future space needs for the North Dakota State Penitentiary' and:

- Projected inmate bed need trends.

- Reviewed projections and preliminary findings with facility staff.

- Developed alternative construction scenarios including potential cost and staffing impacts.

- Prepared this document detailing our findings, projections and alternatives.

- Recommended a course of action to alleviate the current overcrowding and operational issues

BACKGROUND OF THE CORRECTIONS FACILITY

The North Dakota State Penitentiary is a facility within the North Dakota Department of Corrections, whose mission is the processing, management and reintroduction to the general population of the state's inmate population. The system is currently overseen by Leann Bertsch. The penitentiary is run by Tim Schuetzle, warden, and Pat Branson, duty warden. This project was overseen by Dick Frohlich, director of plant services.

The bed breakdown of the facility is indicated in Chapter Two of this study.

GOALS AND MISSIONS

Beyond the basic goal already indicated, it was determined that the specific mission of the report would be as follows:

- *Produce a document by August 31, 2004 that identifies improvements required by the North Dakota State Penitentiary to meet its needs over the next 10-20 years.*
- *Identify the relative costs of the improvements, including construction, staffing and other operations.*
- *Identify the ways and means of staging and/ or phasing the construction, taking into account security and economic concerns.*
- *Promote document to North Dakota state legislature and procure funding for future build-out of the identified facilities.*
- *Improve the ability of the facility to classify incoming inmates and disperse them to appropriate housing assignments.*
- *In any planning, meet all applicable all applicable ACA, NFPA, building code requirements.*
- *Improve and expand the facility's capabilities in medical and dental service delivery, both at designated facilities and throughout the penitentiary.*
- *Improve the ability of the facility to provide segregation/ protective custody and other special classification housing.*
- *Determine the ability of the facility's infrastructure to support the new improvements in terms of water distribution, heating, ventilating, storm and sanitary sewer, electrical, fire safety, telecommunications, security electronics and others.*
- *Consider the penitentiary's future growth needs and its ongoing mission within the overall Department of Corrections system.*
- *Identify current and future security technology or operations needs.*
- *Be certain any additions/renovations support future growth or do not hinder current operations in any way.*
- *Identify other issues of planning or design for future study by the NDDOC.*

EXISTING CONDITIONS & OBSERVATIONS

As noted earlier, the current North Dakota State Penitentiary was first built in the early 1900's, and has been in operation ever since. There have been numerous expansions, renovations and remodels over the years as the facility has continued to change to meet the needs of the facility's mission over time. There are too many issues to cover in the scope of this report, which is not meant to be a comprehensive inventory of issues. Therefore, included in this summary list are the issues that pertain to the portions of the facility we are addressing.

***Medical facilities** were found deficient in the following manner:*

- *Space, total beds available, storage*
- *Privacy, especially in waiting and exam areas*
- *Disabled access, stretcher needs to be carried up stairs*
- *Space for long-term care*
- *Negative air-pressure rooms*

Pharmacy lacks work space, security
Dental and X-ray are poorly located for security
Records are poorly located
Lack of facilities requires many hospital stays in Bismarck

Segregation:

- *Space, total beds available*
- *Meets no currently applicable standards*
- *Cells are poor for segregation*
- *Difficult to manage population*
- *No program or ancillary space*

Orientation:

- *Modern design*
- *Lacks sufficient beds*
- *Unable to split inmates properly*
- *Lack of processing space*

General:

- *Too much burden on central control*
- *Path to visitation is lengthy*
- *Laundry is poorly placed*
- *Medical poorly located on upper floor*
- *Yard access needs to be consolidated*

An exam room in the North Dakota State Penitentiary

CREATING A FACILITY MASTER PLAN

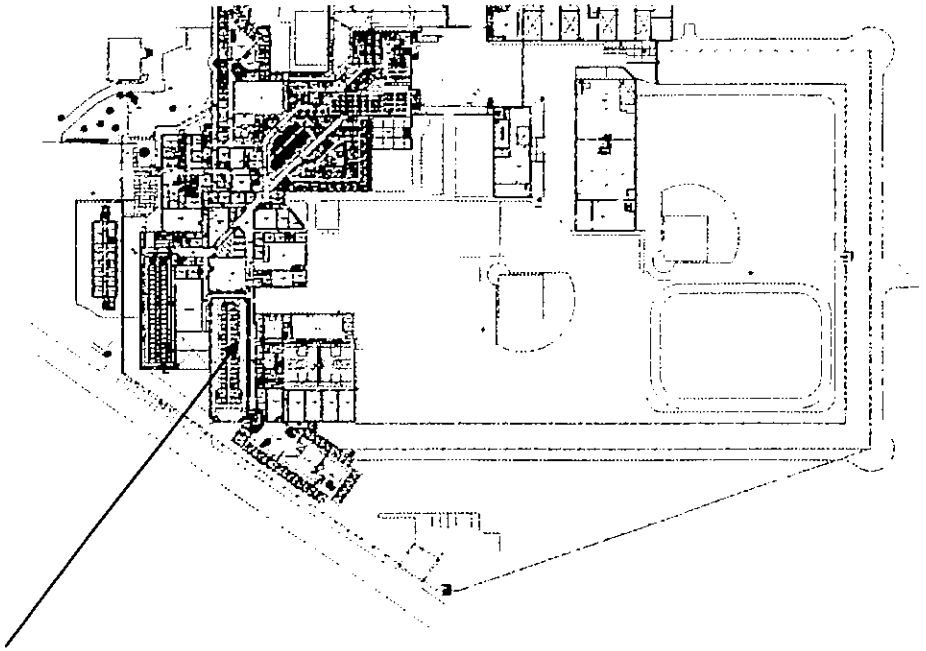
Members of the consulting team, with the prison administration and staff, corrections department administration staff and others jointly determined a course of action based on the following:

- Repair and alteration needs
- Expansion for immediate needs
- Expansion for 10 year horizon

The final document:

- Defines operations and user requirements
- Delineates a conceptual approach to site adaptation (integration into master plan or existing facilities)
- Describes the technical basis of design
- Creates a schedule for the design phase with key milestones
- Identifies the project budget(s)
- Assesses impacts of facilities on staffing and other operational issues

This document is intended to be a working document to assist the North Dakota Department of Corrections make informed decisions about its prison facilities today and in the future.



Existing East Cellhouse
to be studied

Existing facility site plan

North Dakota Penitentiary Building Project
Planning and Programming
East Cell house Removal and Expansion of Specialized Facilities

2 System Assessment and Existing

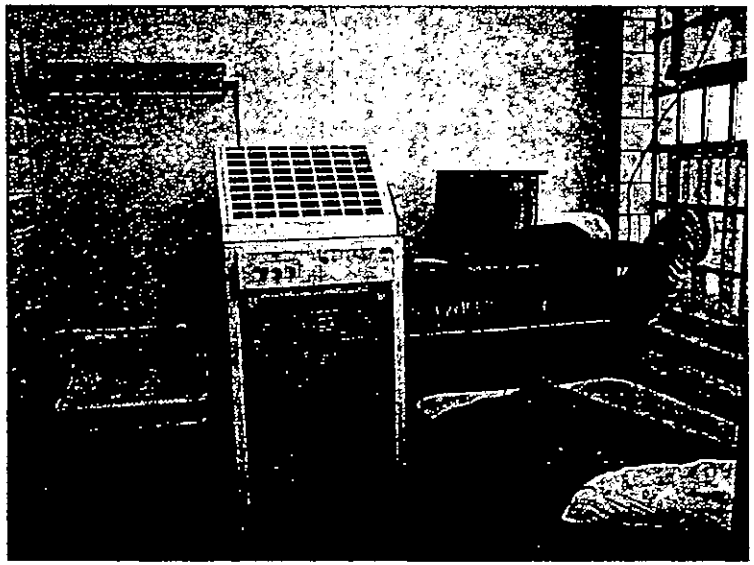
A view of the East Cell house at the North Dakota State Penitentiary

BED NEEDS & PROJECTIONS

Over the past fifteen years citizens have demanded their legislators and law enforcement leaders at all levels of government develop effective strategies to reduce crime and ensure public safety. Historically, whether crime rates rose or fell, rates of imprisonment continued to increase progressively. This phenomenon is usually explained by asserting that as the attitude of the public toward crime has become tougher, government officials have responded by escalating the severity of punishments and by enacting increasingly harsher policies. We have witnessed numerous efforts from increased law enforcement funding to mandatory sentencing requirements among many others. This has placed a burden on the detention and correctional systems throughout the United States. From 1990 to 2006 the population in the prison division has tripled.

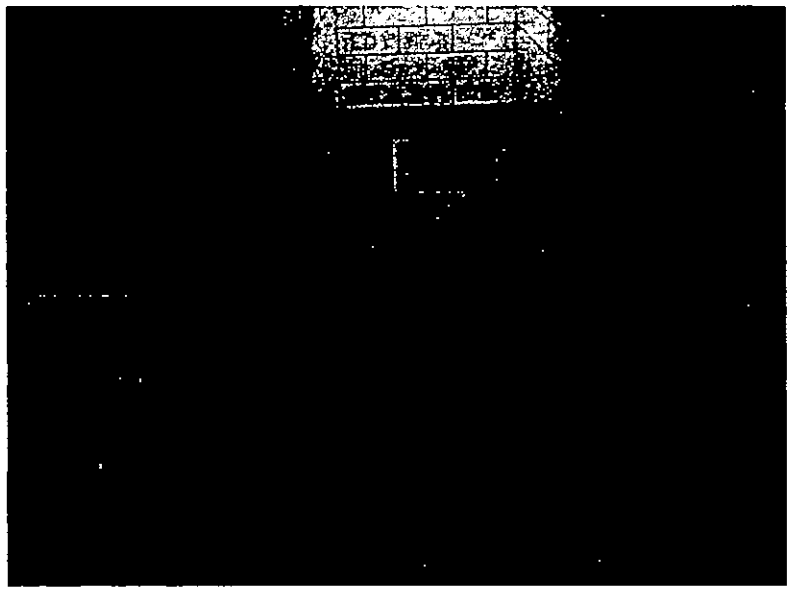
Factors include:

- **Methamphetamine use-** The upper Midwest, in particular, the Dakotas, Iowa, Minnesota, Nebraska as well as other states, have a seen a sharp rise in the production, sale and use of 'homemade' methamphetamine, or meth, in recent years. Meth can be easily produced using readily available materials (such as anhydrous ammonia, commonly found on farms), and is often made in 'labs' in remote, agricultural areas. The recently depressed economy contributed to people using meth production as an alternative means of income, and meth use is a increasingly common method of 'suspending reality' among it's users. Meth is a highly addictive substance that takes a very heavy toll physically and mentally on it's users, two other burdens that get transferred to the corrections system.



Inmates with addictions and acute medical needs are housed in medical rooms such as this, with poor ventilation and security systems.

- **Older population-** Partially due to stiffer sentences, and more focus on identifying and arresting sex offenders, the department is faced with more geriatric and special needs inmates. As a result of that, the types of beds and services required to serve this emerging population are not currently present or adequate. The requirements impact the infirmary, the clinic, the pharmacy, and other elements of inmate services. Additionally, the current location of the medical areas are very poor and need to be evaluated.



Areas like this stairway lie far short of being accessible. This stairway, in fact, serves as the pathway for bringing inmates on stretchers

- **Violent population-** More and more, especially with tougher sentencing, there is more and more of population prone to violence, acting out, or other means of being uncooperative and difficult to manage. Therefore, the needs for special beds, both in terms of orientation and disciplinary

segregation are more and more in demand. Again, the current facility is not well set up to meet these increasing demands.

- **Exported inmates are 'easier inmates'**- The meaning of this is that the state is currently so over-capacity in it's inmate population that is sending a number of inmates to other facilities and paying a *per diem* for their incarceration. Unfortunately, based on the *per diem* agreements, the boarding facilities often invoke the right to 'send back' problem inmates, or inmates that have medical or psychological issues. The state, in turn, gets an 'at home' inmate population with a higher percentage of special needs that it is, again, currently ill-equipped to manage.

  Through November 2006 there are 118 male inmates currently living outside the division facilities.

- **Need for improved medical facilities** - In addition to the amount indicated above, it is also estimated that over $1.3 million per year is spent at local Bismarck hospitals to accommodate medical needs of the state pen. While under the best circumstances there would remain a need to use local medical facilities for surgeries and other specialized acute care, the instance of this use would be far less with modern medical facilities onsite. In addition, the need for security escort and transportation would be dramatically reduced as well.

- **Many cells do not meet standards-** Especially the oldest active part of the facility, the East Cell house. These cells are too small, do not offer services and required daylight per current American Correctional Association standards. Further, significant portions of the facilities do not meet American Disabilities Act standards, alarmingly including the medical facilities. This puts additional pressure on the system, demanding more beds that the system does not currently provide.

East Cell house cell fronts and corridor. Open bars and cramped cells do not meet current standards for noise, light and space.

The total population on January 1, 2007 of 1,238 inmates compares with current systems overall rated capacity for male beds of 1,011 beds. (Rated capacity may be exceeded in a given institution by increased double-bunking and other strategies). In fact, current population levels are actually outpacing the department's projections.

Based on these number projections, the following chart indicates the number of beds being modified, and their type:

Department of Corrections and Rehabilitation State Penitentiary - East Cell House Project Net Bed Gain / Loss			
	Present	Project Complete	Gain / (Loss)
Permanent Beds			
North Unit (Orientation)	66	-	(66)
North Unit (General)	-	67	67
East	159	-	(159)
West	60	120	60
Admin Seg	60	-	(60)
South	87	87	-
Treatment	60	60	-
Overflow	31	37	6
Segregation	-	90	90
Chronic Care	-	10	10
New Housing Unit (General Housing / Orientation)	-	300	300
Total Permanent Beds	**523**	**771**	**248**
Temporary Beds			
DD - Infirmary	7	-	(7)
DD - Overflow	4	-	(4)
Detention - North Unit	4	4	-
Detention - Infirmary	2	-	(2)
Observation	4	4	-
Seg - Medical	-	1	1
Infirmary	5	10	5
2nd Floor PC	-	-	-
Isolation	1	4	3
Total Temporary Beds	**27**	**23**	**(4)**
Total NDSP Beds	**550**	**794**	**244**

North Dakota Penitentiary Building Project

Planning and Programming

East Cell house Removal and Expansion of Specialized Facilities

3 Recommended Solution

Taking everything into account, regarding the bed needs, the team, including the administrative, security and operational staff spent approximately four months working intensely on the addition of the special needs beds necessary to serve the facility's purposes and make the elimination of the antiquated East Cell house possible.

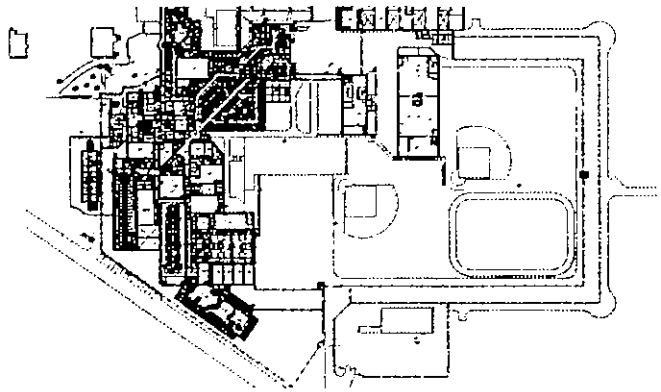
In each case, the location of specific facilities was carefully considered in terms of their ability to best serve the entire facility. Further, a plan was devised to actually determine that certain construction elements needed to be built, their relative impact on the overall facility.

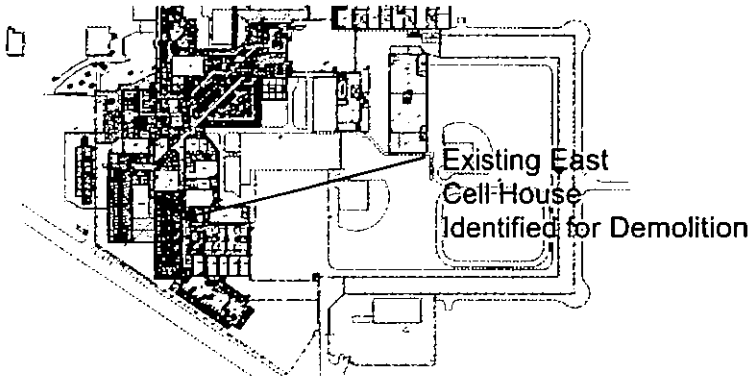
It would be recommended to build out all of the identified elements at one time, saving time, money and overhead costs.

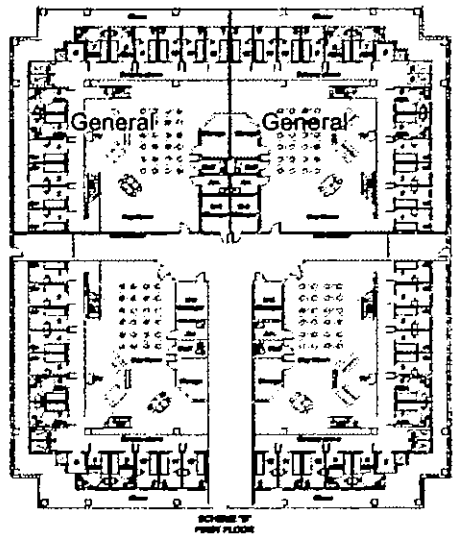
Existing facility site plan

The first element of reconfiguring the beds is to build out the new orientation building and move the inmates from the existing 66-bed (North) unit into the new one. The North unit then becomes a general housing unit, providing space for 66 new general housing beds. The new orientation building provides 75 orientation beds, and 225 new general housing beds. In addition, the proposed of the project would include new infirmary beds, allowing the closing of existing medical beds, which are terribly inadequate.

The construction of the new segregation building allows for the demolition of the east cell house. This demolition would make room for new housing, or other centrally located inmate service building.







As indicated earlier, the east Cell house was built in the early 1900's and is no longer considered adequate for its purpose. It contains 167 beds that need to be relocated within the facility, either in new or existing buildings.

The first move would be the relocation of the south guard tower, and demolition of the existing warehouse. This would allow a consolidated south vehicle entrance, eliminating the need for others, with the exception of the kitchen loading dock entrance. All other vehicle access, including law enforcement, fire and ambulance service will enter in the new south sallyport.

Construct new orientation housing, processing and transfer services adjacent to the south vehicle sallyport. This will provide new beds to be utilized in the facility. The new orientation housing will be maximum security in its construction, and will be arranged in four separate pods, each having it's own purpose at the facility.

Also included will be the Orientation processing center. All entry, exit and transfer activities for the entire facility will be centered in this facility, with emphasis on prescreening of inmates for medical and psychological special needs.

The orientation processing facility will include staging, showers, property exchange, identification, health and mental health screening and initial information regarding rules and regulations at the facility. The transfer area includes waiting and storage of handcuffs and leg irons for transport of inmates.

Orientation Housing Building, includes 2 pods dedicated to orientation at 50 and 25 beds each (on a pod double-bunked, one pod single-bunked), and 2 pods that would be general housing in their first configuration, housing 100 beds. They would be converted to orientation beds in the future as capacity increased.

Additionally, during the winter of 2006 the Department of Corrections and Rehabilitation entered a strategic planning process to proactively address the needs and requirements anticipated to occur over the next ten years and develop a plan to meet the identified needs.

During the planning session it became evident that additional cells space would be necessary if long range population growth estimates would become a reality. Plans and estimates for an additional 125 beds were prepared using the same design and space formulas detailed throughout this report.

The medical clinic will be at the center of facility where all inmate activity crosses, and where response time is kept to a minimum throughout the entire facility. The

clinic will house medical staff, medical records and a pharmacy where a service window for pill distribution will be located off of a main corridor.

The new clinic will include staff offices, medical records, trauma rooms and exam rooms, x-ray facilities, physical rehabilitation facilities and other needed functions. The facilities will include state-of-the-art equipment and finish materials. Zoning takes place within the unit to maximize separation of inmates from staff, and keeps records and pharmaceuticals at maximum security. Inmate privacy is strictly maintained in this unit with secure walls and doors.
The infirmary should be located adjacent to the clinic, to maximize efficiency of medical staff. The infirmary is also close to orientation and orientation processing, linked by a corridor that connects this area to the south entrance into the facility. This makes the infirmary adjacent to ambulance access.

The infirmary includes 10 acute care beds, 10 long-term care beds and special needs beds, including psychiatric observation. The beds are arranged in a way that they can swing where if there are more of one kind required than another, they can be accommodated.

Segregation is arranged to be remote from the rest of the inmate population, and close to the facility vehicle sallyport.

Required natural light to cells is provided by security windows into each cell through semi-opaque glass, not allowing any view to the outside for segregation inmates. Segregation inmates are further isolated by having no electrical or television in their cells, and their shower privileges are unescorted and timed.

Segregation will house 90 single-bed cells. Each unit will have its own showers and its own link to outdoor exercise.

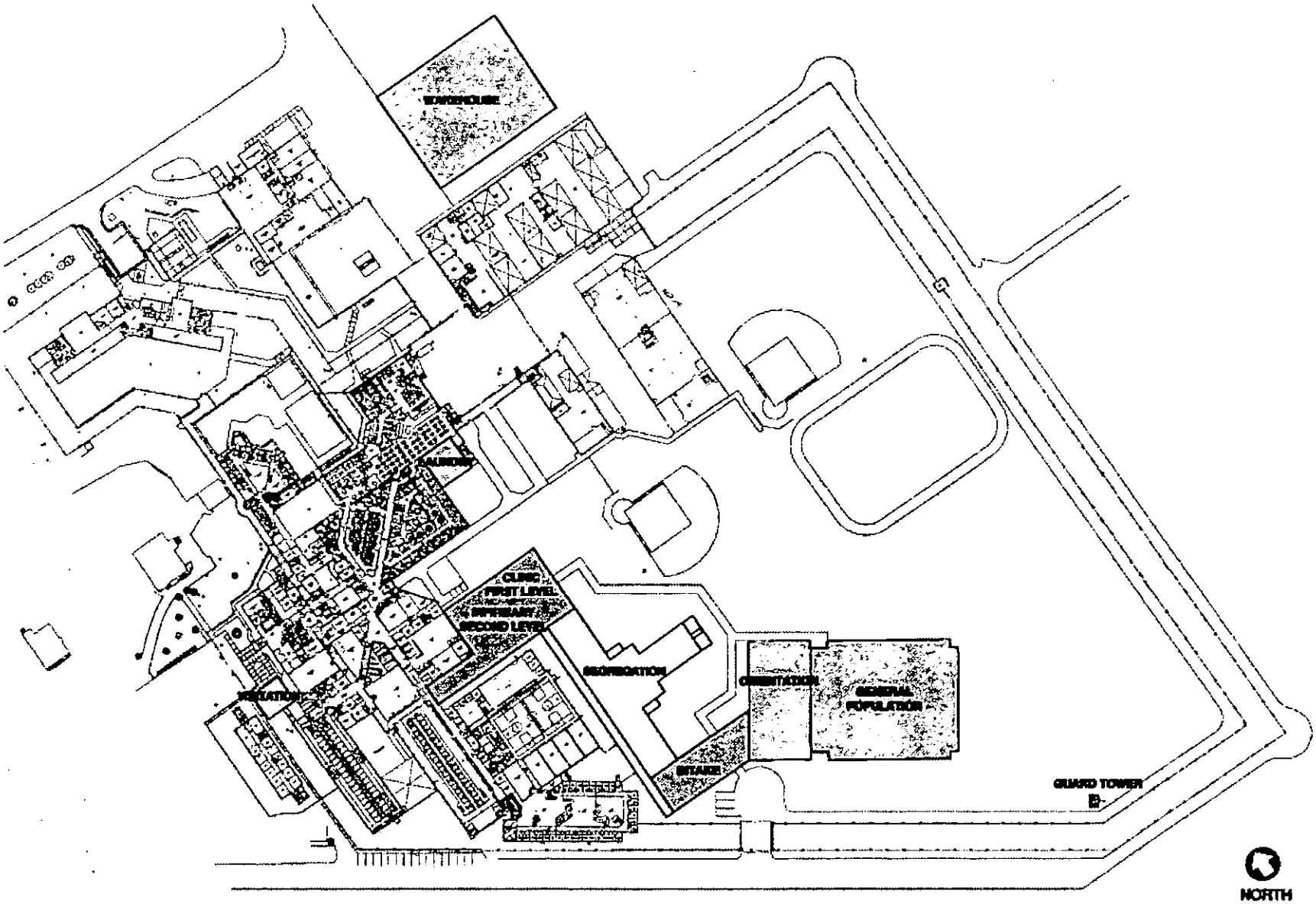
A new visitor's center is being recommended to alleviate activity at central control and to simplify the entry sequence into facility for visitors and staff. This new element would include video visiting technology, which would further save staff time used for processing visitors into the facility.

The new laundry facility would be located near the kitchen loading dock area, and be more isolated than the existing laundry setup. This would take laundry out of the center of the facility, where a lot of activity takes place, and allow other, more important functions to take place at the center of the facility.

The footprint required to build proposed square footage will necessitate the removal of the existing DOCR Purchasing and Receiving building. The replacement building will be located on site in an area easily accessible to delivery vehicle and will increase storage space by adding additional square footage to allow for commodity store outside the secure perimeter. Improved security design to limit contraband from entering the facilities will solve existing warehouse shortcomings.

The final phase would be demolition and removal of the existing east Cell house.

The following page indicates a suggested conceptual layout for the facility.


WAREHOUSE
LAUNDRY
CLINIC
FIRST LEVEL
INFIRMARY
SECOND LEVEL
SEGREGATION
ORIENTATION
GENERAL POPULATION
INTAKE
GUARD TOWER
B
NORTH

North Dakota Penitentiary Program Analysis

		Net SF	Gross Factor	Adj. Gross	$/s.f.	$
Visitor's Lobby		1,775	1.40	2,485	$ 200	$ 497,000
Orientation	175 beds	22,435	1.80	40,418	$ 236	$ 9,523,054
General Housing Beds	125 beds	11,405	1.90	21,670	$ 245	$ 5,309,028
Central Warehouse		15,000	1.33	19,995	$ 110	$ 2,199,450
Medical *Clinic, Dental, X-Ray, Infirmary, Administration*		12,485	1.69	21,083	$ 238	$ 5,018,296
Special Housing- *Segregation*	92 beds	10,485	2.00	20,970	$ 250	$ 5,242,500
Laundry		3,235	1.40	4,529	$ 195	$ 883,155
Guard Tower		100	1.30	130	$ 2,352	$ 305,760
Building Totals		76,920	1.71	131,280	$ 221	$ 28,978,243
Demolition						$ 1,800,000
Site Work, including parking						$ 2,300,000
Construction Sub-total					$ 252	$ 33,078,243
Contingency			10%			$ 3,307,824
Construction Total						$ 36,386,067
Fees and Misc.			10%			$ 3,246,059
Fixtures, Furnishings and Equipment			6%			$ 1,984,695
Project Total						$ 41,616,821

The above chart represents our opinion of the likely costs of the new facility, if construction is bid in 2008. This includes all of the buildings indicated in the report, and further considers local pricing trends, national corrections pricing trends, and constructing in an existing, operating, secure corrections facility. This also includes a minimum 10% contingency, demolition costs, and other paving and fence work required for this project. This also takes into account staging and phasing for each part of this project, as all construction cannot take place at one time. The $252 per square foot represents an average for construction of this type at this time. The construction total would be $33.1 million. Adding contingency, design fees and testing, and uninstalled furniture, fixtures and equipment adds about $8.5 million to the total, making the total project budget $41.6 million.

Attachment D
1/5/07

NDSP Bldg Project	Sq. Ft.	$ / Sq. Ft.	$	New Construction	Sq. Ft.	$ / Sq. Ft.	$
DOCR Administration Building	n/a	n/a	n/a	DOCR Administration Building	6,028	$ 135	$ 813,746
Prison Administration Building	n/a	n/a	n/a	Administration Building	10,611	$ 160	$ 1,697,760
Visitor's Lobby	2,485	$ 200	$ 497,000	Facility Operations / Visiting	11,733	$ 190	$ 2,229,175
Medical	21,083	$ 238	$ 5,018,296	Medical	21,083	$ 236	$ 4,981,273
Housing - Minimum	n/a	n/a	n/a	Housing - Minimum	28,464	$ 155	$ 4,411,920
Housing - Medium / Maximum				Housing - Medium / Maximum			
Orientation	40,418	$ 236	$ 9,523,054	Medium	59,184	$ 240	$ 14,204,160
General	21,670	$ 245	$ 5,309,028	Maximum	59,997	$ 250	$ 14,999,200
Total Med / Max	62,088	$ 239	$ 14,832,082	Total Med / Max	119,181	$ 245	$ 29,203,360
Housing - Admin. Segregation	20,970	$ 250	$ 5,242,500	Housing - Admin. Segregation	18,914	$ 250	$ 4,728,500
Central Warehouse	19,995	$ 110	$ 2,199,450	Central Warehouse	19,995	$ 110	$ 2,199,487
Laundry	4,529	$ 195	$ 883,155	Laundry / Food Services	35,009	$ 203	$ 7,112,229
Guard Tower	130	$ 2,352	$ 305,760	Observation Tower	910	$ 2,352	$ 2,140,320
Programs - Education, Library, Chapel	n/a	n/a	n/a	Programs - Education, Library, Chapel	32,607	$ 175	$ 5,706,138
Recreation	n/a	n/a	n/a	Recreation	12,594	$ 145	$ 1,826,094
Industries	n/a	n/a	n/a	Industries	73,190	$ 135	$ 9,880,650
Maintenance	n/a	n/a	n/a	Maintenance	4,631	$ 150	$ 694,688
Energy Plant	n/a	n/a	n/a	Energy Plant	15,400	$ 300	$ 4,620,000

Motor Pool	n/a	n/a	n/a		Motor Pool	3,972	$ 150	$ 595,800
Training Bldg / Armory	n/a	n/a	n/a		Training Bldg / Armory	2,280	$ 150	$ 342,000
Building Totals	**131,280**	**$ 221**	**$ 28,978,243**		**Building Totals**	**410,574**	**$ 203**	**$ 83,183,140**
Demolition			$ 1,800,000		Demolition			n/a
Site Work			$ 2,300,000		Site Work			$ 8,200,000
Water Tank			n/a		Water Tank			$ 900,000
Total Construction Costs			**$ 33,078,243**		**Total Construction Costs**			**$ 92,283,140**
Contingency - 10%			$ 3,307,824		Contingency - 10%			$ 9,228,314
Furniture, Fixtures, Equip - 6%			$ 1,984,695		Furniture, Fixtures, Equip - 8%			$ 7,382,651
A/E Fees, Expenses, Testing - 9.8%			$ 3,246,059		A/E Fees, Expenses, Testing - 8%			$ 7,382,651
Total Non-Construction Costs			**$ 8,538,578**		**Total Non-Construction Costs**			**$ 23,993,616**
Total Project Costs			**$ 41,616,821**		**Total Project Costs**			**$ 116,276,756**

Department of Corrections and Rehabilitation
State Penitentiary - East Cell House Project
Net Bed Gain / Loss

	Present	Project Complete	Gain / (Loss)
Permanent Beds			
North Unit (Orientation)	66	-	(66)
North Unit (General)	-	67	67
East	159	-	(159)
West	60	120	60
Admin Seg	60	-	(60)
South	87	87	-
Treatment	60	60	-
Overflow	31	37	6
Segregation	-	90	90
Chronic Care	-	10	10
New Housing Unit (General Housing / Orientation)	-	300	300
Total Permanent Beds	**523**	**771**	**248**
Temporary Beds			
DD - Infirmary	7	-	(7)
DD - Overflow	4	-	(4)
Detention - North Unit	4	4	-
Detention - Infirmary	2	-	(2)
Observation	4	4	-
Seg - Medical	-	1	1
Infirmary	5	10	5
2nd Floor PC	-	-	-
Isolation	1	4	3
Total Temporary Beds	**27**	**23**	**(4)**
Total NDSP Beds	**550**	**794**	**244**

Fact Sheet Regarding Penitentiary Options

Building on Site

- **Cost**
  - $ 41.6 Million
- **Infrastructure**
  - Tear down East Cell Block and build to include:
    - Prisoner Housing
      - Medium/Maximum
      - Orientation
    - Segregation Unit
    - Infirmary
    - Central Warehouse
    - Laundry
    - Visitor's Lobby
    - Guard Tower
- **Capacity**
  - 944 total beds
    - Includes 794 on current site plus 150 located at Missouri River Correctional Facility
  - Missouri River Correctional Facility's 150 beds could be relocated to site for $ 6 million.
- Makes use of existing facilities, including Rough Rider Industries.
- Many buildings less than 25 years old:
  - Program Bldg – 1992
  - Food Services – 1992
  - Education – 1990
  - North Unit – 1987
  - South Unit – 1986
  - RRI Metal Shop/Guard Tower –1982
  - Power Plant / Chiller Bldg – 1982/87
  - Treatment – 1982
  - Visiting - 1983
- Expandable and serviceable for same amount of time. New building uses "pod concept."
- Saves 1 correctional officer per shift with current prison population.
- New pod will be 15% more energy efficient than existing East Cell Block.
- Would improve safety by improving line of sight and reducing number of stairs and floor levels.

Completely New Facility

- **Cost**
  - $ 116.2 Million
    - Does not include:
      - $ 6 million demolition cost
      - New site acquisition cost
      - Sale of proceeds for old site
- **Infrastructure**
  - Build entirely new prison complex.
  - No new unique facilities
  - Current cost estimate limits site location to within or very close to Bismarck city limits because new site would need to access Bismarck utilities.
- **Capacity**
  - 950 beds
    - Includes: Minimum, Medium, Maximum
- Expandable and serviceable for same amount of time. Uses "pod concept."
- Saves 3 correctional officers per shift with current prison population.
- Energy savings would depend on new negotiated electrical rates, water service, and sewage disposal.
  - Would use the same heating fuel source (coal) as current penitentiary.
  - Electric efficiency would increase approximately 25%.
- Would improve safety over current penitentiary by using newer "pod concept."

New Building on Site	Sq. Ft.	$	Completely New Facility	Sq. Ft.	$
DOCR Administration Building	n/a	n/a	DOCR Administration Building	6,028	$ 813,746
[redacted] Administration Building	n/a	n/a	Administration Building	10,611	$ 1,697,760
Visitor's Lobby	2,485	$ 497,000	Facility Operations / Visiting	11,733	$ 2,229,175
Medical (Infirmary)	21,083	$ 5,018,296	Medical	21,083	$ 4,981,273
Housing - Minimum	n/a	n/a	Housing - Minimum	28,464	$ 4,411,920
Housing - Medium / Maximum			Housing - Medium / Maximum		
Orientation	40,418	$ 9,523,054	Medium	59,184	$ 14,204,160
General	21,670	$ 5,309,028	Maximum	59,997	$ 14,999,200
Total Med / Max	62,088	$ 14,832,082	Total Med / Max	119,181	$ 29,203,360
Housing - Admin. Segregation	20,970	$ 5,242,500	Housing - Admin. Segregation	18,914	$ 4,728,500
Central Warehouse	19,995	$ 2,199,450	Central Warehouse	19,995	$ 2,199,487
Laundry	4,529	$ 883,155	Laundry / Food Services	35,009	$ 7,112,229
Guard Tower	130	$ 305,760	Observation Tower	910	$ 2,140,320
Programs - Education, Library, Chapel	n/a	n/a	Programs - Education, Library, Chapel	32,607	$ 5,706,138
Recreation	n/a	n/a	Recreation	12,594	$ 1,826,094
Industries	n/a	n/a	Industries	73,190	$ 9,880,650
[redacted]enance	n/a	n/a	Maintenance	4,631	$ 694,688
Energy Plant	n/a	n/a	Energy Plant	15,400	$ 4,620,000
Motor Pool	n/a	n/a	Motor Pool	3,972	$ 595,800
Training Bldg / Armory	n/a	n/a	Training Bldg / Armory	2,280	$ 342,000
Building Totals	**131,280**	**$ 28,978,243**	**Building Totals**	**410,574**	**$ 83,183,140**
Demolition		$ 1,800,000	Demolition		n/a
Site Work		$ 2,300,000	Site Work		$ 8,200,000
Water Tank		n/a	Water Tank		$ 900,000
Total Construction Costs		**$ 33,078,243**	**Total Construction Costs**		**$ 92,283,140**
Contingency - 10%		$ 3,307,824	Contingency - 10%		$ 9,228,314
Furniture, Fixtures, Equip - 6%		$ 1,984,695	Furniture, Fixtures, Equip - 8%		$ 7,382,651
A/E Fees, Expenses, Testing - 9.8%		$ 3,246,059	A/E Fees, Expenses, Testing - 8%		$ 7,382,651
Total Non-Construction Costs		**$ 8,538,578**	**Total Non-Construction Costs**		**$ 23,993,616**
Total Project Costs		**$ 41,616,821**	**Total Project Costs**		**$ 116,276,756**

NDSP Building Project	NDSP Building Project Estimated Cost - 10 year	NDSP Building Project / Relocate MRCC - Estimated Cost - 10 year	House Building Project Estimated Cost - 10 year	Status Quo - No Building Project Estimated Cost - 10 year
Total Project Cost \2	42,000,000	48,000,000	65,000,000	-
Less:				
Life Safety / Risk Management \2	(21,358,371)	(21,358,371)	(21,358,371)	-
Remaining Project Cost	20,641,629	26,641,629	43,641,629	-
10 year XO Repairs - NDSP	6,079,856	6,079,856	3,613,325	8,542,156
10 year XO Repairs - MRCC	1,094,000	-	-	1,094,000
Multi-Purpose Bldg - MRCC	2,700,000	-	-	2,700,000
Additional Security Staff - 41 FTE	12,696,625	12,696,625	12,696,625	-
NDSP Food Cost	9,951,800	12,094,674	12,094,674	7,492,669
MRCC Food Cost	2,142,874	-	-	2,142,874
DOCR Medical Cost - (Male)	67,260,462	67,260,462	67,260,462	63,381,042
NDSP Utilities	6,917,902	9,326,783	8,375,650	7,507,480
MRCC Utilities	1,160,474	-	-	1,160,474
DOCR Contract Housing - (Male)	4,567,837	4,567,837	4,567,837	55,954,720
Boarder Revenue - 25 inmates	(4,353,699)	(4,353,699)	(4,353,699)	
Sale of Land - MRCC	-	(7,850,000)	(7,850,000)	-
Total Cost - Less Life Safety and Risk Management	**130,859,760**	**126,464,168**	**140,046,504**	**149,975,414**

\1 - Estimated project costs if approved for the 2007-09 biennium. If construction is delayed to future biennia, project costs are estimated to increase 7% per year.

	NDSP Building Project	NDSP Building Project / Relocate MRCC	House Building Project
2009 - 2011	**48,085,800**	**54,955,200**	**74,418,500**
2011 - 2013	**55,053,432**	**62,918,208**	**85,201,741**
2013 - 2015	**63,030,675**	**72,035,057**	**97,547,473**
2015 - 2017	**72,163,820**	**82,472,937**	**111,682,102**

\2 - Cost to construct new infirmary, east cell-house replacement and administrative segregation unit, and cost to demolish existing east cell-house

NOTE:

Transportation costs are not estimated in the above schedule due to the uncertainty regarding housing options. Transportation costs and staff levels are highly dependent upon the location of available prison beds. Under the Status Quo scenario noted above, transportation costs are likely to involve a material increase in staffing and costs.

Con[redacted]ousing - For the purpose of this schedule, it is assumed that N[redacted]nty jails would have a maximum capacity of 100 beds available t[redacted] DOCR. Numbers in excess of 100 would be housed in a private prison facility. No facility has been identified. Estimated daily rates are noted in attached supporting documents.

Medical - For the purpose of this schedule, it is assumed that inmates housed in private prison facilities would access necessary health care through the facility in which they are located. This assumption only affects the Status Quo scenario. Medical costs under this scenario are included in the estimated daily rate. It is important to note, the amount estimated for medical is based on DOCR history. It is likely that the costs to provide medical services to these inmates will be much higher than the estimate.

Parole Rates- For the purpose of this schedule, it is assumed that parole rates will be negatively affected under the Status Quo scenario. Under this scenario a large number of inmates are projected to be housed out-of-state in a private prison facility. As a result those inmates will not be able to access programming that is key to obtaining parole.

	Est. Average # of Paroles / Building Project	Est. Average # of Paroles / Status Quo
2007 - 2009	342	342
2009 - 2011	364	363
2011 - 2013	387	371
2010 - 2009	410	377
2011 - 2009	433	382

East Cell House - For the purpose of this schedule, under the Status Quo scenario it is assumed that the east cell house would remain in service through the 2015 - 2017 biennium.

Boarder Revenue - For the purpose of this schedule, boarder revenue represents the revenue generated via the contract of housing of 25 out-of-state and/or federal inmates by the DOCR at the following estimated daily rates: 2009-11 - $75.64; 2011-13 - $79.42; 2013-15 - $83.39. Under all building project scenarios, the DOCR, on average, would have 83 vacant prison beds for the period 7/2009 thru 6/2015.

Life Safety / Risk Management			
NDSP Bldg Project	**Sq. Ft.**	**$ / Sq. Ft.**	**$**
DOCR Administration Building	n/a	n/a	n/a
Prison Administration Building	n/a	n/a	n/a
Visitor's Lobby			
Medical	21,083	$ 238	$ 5,018,296
Housing - Minimum	n/a	n/a	n/a
Housing - Medium / Maximum			
Orientation			
General	15,410	$ 245	$ 3,775,450
Total Med / Max	15,410	$ 245	$ 3,775,450
Housing - Admin. Segregation	20,970	$ 250	$ 5,242,500
Central Warehouse			
Laundry			
Guard Tower			
Programs - Education, Library, Chapel	n/a	n/a	n/a
Recreation	n/a	n/a	n/a
Industries	n/a	n/a	n/a
Maintenance	n/a	n/a	n/a
Energy Plant	n/a	n/a	n/a

Motor Pool	n/a	n/a	n/a
Training Bldg / Armory	n/a	n/a	n/a
Building Totals	**57,463**	**$ 244**	**$ 14,036,246**
Demolition			$ 1,800,000
Site Work			$ 1,140,000
Water Tank			n/a
Total Construction Costs			**$ 16,976,246**
Contingency - 10%			$ 1,697,625
Furniture, Fixtures, Equip - 6%			$ 1,018,575
A/E Fees, Expenses, Testing - 9.8%			$ 1,665,926
Total Non-Construction Costs			**$ 4,382,125**
Total Project Costs			**$ 21,358,371**

North Dakota State Penitentiary

Extraordinary Projects		2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Energy Retrofit-Matching Funds		$ 15,000.00	$ 15,900.00	$ 16,854.00	$ 17,865.00	$ 18,950.00
Steel Cell Furniture General Population		$ 58,500.00	$ 33,600.00			
Main Control Room Renovation-Upgrade			$ 600,000.00			
Visiting Room Relocation and Administrative Remodel	x		$ 1,089,000.00			
ECH Plumbing Flush Valves, Vac Breakers	x			$ 88,800.00		
Additional AS Cells- Hardened Steel Doors	x		$ 187,500.00			
Replumbing WCH					$ 44,000.00	
Master Plan Prisons Division		$ 200,000.00				
Perimeter Security Surveillance, Fence Shaker, Microwave		$ 80,000.00	$ 84,800.00	$ 45,000.00	$ 40,000.00	$ 40,000.00
	Total	**$ 353,500.00**	**$ 2,010,800.00**	**$ 150,654.00**	**$ 101,865.00**	**$ 58,950.00**

Building Repairs and Equipment		2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Replace Summer Boiler		$ 153,000.00				
Roof Repairs		$ 45,000.00	$ 47,700.00	$ 50,562.00	$ 53,595.00	$ 56,800.00
Chiller Overhaul					$ 26,000.00	
Video Network and Surveillance Upgrade		$ 80,000.00	$ 50,000.00	$ 35,000.00	$ 20,000.00	$ 20,000.00
Yard Expansion			$ 600,000.00			
Analog to Digital-Energy Management		$ 18,000.00	$ 24,000.00	$ 25,440.00		
Htg. & Cooling Equipment Replacement, (varies)		$ 15,000.00	$ 20,000.00	$ 22,000.00	$ 24,000.00	$ 26,000.00
Elevator Upgrade-Controls-Hydraulics	x		$ 42,000.00			
ADA, ECU, 8 accessible cells added	x		$ 260,000.00			
ADA Accessibility, Overflow Unit, and D D	x		$ 75,000.00			
ADA Issues, DOCR Building,Ramp & Stair Tower		$ 385,000.00				
ADA Issues, Medical Unit	x		$ 220,000.00			
ACA Stadard Compliance, S.F., Decibels,Natural Light	x	$ 80,000.00	$ 55,000.00			
Life Safety - Addressible Detection - Suppression			$ 25,000.00	$ 27,500.00		
Building Tuck Point and Caulk	x	$ 38,000.00				
North and South Sally Port Retrofit				$ 82,000.00		$ 56,000.00
Laundry Equipment Replacement	x		$ 142,000.00			
Heating system upgrade, Admin. Building	x		$ 185,000.00			
Window replacement, EU, WU and Admin. Building			$ 96,000.00	$ 215,000.00	$ 18,000.00	
Repairs to Wardens House		$ 260,000.00				
	Total	**$ 1,074,000.00**	**$ 1,841,700.00**	**$ 457,502.00**	**$ 141,595.00**	**$ 158,800.00**

Infrastructure	2007-2009	2009-2011	2011-2013	2013-2015	2015-2017

North Dakota State Penitentiary

Sewer Line Replacement			$	72,000.00						
Water SVC Replacement and Double Loop	$	78,000.00								
Video Network Backbone	$	55,000.00								
Elec. Service Upgrades-Primary to Buildings			$	15,000.00	$	18,000.00	$	22,000.00		
Parking Lot Expansion			$	720,000.00						
Perimeter Lighting			$	216,000.00						
Lift Station Upgrade & and Emergency Gen.			$	180,000.00						
Standby Gen. Switch Gear (rate reduction) and Overhaul	$	300,000.00	$	46,000.00						
Road and Parking Lot Maintenance	$	7,500.00	$	8,250.00	$	9,075.00	$	9,985.00	$	10,980.00
Move Communications Equip. Room to Secure Vault					$	425,000.00				
Total	**$**	**440,500.00**	**$**	**1,257,250.00**	**$**	**452,075.00**	**$**	**31,985.00**	**$**	**10,980.00**

NOTE (x) Indicates a project that would not be required if the East Cell House Replacement Project would be funded.

Extraordinary Projects		2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Fenced Perimeter,16 ft. + 3 razor			$ 227,000.00			
Perimeter Lighting			$ 68,000.00			
Treatment Building Code Renovations				$ 42,000.00		
Building Demo and Site Cleanup					$ 35,000.00	$ 20,000.00
Lighting-Kitchen, and Dining	x		$ 22,000.00			
Range Hood Replacement	x		$ 18,000.00			
Move Walk-in Cooler to Outside	x		$ 19,000.00			
	Total	$	$ 354,000.00	$ 42,000.00	$ 35,000.00	$ 20,000.00

Building Repairs and Equipment		2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Roof Repairs		$ 8,000.00	$ 8,000.00	$ 15,000.00		
Boiler Replacement					$ 8,500.00	
Life Safety- Addressable Detection			$ 22,000.00	$ 28,000.00		
Heat Pump Replacement		$ 12,000.00	$ 12,000.00	$ 15,000.00	$ 6,000.00	$ 6,000.00
Survellence Cameras			$ 24,000.00	$ 6,000.00	$ 6,000.00	$ 65,000.00
	Total	$ 20,000.00	$ 66,000.00	$ 64,000.00	$ 20,500.00	$ 71,000.00

Infrastructure		2007-2009	2009-2011	2011-2013	2013-2015	2015-2017
Pave Road to MRCC		$ 92,000.00				
High Voltage Power Distribution			$ 45,000.00			
CCTV Network Backbone	#	$ 18,000.00				
Generator Power to All Buildings				$ 52,000.00		
Road and Parking Lot Maintenance		$ 3,000.00	$ 8,000.00	$ 8,500.00	$ 9,000.00	$ 95,000.00
Entire Facility on City Water			$ 71,000.00			
	Total	$ 113,000.00	$ 124,000.00	$ 60,500.00	$ 9,000.00	$ 95,000.00

(x) indicates a project that would not be required if the Muli-Purpose Building Project would be funded.
(#) Indicate project that may be funded with grant dollars.

NDSP Building Project - Additional Security Staff
Estimate - 10 Year

		SALARY & FRINGE					
Position Description	**FTE**	**2007-09**	**2009-11**	**2011-13**	**2013-15**	**2015-17**	**Total**
Unit Manager \1	1.0	-	107,404	111,743	116,257	120,954	456,359
Case Manager \2	2.0	-	170,482	177,370	184,536	191,991	724,379
Case Worker \3	6.0	-	490,989	510,825	531,463	552,934	2,086,211
Correctional Officer \4	32.0	-	2,219,272	2,308,931	2,402,212	2,499,261	9,429,676
Total	**41.0**	**-**	**2,988,148**	**3,108,869**	**3,234,468**	**3,365,140**	**12,696,625**

\1 - Estimated 09-11 monthly salary $3,342. Monthly salary increased 2% each following year.
\2 - Estimated 09-11 monthly salary $2,652. Monthly salary increased 2% each following year.
\3 - Estimated 09-11 monthly salary $2,546. Monthly salary increased 2% each following year.
\4 - Estimated 09-11 monthly salary $2,158. Monthly salary increased 2% each following year.

Estimated Food - 10 year						
	2007-09	2009-11	2011-13	2013-15	2015-17	Total
NDSP Building Project						
NDSP Est. Meals Served - Inmate	1,111,851	1,373,313	1,527,881	1,670,362	1,655,715	
DOCR Est. Food Cost / Meal	1.27	1.31	1.35	1.39	1.43	
Total NDSP Food Cost	1,412,051	1,796,430	2,058,580	2,318,067	2,366,673	9,951,800
MRCC Est. Meals Served - Inmate	317,985	317,550	317,985	317,550	317,985	
DOCR Est. Food Cost / Meal	1.27	1.31	1.35	1.39	1.43	
Total MRCC Food Cost	403,841	415,387	428,435	440,684	454,527	2,142,874
Total Food Cost	**$ 1,815,892**	**$ 2,211,817**	**$ 2,487,015**	**$ 2,758,751**	**$ 2,821,199**	**$ 12,094,674**
NDSP Building Project / Relocate MRCC						
NDSP Est. Meals Served - Inmate	1,429,836	1,690,863	1,845,866	1,987,912	1,973,700	
DOCR Est. Food Cost / Meal	1.27	1.31	1.35	1.39	1.43	
Total NDSP Food Cost	**$ 1,815,892**	**$ 2,211,817**	**$ 2,487,015**	**$ 2,758,751**	**$ 2,821,199**	**$ 12,094,674**
House Building Project						
NDSP Est. Meals Served - Inmate	1,429,836	1,690,863	1,845,866	1,987,912	1,973,700	
DOCR Est. Food Cost / Meal	1.27	1.31	1.35	1.39	1.43	
Total NDSP Food Cost	**$ 1,815,892**	**$ 2,211,817**	**$ 2,487,015**	**$ 2,758,751**	**$ 2,821,199**	**$ 12,094,674**
Status Quo - No Building Project						
NDSP Est. Meals Served - Inmate	1,111,851	1,110,330	1,111,851	1,110,330	1,111,851	
DOCR Est. Food Cost / Meal	1.27	1.31	1.35	1.39	1.43	
Total NDSP Food Cost	1,412,051	1,452,423	1,498,045	1,540,875	1,589,276	7,492,669
MRCC Est. Meals Served - Inmate	317,985	317,550	317,985	317,550	317,985	
DOCR Est. Food Cost / Meal	1.27	1.31	1.35	1.39	1.43	
Total MRCC Food Cost	403,841	415,387	428,435	440,684	454,527	2,142,874
Total Food Cost	**$ 1,815,892**	**$ 1,867,810**	**$ 1,926,480**	**$ 1,981,559**	**$ 2,043,802**	**$ 9,635,543**

Estimated Medical Cost - 10 year						
	2007-09	2009-11	2011-13	2013-15	2015-17	Total
NDSP Building Project						
Average Daily Population - Male	1,307	1,399	1,491	1,583	1,675	
Est. Medical Cost Per Day	$ 11.11	11.67	12.25	12.86	13.50	
Days	731	730	731	730	731	
Total Medical Cost	**$ 10,614,683**	**$ 11,910,077**	**$ 13,346,466**	**$ 14,858,378**	**$ 16,530,858**	**$ 67,260,462**
NDSP Building Project / Relocate MRCC						
Average Daily Population - Male	1,307	1,399	1,491	1,583	1,675	
Est. Medical Cost Per Day	$ 11.11	11.67	12.25	12.86	13.50	
Days	731	730	731	730	731	
Total Medical Cost	**$ 10,614,683**	**$ 11,910,077**	**$ 13,346,466**	**$ 14,858,378**	**$ 16,530,858**	**$ 67,260,462**
House Building Project						
Average Daily Population - Male	1,307	1,399	1,491	1,583	1,675	
Est. Medical Cost Per Day	$ 11.11	11.67	12.25	12.86	13.50	
Days	731	730	731	730	731	
Total Medical Cost	**$ 10,614,683**	**$ 11,910,077**	**$ 13,346,466**	**$ 14,858,378**	**$ 16,530,858**	**$ 67,260,462**
Status Quo - No Building Project						
Average Daily Population - Male	1,307	1,392	1,426	1,449	1,472	
Est. Medical Cost Per Day	$ 11.11	11.67	12.25	12.86	13.50	
Days	731	730	731	730	731	
Total Medical Cost	**$ 10,614,683**	**$ 11,856,321**	**$ 12,770,808**	**$ 13,606,553**	**$ 14,532,677**	**$ 63,381,042**

Estimated Utility Co[illegible] 10 year						
	2007-09	2009-11	2011-13	2013-15	2015-17	Total
NDSP Building Project						
NDSP Total Existing Sq. Ft.	297,198	297,198	297,198	297,198	297,198	
Less: East Cell House	(21,378)	(21,378)	(21,378)	(21,378)	(21,378)	
Net NDSP Existing Sq. Ft.	275,820	275,820	275,820	275,820	275,820	
Utility Cost Per Existing Sq. Ft.	$ 1.74	$ 1.79	$ 1.85	$ 1.90	$ 1.96	
Total Biennial Cost - Existing Sq. Ft.	960,240	989,047	1,018,718	1,049,280	1,080,758	
NDSP New Sq. Ft.	131,280	131,280	131,280	131,280	131,280	
Utility Cost Per New Sq. Ft.	$ 1.31	$ 1.34	$ 1.39	$ 1.43	$ 1.47	
Total Biennial Cost - New Sq. Ft.	342,779	353,062	363,654	374,563	385,800	
Total All - NDSP	**$ 1,303,018**	**$ 1,342,109**	**$ 1,382,372**	**$ 1,423,843**	**$ 1,466,559**	**$ 6,917,902**
MRCC Total Existing Sq. Ft.	65,905	65,905	65,905	65,905	65,905	
Utility Cost Per Existing Sq. Ft.	$ 1.66	$ 1.71	$ 1.76	$ 1.81	$ 1.87	
Total Biennial Cost - MRCC	**$ 218,581**	**$ 225,138**	**$ 231,892**	**$ 238,849**	**$ 246,014**	**$ 1,160,474**
NDSP Building Project / Relocate MRCC						
NDSP Total Existing Sq. Ft.	406,178	406,178	406,178	406,178	406,178	
Less: East Cell House (ECH)	(21,378)	(21,378)	(21,378)	(21,378)	(21,378)	
Net NDSP Existing Sq. Ft.	384,800	384,800	384,800	384,800	384,800	
Utility Cost Per Existing Sq. Ft.	$ 1.74	$ 1.79	$ 1.85	$ 1.90	$ 1.96	
Total Biennial Cost - Existing Sq. Ft.	1,339,643	1,379,832	1,421,227	1,463,864	1,507,780	
NDSP New Sq. Ft.	159,744	159,744	159,744	159,744	159,744	
Utility Cost Per New Sq. Ft.	$ 1.31	$ 1.34	$ 1.39	$ 1.43	$ 1.47	
Total Biennial Cost - New Sq. Ft.	417,100	429,613	442,501	455,776	469,449	
Total All - NDSP	**$ 1,756,742**	**$ 1,809,445**	**$ 1,863,728**	**$ 1,919,640**	**$ 1,977,229**	**$ 9,326,783**
House Building Project						
NDSP Total Existing Sq. Ft.	406,178	406,178	406,178	406,178	406,178	
Less: ECH, West, Admin, DOCR	(118,222)	(118,222)	(118,222)	(118,222)	(118,222)	
Net NDSP Existing Sq. Ft.	287,956	287,956	287,956	287,956	287,956	
Utility Cost Per Existing Sq. Ft.	$ 1.74	$ 1.79	$ 1.85	$ 1.90	$ 1.96	
Total Biennial Cost - Existing Sq. Ft.	1,002,490	1,032,565	1,063,542	1,095,448	1,128,311	
NDSP New Sq. Ft.	220,257	220,257	220,257	220,257	220,257	
Utility Cost Per New Sq. Ft.	$ 1.31	$ 1.34	$ 1.39	$ 1.43	$ 1.47	
Total Biennial Cost - New Sq. Ft.	575,102	592,355	610,126	628,430	647,282	
Total All - NDSP	**$ 1,577,592**	**$ 1,624,920**	**$ 1,673,667**	**$ 1,723,877**	**$ 1,775,594**	**$ 8,375,650**
Status Quo - No Building Project						
NDSP Total Existing Sq. Ft.	406,178	406,178	406,178	406,178	406,178	
Utility Cost Per Existing Sq. Ft.	$ 1.74	$ 1.79	$ 1.85	$ 1.90	$ 1.96	
Total Biennial Cost - NDSP	**$ 1,414,068**	**$ 1,456,490**	**$ 1,500,185**	**$ 1,545,190**	**$ 1,591,546**	**$ 7,507,480**
MRCC Total Existing Sq. Ft.	65,905	65,905	65,905	65,905	65,905	
Utility Cost Per Existing Sq. Ft.	$ 1.66	$ 1.71	$ 1.76	$ 1.81	$ 1.87	
Total Biennial Cost - MRCC	**$ 218,581**	**$ 225,138**	**$ 231,892**	**$ 238,849**	**$ 246,014**	**$ 1,160,474**

Estimated Contract Housing - 10 year						
	2007-09	2009-11	2011-13	2013-15	2015-17	Total
NDSP Building Project						
Average Number County Jail	32	-	-	3	56	
Estimated Cost	$ 60.00	$ 63.00	$ 66.15	$ 69.46	$ 72.93	
Total Days	731	730	731	730	731	
Total County Jail	**$ 1,414,485**	**$ -**	**$ -**	**$ 176,760**	**$ 2,976,592**	**$ 4,567,837**
NDSP Building Project / Relocate MRCC						
Average Number County Jail	32	-	-	3	56	
Estimated Cost	$ 60.00	$ 63.00	$ 66.15	$ 69.46	$ 72.93	
Total Days	731	730	731	730	731	
Total County Jail	**$ 1,414,485**	**$ -**	**$ -**	**$ 176,760**	**$ 2,976,592**	**$ 4,567,837**
House Building Project						
Average Number County Jail	32	-	-	3	56	
Estimated Cost	$ 60.00	$ 63.00	$ 66.15	$ 69.46	$ 72.93	
Total Days	731	730	731	730	731	
Total County Jail	**$ 1,414,485**	**$ -**	**$ -**	**$ 176,760**	**$ 2,976,592**	**$ 4,567,837**
Status Quo - No Building Project						
Average Number County Jail	32	89	100	100	100	
Estimated Cost	$ 60.00	$ 63.00	$ 66.15	$ 69.46	$ 72.93	
Total Days	731	730	731	730	731	
Total County Jail	1,414,485	4,080,654	4,835,565	5,070,398	5,331,210	20,732,312
Average Number Private Prison	-	8	80	167	254	
Estimated Cost	80.52	84.55	88.77	93.21	97.87	
Total Days	731	730	731	730	731	
Total Private Prison	-	492,463	5,221,205	11,369,141	18,139,599	35,222,408
Total Contract Housing	**$ 1,414,485**	**$ 4,573,117**	**$ 10,056,770**	**$ 16,439,539**	**$ 23,470,809**	**$ 55,954,720**

Prepared by the North Dakota Legi[illegible]ouncil staff

January 2007

NORTH DAKOTA STATE AGENCY AND INSTITUTION VACANT POSITIONS AS OF 12/31/06 INCLUDED IN THE 2007-09 EXECUTIVE BUDGET

Agency/Position No./Description	Date Vacated	Number of Months Vacant January 2007	Date Expected to Be Filled	Current Status/Agency Response	Salary and Fringe Benefit Amounts Included in the 2007-09 Executive Budget: General Fund	Special Funds	Total
GENERAL GOVERNMENT							
101 - Governor's Office							
10 1.00 Policy position	8/06	5	1/07	Filled	$110,254		$110,254
15 1.00 Policy position	7/05	18	5/07	Plan to fill after legislative session	133,651		133,651
2.00 Total					$243,905		$243,905
108 - Secretary of State							
1.00 Elections position	7/03	42	3/07	Advertising		$111,381	$111,381
110 - Office of Management and Budget							
Human Resource Management Services							
72 0.50 Office Assistant III	5/06	1	6/06	Filled with temporary staff	$33,926		$33,926
Central Services							
*155 1.00 Administrative assistant III	8/06	5		Special funded, filled contingent upon workload	9,820	$88,380	98,200
156 1.00 Surplus property specialist	6/04	31		Filled contingent upon workload	75,130		75,130
158 1.00 Print equipment operator II	5/06	8		Filled with temporary staff	68,867		68,867
161 1.00 Bindery specialist I	3/06	9		Special funded, filled contingent upon workload		63,853	63,853
171 1.00 Surplus property specialist	12/06	1	1/07	Filled		75,667	75,667
176 1.00 Surplus property specialist	2/06	10	2/07	Filled		75,130	75,130
Facility Management							
117 1.00 Custodian	9/06	3		Filled with temporary staff	66,668		66,668
129 1.00 Custodian	4/06	8		Currently advertising	53,873		53,873
131 1.00 Custodian	5/06	6		Currently advertising	57,584		57,584
9.50 Total					$365,868	$303,030	$668,898
112 - Information Technology Department							
*24050 1.00 Programmer analyst II	9/06	4	2/07	Advertising to fill position		$128,706	$128,706
*24665 1.00 Senior programmer analyst	4/06	9	1/07	Filled		162,045	162,045
267 1.00 Project manager II	9/06	4	1/07	Filled		168,265	168,265
*212 1.00 Data base analyst I	8/06	5	3/07	Advertising to fill position		138,171	138,171
4.00 Total						$597,187	$597,187
117 - State Auditor							
520 1.00 Auditor I	11/06	1	2/07	Advertising to fill position	$96,710		$96,710
536 1.00 Information systems auditor II	9/06	4	2/07	Person to fill position has been hired	119,780		119,780
547 1.00 Auditor III	4/06	9	6/07	Position currently vacant		$97,452	97,452
562 1.00 Auditor I	12/06	0	1/07	Position has been filled		101,175	101,175
4.00 Total					$216,490	$198,627	$415,117
120 - State Treasurer							
No vacant positions							
125 - Attorney General							
608 1.00 Assistant attorney general	12/03	37	Unknown	Will fill as needed		$141,362	$141,362
629 1.00 Grants and contracts officer I	10/03	39	Unknown	Dependent on federal funds		100,636	100,636
631 0.30 Administrative assistant I	11/00	74	Unknown	Dependent on federal funds		34,905	34,905
634 1.00 High-intensity drug trafficking analyst	8/05	17	Unknown	Dependent on federal funds		119,067	119,067

* A similar new position is being recommended in the executive budget.

473 - Housing Agency									
51	1.00	Housing program technician II	6/05	18	3/07	Advertising to fill position		$78,636	$78,636
13	1.00	Housing program director	11/06	2	3/07	Advertising to fill position		158,117	158,117
50	1.00	Housing program representative	9/06	3	3/07	Advertising to fill position		86,291	86,291
47	1.00	Account budget specialist I			7/07	PIQ is being defined		84,596	84,596
56	1.00	Account budget specialist III			7/08	Needed for program growth		55,780	55,780
55	1.00	Housing program director			7/08	Needed for program growth		65,554	65,554
	6.00	Total						$528,974	$528,974
475 - Mill and Elevator Association									
5	1.00	Computer analyst				Remains open		$150,585	$150,585
6	1.00	Sales representative				Remains open		138,574	138,574
*7	1.00	Bulk loader			5/07	Remains open		92,015	92,015
*8	1.00	Bulk loader			5/07	Remains open		92,015	92,015
	4.00	Total						$473,189	$473,189
485 - Workforce Safety and Insurance									
5124	1.00	Safety consultant	10/06	3	6/07	Position on hold		$154,549	$154,549
5128	1.00	Ergonomist	10/05	15	7/07	Position on hold		222,613	222,613
5172	1.00	Internal audit manager	12/05	13	1/07	Position filled		170,382	170,382
5234	1.00	Medical case manager	12/06	1	2/07	Recruiting for the position		128,710	128,710
5239	1.00	Software engineer	10/06	3	1/07	Position filled		123,293	123,293
5268	1.00	Claims technician	12/06	1	2/07	Recruiting for the position		71,797	71,797
5295	1.00	Chief of employer services	9/06	4	6/07	Position on hold		293,471	293,471
5309	1.00	Customer service representative	12/06	1	1/07	Position filled		77,746	77,746
5089	0.06		12/03	37	Unknown	Available partial FTE		17,179	17,179
	8.06	Total						$1,259,740	$1,259,740

PUBLIC SAFETY

504 - Highway Patrol

No vacant positions

512 - Department of Emergency Management - Combined with Department 540 - Adjutant General

530 - Department of Corrections and Rehabilitation

Youth Correctional Center									
*1402	1.00	JIRS I	11/06	1	2/07	Advertising in January	$81,945		$81,945
1428	1.00	Youth treatment director	10/06	2	1/07	Filled	137,341		137,341
1451	1.00	Faculty (unclassified)	9/06	3	Spring 2007	Contracted teacher - Difficult to fill during current school year	152,502		152,502
Field Services									
FS57	1.00	New position - Not classified			Unknown	Position dependent on NDSH funding for community supervision of civil sex offenders - No offenders to supervise		$106,207	106,207
FS58	0.50	New position - Not classified			Unknown	Position dependent on grant funding that has not materialized		62,571	62,571
Central Office									
6086	1.00	Grants and contract officer II	6/05	18	2/07	Reorganizing fiscal area - Currently filled with temporary	114,872		114,872
5840	1.00	Account budget specialist III	9/06	3	2/07	Filled	135,401		135,401
Prisons Division									
*5670	0.50	RN II	9/06	3	1/07	Hard to fill position - Offer made	44,574		44,574
5678	1.00	RN II	10/06	2	ASAP	Hard to fill position - No qualified applicants	87,697		87,697
5688	1.00	Licensed psychologist	8/04	29	ASAP	Hard to fill position - No qualified applicants	191,403		191,403
5707	1.00	Correctional officer IV	12/06	0	1/07	Interviewing to fill	111,954		111,954
5713	1.00	Correctional officer II	11/06	1.5	1/07	Filled	74,816		74,816
5717	1.00	Correctional officer II	12/06	0	1/07	Filled	80,490		80,490
5720	1.00	Correctional officer I	12/06	0	1/07	Filled	87,871		87,871
5733	1.00	Correctional officer I	11/06	1	2/07	Advertising to fill	69,220		69,220

* A similar new position is being recommended in the executive budget.

5800		[redacted]orrectional officer I	12/06	0	2/0[redacted]	Advertising to fill			Ja[redacted]07	
10229		[redacted]ood service operations supervisor I	10/06	2	ASAP	Hard to fill position - No qualified applicants	86,442			86,442
23697	1.00	Human relations counselor	11/06	1	2/07	Job offer to be made - Hope to fill February 2007	63,347			63,347
23699	1.00	Social worker II	11/06	1.5	ASAP	Hard to fill position - No qualified applicants	92,451			92,451
23698	1.00	Addiction counselor III	4/06	8.5	ASAP	Hard to fill position - No qualified applicants	92,425			92,425
5857	1.00	Addiction counselor II	8/06	4.5	ASAP	Hard to fill position - No qualified applicants	113,052			113,052
5861	1.00	Addiction counselor II	11/06	1	ASAP	Hard to fill position - No qualified applicants	117,813			117,813
5900	1.00	Correctional caseworker	12/06	0	1/07	Filled	105,910			105,910
6031	1.00	Correctional officer II	12/06	0.5	1/07	Filled	92,545			92,545
PDMH1	1.00	New position not classified		18	7/07	No funding available for the position	91,623			91,623
351	1.00	New position not classified		18	Unknown	Will fill as inmate job numbers increase	65,976			65,976
355	1.00	Position not classified		49	Unknown	Will fill as inmate job numbers increase		135,409		135,409
	26.00	Total						68,491		68,491
							$2,291,670	$372,678		$2,664,348

540 - Adjutant General

National Guard

6135	1.00	Custodial supervisor II	6/06	7	1/07	Position filled	$76,242			$76,242
6157	1.00	General trades maintenance workers II	10/06	3	2/07	Awaiting hiring approval		$98,412		98,412
6173	1.00	Security officer I	4/06	9	3/07	Advertising		84,241		84,241
6176	1.00	Security officer II	4/06	9	3/07	Advertising		78,169		78,169
6180	1.00	Data processing coordinator I	2/06	11	3/07	Position under reclassification		89,591		89,591
6196	1.00	Coordinator - Veterans' Cemetery	6/02	55	1/07	Position filled		104,922		104,922
*6215	1.00	Security police/firefighter - Not classified	6/06	7	1/07	Position filled		101,892		101,892

Department of Emergency Management

5622	1.00	Communications specialist II	3/06	10	2/07	Interviewing	61,466	26,343		87,809
5627	1.00	Communications specialist II	11/06	2	2/07	Interviewing	61,466	26,343		87,809
	9.00	Total					$199,174	$609,913		$809,087

AGRICULTURE AND ECONOMIC DEVELOPMENT

601 - Department of Commerce

6252	1.00	Fiscal position	10/06	3	1/07	Filled	$59,666	$32,129		$91,795
6268	1.00	Innovation and technology position	12/06	1	3/07	Beginning recruiting process	217,525			217,525
6296	1.00	Renaissance zone manager	11/06	2	2/07	Recruiting	157,935			157,935
23974	1.00	Third party inspection position	7/05	18	4/07	Implementing plan to fill position	116,059			116,059
*23975	1.00	Business development position	7/05	18	3/07	Implementing plan to fill position	115,580			115,580
	5.00	Total					$666,765	$32,129		$698,894

602 - Agriculture Department

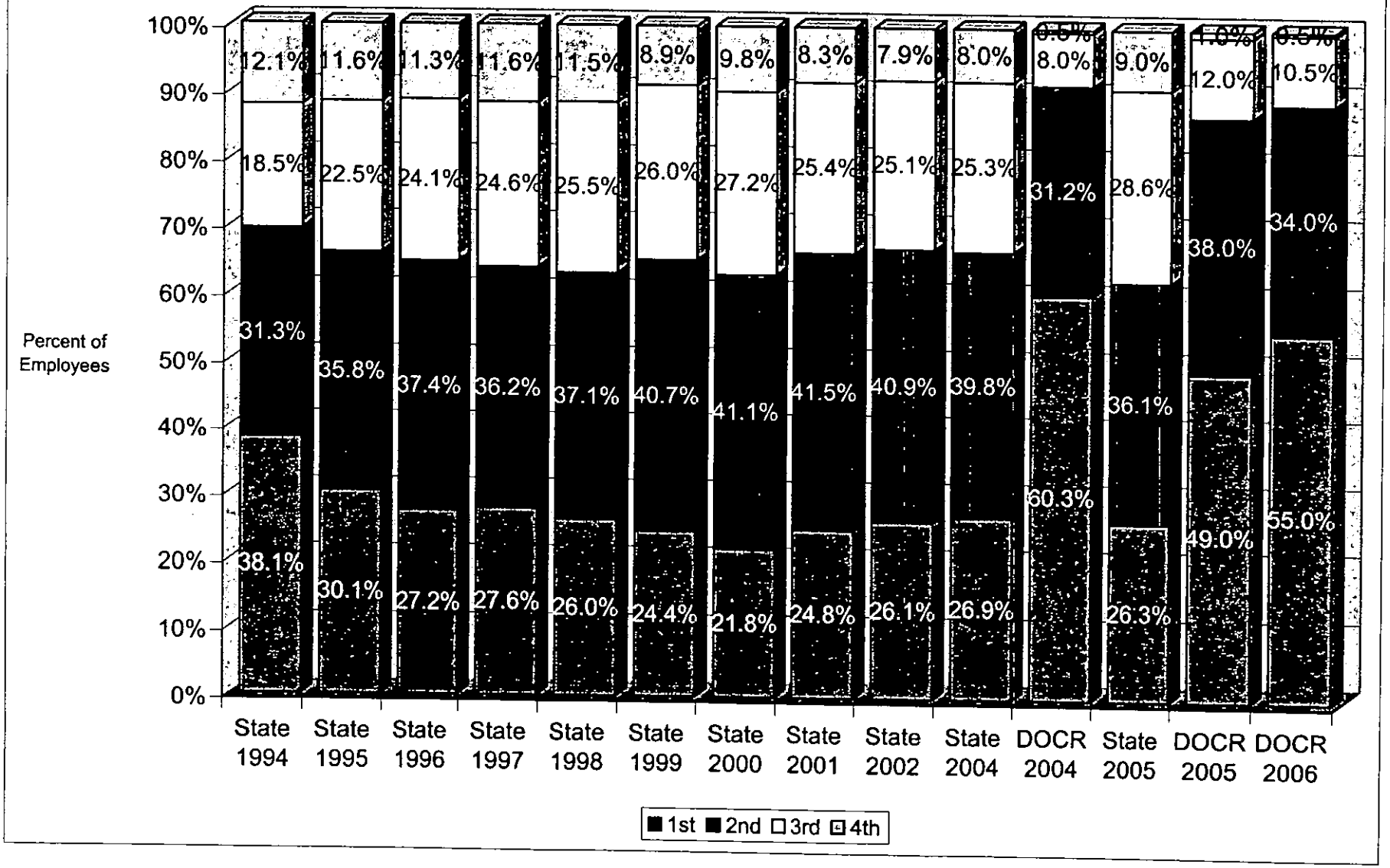
*6324	1.00	Agriculture program inspector II	11/06	2	3/07	FTE held vacant until federal funding assured		$89,894		$89,894
*6325	1.00	Agriculture program specialist II	10/06	3	1/07	Filled position 1/16/07	$50,796	50,797		101,593
6330	0.50	Account technician II	5/06	8	3/07	Will reclassify to fill as Ag Program Specialist	8,387	47,529		55,916
	2.50	Total					$59,183	$188,220		$247,403

616 - Seed Department

6386	1.00	Director of field seeds	3/05	23	6/07	Evaluating long-range plan		$109,918		$109,918
6392	1.00	Laboratory technician	2/06	11	6/08	Currently filled by temp - Filling with workload increase		56,235		56,235
6393	0.50	Seed analyst I	5/05	21	3/07	Currently filled by temp - Filling with workload increase		38,416		38,416
6402	1.00	Potato/grain inspector	5/04	33	6/07	Plan to fill with regional inspector - Currently temporary		68,484		68,484
6406	1.00	Potato/grain inspector	6/04	32	6/07	Plan to fill with regional inspector - Currently temporary		68,484		68,484
6410	0.50	Potato/grain inspector	4/98	105	12/07	Plan to fill with regional inspector - Currently temporary		42,770		42,770
6411	1.00	Potato/grain inspector supervisor	8/04	30	1/08	Plan to promote current inspector		79,290		79,290
6412	1.00	Potato/grain inspector	3/00	82	12/07	Plan to fill with regional inspector - Currently temporary		68,484		68,484
	7.00	Total						$532,081		$532,081

* A similar new position is being recommended in the executive budget.

Salary Range Quartile Distribution



DOCR ---10 + Years of State Service and Placement in Quartiles	Number of Employees in 1st Quartile	Number of Employees in 2nd Quartile	% of Employees
10 yrs to 15 years	26	38	11%
15 yrs to 20 years	8	45	9%
20 yrs to 25 yrs	1	24	4%
25 yrs +	1	19	3%
Total	36	126	162=27%

Salary Comparison Category	Average State Salary 1/2006	Average State Years of Service in State 1/2006	Average DOCR Salary 1/2006	Average DOCR Year of Service in State 1/2006	Average State Salary 1/2007	Average State Years of Service in State 1/2007	Average DOCR Salary 1/2007	Average DOCR Year of Service in State 1/2007
Licensed Practical Nurse II	2592	14.2	2373	8.3	2613	14.2	2423	7.4
Registered Nurse II	3452	10.2	3177	8	3455	10.4	3107	6.4
Registered Nurse III	3768	12.3	3594	7.7	4018	11.9	3738	8.2

GRADE	06 Yrs Serv	06 Yrs Gr	06 FTE Salary	06 C ratio
State 03	8.4	6.8	1515	0.99
DOCR 03	2.9	2.9	1442	0.94
State 04	9.3	5.8	1646	0.98
DOCR 04	1.6	1	1478	0.88
State 05	10.3	7.1	1712	0.93
DOCR 05	7.7	4.2	1626	0.88
State 06	12	6.9	1913	0.94
DOCR 06	7.2	4.1	1869	0.92
State 07	13.4	8.8	2179	0.97
DOCR 07	7.7	3	1999	0.89
State 08	16.1	8.5	2501	1.02
DOCR 08	11.2	5.4	2319	0.94
State 09	10.9	5.8	2487	0.92
DOCR 09	8.9	6	2363	0.89
State 10	12.3	6.4	2760	0.93
DOCR 10	11.4	5.8	2701	0.91
State 11	12.3	6.6	3066	0.94
DOCR 11	9.5	4.4	2906	0.89
State 12	14.3	8	3492	0.96
DOCE 12	12.5	6.2	3293	0.91
State 13	15.3	6.7	3999	0.99
DOCR 13	13.9	4.6	3582	0.89
State 14	17.8	7.8	4486	1.02
DOCR 14	18.5	4.2	4108	0.94

GRADE	06 Yrs Serv	06 Yrs Gr	06 FTE Salary	06Compa ratio
State 15	16.4	7.9	5117	1.03
DOCR 15	15.1	4.6	4781	0.97
State 16	20.5	7.8	5767	1.05
DOCR 16	14.9	9.2	5471	1
State 17	21.4	6.1	6450	1.07
DOCR 17	26.4	14.3	6071	1
State 18	19.9	11.4	6984	1.04
DOCR 18	18.5	18.5	6380	0.95
State	13.3	7.3	2851	0.96
DOCR	10.1	5.4	2653	0.89
Data 2/2006				

Reclassification Requests by Class	Current Number of Staff in Class	Last Whole Pay grade and Whole Class Review	Requested Class and/or Grade	Status of Review by HRMS
Correctional Officer II	42 CO IIs positions considered for higher level	1993	Second Level of COII --CO III/Grade 10	Complete
Correctional Officer III	7	1993	Correctional Supervisor I/Grade 12	In Process
Correctional Officer IV	9	2001	Correctional Supervisor II/Grade 13	In Process
Correctional Caseworker	39	1994	Grade 11	In Process
Correctional Case Manager	15	1994	Grade 12	In Process
Food Service Operations Supervisor I	6	2003	Correctional Officer II/Grade 9	In Process
Food Service Operations Supervisor II	4	2003	Correctional Officer II/Grade 9	In Process
Food Service Operations Supervisor II	1	2003	Food Service Director I/Grade 10	In Process
Juvenile Corrections Specialist	18	1998	Grade 12	In Process
Administrative Assistant I	7	2000	Administrative Assistant II/Grade 7	In Process

For over two years the HR staff from the DOCR have been working with the HRMS staff to review and revise the Correctional Officer Classification series and the Unit Management Classification series (includes) Correctional Caseworker and Correctional Case Manager). Each of these classifications interacts closely with the other classes and necessitates a review of all the classes in the series and other additional classes in the same organizational hierarchy.

The HRMS director has indicated that their staff would be available to discuss the process going on in the DOCR with the classifications listed above and the classification process in general.

Attached to this is a copy of the HRMS Administrative Rule relating to the Classification or reclassification request.

Cost to Continue 05-07 Salary Level

	7/1/2005 Salary	4% Inc.	FY06 Monthly Salary	FY06 Annual Cost	7/1/2006 Salary	4% Inc.	FY07 Monthly Salary	FY07 Annual Cost	2005-07 Cost
John Doe	2,000	80	2,080	24,960	2,080	83	2,163	25,958	**50,918**
	7/1/2007 Salary	**0% Inc.**	**FY08 Monthly Salary**	**FY08 Annual Cost**	**7/1/2008 Salary**	**0% Inc.**	**FY09 Monthly Salary**	**FY09 Annual Cost**	**2007-09 Cost**
John Doe	**2,163**	**-**	**2,163**	**25,958**	**2,163**	**-**	**2,163**	**25,958**	**51,917**

Cost to Continue 05-07 Salary Level **$ 998**

2005 - 2007 DOCR Salary Equity Distribution by Division	
Division	**Amount**
Central Office	11,742
Youth Correctional Center	173,328
Juvenile Community Services	64,248
Field Services	218,616
Prisons Division - CO's	1,007,716
Prisons Division - Non CO's	240,116
Total	**1,715,767**

ND SALARY RANGES
July 1, 2006 - June 30, 2007

Grade	Hourly					Monthly					Annually				
	Min	1st	Mid	3rd	Max	Min	1st	Mid	3rd	Max	Min	1st	Mid	3rd	Max
1	5.69	6.64	7.59	8.54	9.48	986	1,151	1,315	1,480	1,644	11,832	13,812	15,780	17,760	19,728
2	6.25	7.30	8.34	9.38	10.42	1,084	1,265	1,445	1,626	1,806	13,008	15,180	17,340	19,512	21,672
3	6.88	8.03	9.17	10.32	11.47	1,193	1,392	1,590	1,789	1,988	14,316	16,704	19,080	21,468	23,856
4	7.57	8.83	10.09	11.35	12.61	1,312	1,531	1,749	1,968	2,186	15,744	18,372	20,988	23,616	26,232
5	8.33	9.72	11.10	12.49	13.88	1,443	1,684	1,924	2,165	2,405	17,316	20,208	23,088	25,980	28,860
6	9.15	10.68	12.20	13.73	15.25	1,586	1,851	2,115	2,380	2,644	19,032	22,212	25,380	28,560	31,728
7	10.07	11.75	13.43	15.11	16.79	1,746	2,037	2,328	2,619	2,910	20,952	24,444	27,936	31,428	34,920
8	11.08	12.92	14.77	16.62	18.46	1,920	2,240	2,560	2,880	3,200	23,040	26,880	30,720	34,560	38,400
9	12.20	14.24	16.27	18.31	20.34	2,115	2,468	2,820	3,173	3,525	25,380	29,616	33,840	38,076	42,300
10	13.30	15.51	17.73	19.94	22.16	2,305	2,689	3,073	3,457	3,841	27,660	32,268	36,876	41,484	46,092
11	14.75	17.21	19.67	22.13	24.58	2,557	2,983	3,409	3,835	4,261	30,684	35,796	40,908	46,020	51,132
12	16.37	19.10	21.82	24.55	27.28	2,837	3,310	3,782	4,255	4,728	34,044	39,720	45,384	51,060	56,736
13	18.14	21.16	24.19	27.21	30.23	3,144	3,668	4,192	4,716	5,240	37,728	44,016	50,304	56,592	62,880
14	19.72	23.01	26.29	29.58	32.86	3,418	3,988	4,557	5,127	5,696	41,016	47,856	54,684	61,524	68,352
15	22.25	25.96	29.67	33.38	37.09	3,857	4,500	5,143	5,786	6,429	46,284	54,000	61,716	69,432	77,148
16	24.64	28.74	32.84	36.95	41.05	4,270	4,982	5,693	6,405	7,116	51,240	59,784	68,316	76,860	85,392
17	27.25	31.80	36.34	40.89	45.43	4,724	5,512	6,299	7,087	7,874	56,688	66,144	75,588	85,044	94,488
18	30.16	35.19	40.21	45.24	50.27	5,228	6,099	6,970	7,842	8,713	62,736	73,188	83,640	94,104	104,556
19	33.35	38.90	44.46	50.02	55.58	5,780	6,743	7,706	8,670	9,633	69,360	80,916	92,472	104,040	115,596
20	36.89	43.05	49.20	55.35	61.50	6,395	7,461	8,527	9,593	10,659	76,740	89,532	102,324	115,116	127,908

DOCR

2007-09 Position Reclassification

Position Reclassification - Prisons Division	No. of Positions	Estimated Cost
Correctional Officer II - Grade 9 to Grade 10	42	154,127
Correctional Officer III - Grade 10 to Grade 12	7	33,599
Correctional Officer IV - Grade 12 to 13	9	49,381
Correctional Case Worker - Grade 9 to Grade 11	39	136,418
Correctional Case Manager - Grade 11 to Grade 12	15	60,924
JRCC Food Service Employees to Correctional Office II - Grade 5/6 to Grade 9	10	117,541
JRCC Food Service Operations II to Food Service Director - Grade 6 to Grade 10	1	39,782
Total Prisons Division	**123**	**591,772**

Position Reclassification - Juvenile Community	No. of Positions	Estimated Cost
Juvenile Correctional Specialist - Grade 11 to Grade 12	18	129,546
Administrative Assistants - Grade 6 to Grade 7	7	26,916
Total Juvenile Community	**25**	**156,462**

NORTH DAKOTA STATE PENITENTIARY PAY GRADES

Grade	0 - 6 Months	7 – 12 Months	13 – 18 Months	19 – 24 Months	24 plus months
1	1.35	1.50	1.70	1.85	2.00
2	1.75	1.90	2.10	2.25	2.40
3	2.10	2.30	2.45	2.60	2.75
4	2.60	2.85	3.10	3.25	3.40

Business Office	Grade	Number of Positions
Commissary Clerk	Paid by Best Project	NA

Education	Grade	Number of Positions
Inmate Tutor	4	1
Law Librarian	4	2
Law Library Helper	3	1
Law Library Janitor	2	1
Librarian	4	1
Library Helper	1	5
Staff Inmate Assistant	3	1
GED Student Participant	1	NA
Tutoring Student	$.75 per day	NA
Student Participant - Vocation Program	2	NA
Music Director	4	1
Music Instructor	3	2
Education Building Janitor	2	1
TOTAL # POSITIONS		**16**

Gymnasium	Grade	Number of Positions
Recreation Assistant	4	1
Morning Gym Workers	3	2
All other workers	1	5
TOTAL # POSITIONS		**8**

Janitorial	Grade	Number of Positions
AS Janitor	2	1
East Unit Janitor/Supply	3	1
East Cell House Janitor	2	2
West Unit Janitor/Supply	3	1
West Cell House Janitor	2	2
Traffic/1st Floor Janitor/ Supply	3	1
Infirmary Janitor	3	1

Visiting Room Janitor	2	1
TOTAL # POSITIONS		**10**

Laundry	Grade	Number of Positions
Dryer Operator	3	1
Tag Room Operator	3	2
Janitor	1	1
Personal Clothing Inventory Helper	2	2
Press Operator	2	2
Sewing Machine Operator	2	1
Shower Room Helper - Clothes	1	1
Shower Room Helper - Day Showers	2	2
Shower Room Helper - Night Showers	2	1
Table Crew Foreman	2	1
Table Worker	1	4
Washer Operator	4	1
TOTAL # POSITIONS		**19**

Maintenance Dept	Grade	Number of Positions
Carpenter Helper	4	1
Electrician Helper	4	1
Ground Crew Helper	4	1
Plumber Helper	4	1
Power Plant Helper	4	1
Power Plant Janitor	4	1
Vehicle Maintenance	4	1
Front Lobby/Business Office Worker	4	1
Training Dept. Worker (Basement)	4	1
TOTAL # POSITIONS		**9**

North Unit	Grade	Number of Positions
North Unit Helper	4	1
Kitchen Worker	1	3
Laundry Worker	3	1
Temporary Job Assignments	$.75 per day	
Kitchen Cook	3	1

TOTAL # POSITIONS	Excluding temp. workers	6

South Unit	Grade	Number of Positions
South Unit Project Helper	Paid by Project	1
Janitor	2	2
TOTAL # POSITIONS		**3**

Therapeutic Unit	Grade	Number of Positions
Participant - only	1	60
Participant - plus additional job	3	NA

Treatment Department	Grade	Number of Positions
Chaplains Assistant	4	1
Treatment Janitor/Library	2	1
Treatment Librarian	2	1
Chapel Janitor as therapy	1	1
TOTAL # POSITIONS		**4**

Overflow Unit	Grade	Number of Positions
Head Kitchen/Kit Janitor	Kitchen Grade 2	1
Assistant Kitchen	Kitchen Grade 1	2
Laundry	3	1
Janitor	2	3
TOTAL # POSITIONS		**7**

Other	Grade	Number of Positions
AS Tier Janitor-AS Inmat	1	2
Barber	4	3 (1 part time)
Yard Worker/garbage	2	1
Yard Crew Worker	1	3
Indian Culture Worker	2	1
A.S. Runner	2	1
Property Worker	4	2
Cell House Orientator	2	1
Head Gardener-seasonal	4	1
Gardner Helper-seasonal	1	1
TOTAL # POSITIONS		**17**

NDSP KITCHEN – The Kitchen area has a total of 37 approved positions.

Grade 1 Positions: Dishwashers, janitor, pots and pans, serving line, Inmate Dining Room, #3 Salad man, tray server

Grade 1 Positions	Number of Positions
Dishwasher	3
Inmate Dining Room	3
Janitor	1
Pots and Pans	2
Relief Person P/T	1
Salad Man	1
Tray Server	1
TOTAL Gr 1 POSITIONS	**12**

Step 1	0 to 1 month	$1.65 per day
Step 2	2nd month	$1.90 per day
Step 3	3 to 6 months	$2.40 per day
Step 4	7 to 12 months	$2.65 per day
Step 5	13 plus months	$2.90 per day

Grade 2 Positions: Runners (kitchen), lead dishwasher, #3 and #4 baker, #3 kettle man, #3 and #4 grill cook, #2 salad man, #2, #3 and #4 line server, #2 (relief people) they will have 12 full-time position instead of 10.

12 - Grade 2 Positions	NUMBER OF POSITIONS
Baker	2
Grill Cook	2
Kettle man	1
Lead Dishwasher	1
Line Server	2
Relief People	2
Runners – Kitchen	1
Salad Man	1

Step 1	0 to 1 month	$1.90 per day
Step 2	2nd month	$2.15 per day
Step 3	3 to 6 months	$2.40 per day
Step 4	7 to 12 months	$3.15 per day
Step 5	13 to 18 months	$3.65 per day
Step 6	19 to 24 months	$3.90 per day
Step 7	25 plus months	$4.40 per day

Grade 3 Positions: #2 baker, diet man, #2 kettle man, #2 grill cook, infirmary, Officers Dining Room, #1 line server

7 - Grade 3 Positions	Number of Positions
Baker	1
Diet Table Man	1
Grill Cook	1
Infirmary Kitchen Worker	1
Kettle Man	1
Head Line Server	1
Officers Dining Room	1

Step 1	0 to 1 month	$2.40 per day
Step 2	2nd month	$2.90 per day
Step 3	3 to 6 months	$3.40 per day
Step 4	7 to 12 months	$3.65 per day
Step 5	13 to 18 months	$3.90 per day
Step 6	19 to 24 months	$4.40 per day
Step 7	25 plus months	$4.90 per day

Grade 4 Positions: Commissary, butcher, #1 grill cook, #1 salad man, #1 kettle man, #1 baker

6 - Grade 4 Positions	Number of Positions
Baker	1
Butcher	1
Commissary	1
Grill Cook	1
Kettle Man	1
Salad Man	1

Step 1	0 to 1 month	$2.40 per day
Step 2	2nd month	$2.90 per day
Step 3	3 to 6 months	$3.40 per day
Step 4	7 to 12 months	$3.90 per day
Step 5	13 to 18 months	$4.40 per day
Step 6	19 to 24 months	$5.40 per day
Step 7	25 plus months	$6.40 per day

MISSOURI RIVER CORRECTIONAL CENTER PAY GRADE

Education	Grade	Number of Positions
Education Assistant	3	1
Library Helper - male	2	2
Student Participant - GED/Tutoring Program Only	1	NA
Student Participant - GED/Tutoring Program plus additional assignments	2	NA
Student Participant - 1/2 vocational Program plus additional assignments	3	NA
Student Participant- Full day voc. prog.	3	NA

Maintenance Department	Grade	
General Crew	$1.00 per day	NA
Head Janitor	3	1
All other janitors	2	6
Head Maintenance	4	1
Maintenance Helper	2	1
Mechanic Shop	4	1
Carpenter Shop	3	1
Yard Crew - Director's House	3	1
Laundry - male	2	2
Painter	2	1
Property/Commissary	3	1
Recreation Assistant	2	1
Pop/TV Man	2	1
Indian Culture Worker	2	1
Tractor Operator	3	1
Barber	3	1
Special Projects pheasants, trees, wood	2	21
MRCC Vehicles	2	1
Supply Clerk	3	1

MRCC KITCHEN – There are a total of 13 approved kitchen positions.

Grade 1 Positions – Floater, dishwasher (pots/pans), IDR

5 - Grade 1 Positions	Number of Positions
Dishwasher pots & pans	2
Floater	1
IDR	2

Step 1	0 to 1 month	$1.65 per day
Step 2	2nd month	$1.90 per day
Step 3	3 to 6 months	$2.40 per day
Step 4	7 to 12 months	$2.65 per day
Step 5	13 plus months	$2.90 per day

Grade 2 Positions – Janitor, lead dishwasher, Lead IDR man, Relief #3 Cook

4 - Grade 2 Positions	Number of Positions
Janitor	1
Lead Dishwasher	1
Lead IDR Man	1
Relief #3 Cook	1

Step 1	0 to 1 month	$1.90 per day
Step 2	2nd month	$2.15 per day
Step 3	3 to 6 months	$2.40 per day
Step 4	7 to 12 months	$3.15 per day
Step 5	13 to 18 months	$3.65 per day
Step 6	19 to 24 months	$3.90 per day

Grade 3 Positions: *#1 Baker, #1 Salad Man, #2 Grill Cook*

3 - Grade 3 Positions	Number of Positions
Baker #1	1
Grill Cook #2	1
Salad Man #1	1

Step 1	0 to 1 month	$2.40 per day
Step 2	2nd month	$2.90 per day
Step 3	3 to 6 months	$3.40 per day
Step 4	7 to 12 months	$3.65 per day
Step 5	13 to 18 months	$3.90 per day
Step 6	19 to 24 months	$4.40 per day

Grade 4 Positions: Grill Cook #1

1 - Grade 4 Position	Number of Positions
Grill Cook #1	1

Manpower Services: The Missouri River Correctional Center will explain the inmate pay for manpower services when assigned. Additional jobs and pay grades will be kept by the Deputy Warden and added to this list as needed.

The Missouri River Correctional Center to be paid according to the North Dakota State Penitentiary kitchen plan.

JAMES RIVER CORRECTIONAL CENTER PAY GRADE

JOB ASSIGNMENT	GRADE		JOB ASSIGNMENT	GRADE
GARBAGE MAN	2		Librarian	4
YARD CREW	2		Library Helper	3
SUPPLY CLOSET	2		GED	1
			Education Janitor	2
			Inmate tutor	4
Laundry Worker	4		Law Librarian	4
Property	4		Tutoring Student	$.75/day
MAINTENANCE	4			
BARBER	3		Rec Janitor	3
GWC	1		Rec Checkout	2
Chaplain's Assistant	4		Rec. Assistant	4
			Music Tutor	4
			Infirmary/Admin. Janitor	3
			IST FLOOR JANITOR	4
MAIN KITCHEN	Kitchen grades		Unit janitor	3
Prep Cook	1		DAYROOM JANITOR	2
DISHWASHERS	1		HALLWAY JANITOR	2
KITCHEN JANITOR	1		FRONT LOBBY JANITOR	4
SERVING LINE	2		Unit Office Janitor	2
			All Other janitors	1

NON-KITCHEN

GRADE	0-6 MONTHS	6-12 MONTHS	12-18 MONTHS	18 – 24 MONTHS	24+ MONTHS
1	1.35	1.50	1.70	1.85	2.00
2	1.75	1.90	2.10	2.25	2.40
3	2.10	2.30	2.45	2.60	2.75
4	2.60	2.85	3.10	3.25	3.40

KITCHEN

GRADE	STEP 1 0 TO 1 MO	STEP 2 1 TO 2 MO	STEP 3 3 – 6 MO	STEP 4 7-12 MO	STEP 5 13 – 18 MO	STEP 6 19-24 MO	STEP 7 25+ MO
1	1.65	1.90	2.40	2.65	2.90		
2	1.90	2.15	2.40	3.15	3.65	3.90	4.40
3	2.40	2.90	3.40	3.65	3.90	4.40	4.90
4	2.40	2.90	3.40	3.90	4.40	5.40	6.40

Testimony

House Bill 1015 – Department Of Corrections & Rehabilitation

House Appropriations Subcommittee

Representative Pollert, Chairman

January 11, 2007

Chairman Pollert, members of the House Appropriations Subcommittee, I am Nancy McKenzie, Director of the Regional Human Service Centers (HSCs) for the Department of Human Services (DHS). I am here today to testify in support of HB1015, and in particular to emphasize the critical interface of treatment services between the Department of Corrections & Rehabilitation (DOCR) and the DHS.

History of Service Collaboration

Each of the 8 Regional Human Service Centers (HSCs) in North Dakota provides identified core services in the community for individuals whose illness, addiction, disability or conditions place them at risk of harm or institutional placement. They provide a safety net function for our vulnerable citizens.

As a part of this role, DHS provides assessment and treatment services to those individuals living in the community who are under the supervision of DOCR Field Services on probation or parole status. Mental health and/or substance abuse services have been provided upon referral and are based on client need.

Growth in Service Demand

Changes in sentencing guidelines, particularly for drug-related offenses, have impacted the DOCR caseload. As you are aware, the percentage of incarcerated individuals with substance abuse and/or mental health problems has increased. In conjunction with this, the need for treatment services during and after incarceration has increased. The request for a Treatment Director position in the DOCR budget request will help to strengthen the treatment continuum and the joint planning of both agencies.

In addition, overcrowding of correctional facilities has led to an increased focus on best practices and strategies for community intervention, including exploration of alternatives to Incarceration and an increase in the number of individuals being paroled. For those individuals, it has become increasingly important that the appropriate level of aftercare services be available to improve success rates. Historically, these services have been sought at the Human Service Centers.

These factors contribute to an increasing number of referrals to the HSCs for treatment services. In SFY2006, 10% of referrals to the HSCs came from Probation & Parole; when courts are added, that percentage increases to 24%. These increases have come at the same time that HSC budgets have remained relatively flat. As a result, capacity to add a large number of new referrals has been limited, and DOCR experiences difficulty in accessing the levels of community treatment they may be seeking for optimal client success.

Current Areas of Collaboration

In addition to the 90-bed residential substance abuse treatment program at the State Hospital (Tompkins program) and traditional services through the HSCs as capacity allows, DHS partners with DOCR staff in the drug court efforts in ND, the community sex offender treatment program, and in assessment/transition activities. Attempt is made to match services with individual needs at the appropriate time. Staff of both agencies have ongoing communication in this effort.

Electronic data systems allow us to better identify our shared clients and estimate unmet need. A "snapshot" look at HSC clients in March of 2006 identified that Probation & Parole referred 51% of substance abuse clients being served by the centers; this was true of 8% of mental health clients. In total, DHS served 1,241 clients under community supervision in SFY2006, yet we recognize that gaps in the service continuum and capacity level continue to exist. DOCR staff have identified the need for significant increases in community treatment services.

Future Direction

Most recently, we have convened a joint work group to focus on long-range needs assessment and prioritization. North Dakota is a small state, and both agencies recognize the need for joint planning, problem solving, and reduction of duplication in providing services.

Key areas needing attention at this time include: mental health needs of women transitioning from prison; complex treatment and community support needs of individuals dually diagnosed with both mental illness and substance abuse; expansion of drug court efforts; and ongoing capacity challenges.

We are committed to working together to establish a continuum of treatment services that are both effective and efficient. The Department of Human Services supports the request of the DOCR for resources needed to further those
efforts.

Thank you for hearing my testimony; I will be glad to answer any questions.

House Appropriations Committee
Human Resources Division
Representative Chet Pollert, Chairman
January 10, 2007

House Bill 1015
Department of Corrections and Rehabilitation
Central Office
Dave Krabbenhoft, Director of Administration

- Objective – Provide leadership, structure, and a coordinated delivery of correctional services within a "what works" philosophy
  - Administration
  - Human Resources
  - Financial Services / Business Operations
    - Accounting
    - Budgeting
    - Purchasing / Procurement
    - Inmate Accounts
  - Information Technology
    - Hardware Support
    - Software / Application Support
    - Communications
  - Training
    - State and local correctional staff
  - Jail Inspections
  - Research

- Ongoing Reorganization (as resources permit)
  - Department Think vs. Division Think
    - Finance / Business
    - Information Technology
    - Treatment – dependent on requested treatment director position

- Allocated Budget
  - 07-09 Total Recommendation
    - $4.6 million (100% general fund)
    - 20 FTE (3.5 new fte)
    - 75% Salary and Fringe
      - Dept position reclass $'s
      - New Positions
        - Treatment Director
        - JRCC Business Manager
        - 1.5 Temp to FTE (acct. tech)
    - 25% Operating
      - 13% IT costs
        - $375,000 ITD
      - 5% Insurance
        - $236,000 Risk Management

DOCR – CENTRAL OFFICE – ALL DIVISIONS
2007-09 BUDGET DETAIL

Reporting Level: 530-200-23-10-55; 530-200-24-10-30; 530-500-10-10-30; 530-500-20-10-55; 530-500-20-15-55; 530-500-20-20-55	
Program: DEPARTMENT ADMIN	

EXPLANATION OF PROGRAM COSTS

The central office (department administration) provides administrative, financial and technology services to all DOCR divisions. Central office costs are allocated to the DOCR divisions.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	2,090,157	3,469,137	75%	1,378,980
Operating	1,212,668	1,156,615	25%	(56,053)
Capital	24,713	-	0%	(24,713)
Grants	-	-	0%	-
Total	**3,327,538**	**4,625,752**	**100%**	**1,298,214**
General	3,252,335	4,625,752	100%	1,373,417
Federal	6,674	-	0%	(6,674)
Special	68,529	-	0%	(68,529)
FTE	17.5	21.0		3.5

MATERIAL EXPENDITURES – (95% of budget)

Salary and Fringe – $3,469,137 – 75% of budget
- DOCR director – 1.0 fte
- Director of administration – 1.0 fte
- Administrative assistant – 1.0 fte
- Account / budget specialists – 4.0 fte
- Grants and contracts officer – 1.0 fte
- Account technicians – 5.0 fte
- Director of research – 1.0 fte
- Director of training – 1.0 fte
- Director of human resources – 1.0 fte
- Director of IT services – 1.0 fte
- IT specialists – 3.0 fte
- Treament Director – 1.0 fte
- Position reclassifications – Juvenile Community Services & Prisions Division

Travel - $75,000 – 2% of budget
- Motor pool, employee reimbursable travel (meals, lodging), air transportation

IT Software Supplies - $105,902 – 2% of budget
- PC replacement software
- Upgrade Office Suite
- New fte pc software

IT Equipment Under $5,000 - $140,758 – 3% of budget
- PC replacement
- New fte pc
- Miscellaneous (printers, ect)

Insurance – $240,000 – 5% of budget
- Risk management

IT Data Processing - $360,081 – 8% of budget
- ITD charges – Connect ND, device connections, wide area network access, data processing, server hosting

SIGNIFICANT CHANGES

Salary and Fringe – $1,378,980
- 4% & 4% compensation adjustment
- Health insurance increase
- New positions – 2.0 fte
  - Treatment Director
  - JRCC Business Manager
- Temp positions to FTE – 1.5 fte
  - Account technicians
- Position reclassification
  - Juvenile Community Services
    - Juvenile Correctional Specialists – 11 to 12
    - Administrative Assistants – 6 to 7
  - Prisons Division
    - Correctional Officer series
    - JRCC Food Service Workers

Insurance - $90,008
- Internal accounting adjustment

IT Data Processing - $146,160
- Anticipated use based on ITD rates

IT Contractual Services - $(306,205)
- ITAG upgrade completed

Professional Services - $(143,942)
- Projected expenditures

2005 – 2007 Budget

As of 11/06, 71% of this budget cost center has been expended. Anticipate 100% expended at the end of the biennium.

Department of Corrections and Rehabilitation							
Central Office - All							
Object		2003-05 Biennium	2005-07 First Year	2005-07 Biennium	2005-07 Biennium	2007-09 Budget	Change from
Description	Code	Expenditures	Expenditures	Balance	Appropriation	Recommendation	2005-2007
SALARIES	511000	1,044,500	690,105	785,967	1,476,072	2,763,351	1,287,279
TEMP, OT, SHIFT	513000	46,992	29,737	38,705	68,442	40,020	(28,422)
BENEFITS	516000	403,556	285,965	259,678	545,643	665,766	120,123
TRAVEL	521000	40,621	21,842	7,970	29,812	75,000	45,188
IT-SOFTWARE/SUPPLIES	531000	12,319	34,801	88,028	122,829	105,902	(16,927)
PROFESSIONAL SUPPLIES & MAT	532000	1,352	257	949	1,206	1,500	294
FOOD & CLOTHING	533000	15	13	-	13	-	(13)
BLDG,GRNDS,VEHICLE MTCE S	534000	64	-	14	14	8	(6)
MISCELLANEOUS SUPPLIES	535000	773	404	229	633	1,000	367
OFFICE SUPPLIES	536000	6,554	3,864	521	4,385	9,700	5,315
POSTAGE	541000	10,509	6,556	-	6,556	25,000	18,444
PRINTING	542000	9,053	5,346	488	5,834	10,000	4,166
IT-EQUIP UNDER $5,000	551000	32,722	67,337	29,044	96,381	140,758	44,377
OTHER EQUIP - UNDER $5,000	552000	-	-	-	-	-	-
OFFICE EQUIP - UNDER $5,000	553000	1,101	1,842	1,070	2,912	8,001	5,089
UTILITIES	561000	-	-	14	14	-	(14)
INSURANCE	571000	21,819	79,660	70,332	149,992	240,000	90,008
LEASE/RENT - EQUIPMENT	581000	5,357	2,278	699	2,977	5,000	2,023
LEASE/RENT - BLDG/LAND	582000	25	65	44	109	-	(109)
REPAIRS	591000	590	-	3	3	500	497
IT-DATA PROCESSING	601000	111,243	156,206	54,715	210,921	360,081	149,160
IT-TELEPHONE	602000	14,786	5,606	2,053	7,659	14,764	7,105
IT-CONTRACTUAL SERVICES	603000	115,745	374,344	-	374,344	68,139	(306,205)
DUES & PROFESSIONAL DEV	611000	23,715	15,468	3,708	19,176	37,499	18,323
OPERATING FEES & SERVICES	621000	26,784	11,787	16,169	27,956	48,763	20,807
PROFESSIONAL SERVICES	623000	21,616	141	148,801	148,942	5,000	(143,942)
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	-	18,255	6,458	24,713	-	(24,713)
TOTAL		**1,951,811**	**1,811,879**	**1,515,659**	**3,327,538**	**4,625,752**	**1,298,214**
	General	1,941,011	1,811,879	1,440,456	3,252,335	4,625,752	1,373,417
	Federal	10,800	-	6,674	6,674	-	(6,674)
	Special	-	-	68,529	68,529	-	(68,529)
FTE		10.5	17.5	-	17.5	21.0	3.5

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DEPARTMENT ADMINISTRATION - YCC
Reporting Level: 01-530-200-23-10-55-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	124,108	131,836	149,578	281,414	293,015	11,601
SALARIES - OTHER	512000	0	0	0	0	0	0
TEMPORARY SALARIES	513000	0	113	0	113	4,994	4,881
OVERTIME	514000	16	0	0	0	0	0
FRINGE BENEFITS	516000	40,127	51,904	52,671	104,575	108,660	4,085
TRAVEL	521000	6,440	2,098	1,214	3,312	10,091	6,779
SUPPLIES - IT SOFTWARE	531000	2,879	1,609	11,138	12,747	15,468	2,721
SUPPLY/MATERIAL-PROFESSIONAL	532000	240	64	54	118	163	45
FOOD AND CLOTHING	533000	0	2	0	2	0	(2)
BLDG, GROUND, MAINTENANCE	534000	1	0	9	9	8	(1)
MISCELLANEOUS SUPPLIES	535000	135	56	21	77	133	56
OFFICE SUPPLIES	536000	782	443	7	450	1,068	618
POSTAGE	541000	435	1,009	0	1,009	3,777	2,768
PRINTING	542000	388	423	0	423	1,048	625
IT EQUIP UNDER $5,000	551000	2,145	9,147	3,413	12,560	25,875	13,315
OFFICE EQUIP & FURN SUPPLIES	553000	360	56	343	399	713	314
INSURANCE	571000	479	11,569	10,325	21,894	35,396	13,502
RENTALS/LEASES-EQUIP & OTHER	581000	630	52	288	340	643	303
RENTALS/LEASES - BLDG/LAND	582000	7	65	0	65	0	(65)
REPAIRS	591000	12	0	1	1	93	92
SALARY INCREASE	599110	0	0	0	0	17,691	17,691
BENEFIT INCREASE	599160	0	0	0	0	2,990	2,990
IT - DATA PROCESSING	601000	7,564	25,090	13,557	38,647	63,684	25,037
IT-COMMUNICATIONS	602000	3,140	884	930	1,814	1,841	27

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DEPARTMENT ADMINISTRATION - YCC
Reporting Level: 01-530-200-23-10-55-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
IT CONTRACTUAL SERVICES AND RE	603000	0	154,895	0	154,895	2,890	(152,005)
PROFESSIONAL DEVELOPMENT	611000	5,501	1,543	2,167	3,710	6,084	2,374
OPERATING FEES AND SERVICES	621000	1,899	426	11	437	2,545	2,108
FEES - PROFESSIONAL SERVICES	623000	6,276	141	1,264	1,405	0	(1,405)
IT EQUIPMENT OVER $5000	693000	0	2,542	6,458	9,000	0	(9,000)
YOUTH CORRECTIONAL CENTER	79	203,564	395,967	253,449	649,416	598,870	(50,546)
MEANS OF FUNDING							
STATE GENERAL FUND	001	203,564	395,967	243,978	639,945	598,870	(41,075)
General Fund	GEN	203,564	395,967	243,978	639,945	598,870	(41,075)
DEPT OF CORRECTIONS OPER - 379	379	0	0	9,471	9,471	0	(9,471)
Special Funds	SPEC	0	0	9,471	9,471	0	(9,471)
EXPENDITURES							
TOTAL EXPENDITURES		203,564	395,967	253,449	649,416	598,870	(50,546)
MEANS OF FUNDING							
TOTAL FUNDING		203,564	395,967	253,449	649,416	598,870	(50,546)
AUTHORIZED EMPLOYEES							
FTE		1.54	3.54	0.00	3.54	3.54	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DEPARTMENT ADMINISTRATION - JCS
Reporting Level: 01-530-200-24-10-30-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
MEANS OF FUNDING							
DETENTION SERVICES - FED	P021	0	0	0	0	0	0
Federal Funds	FED	0	0	0	0	0	0
EXPENDITURES							
SALARIES - PERMANENT	511000	49,786	29,414	32,901	62,315	66,014	3,699
SALARIES - OTHER	512000	0	0	0	0	156,462	156,462
TEMPORARY SALARIES	513000	0	0	0	0	1,998	1,998
OVERTIME	514000	7	0	0	0	0	0
FRINGE BENEFITS	516000	16,205	12,787	9,554	22,341	23,010	669
TRAVEL	521000	3,604	849	2,399	3,248	5,960	2,712
SUPPLIES - IT SOFTWARE	531000	627	596	1,498	2,094	6,191	4,097
SUPPLY/MATERIAL-PROFESSIONAL	532000	208	0	175	175	194	19
FOOD AND CLOTHING	533000	0	0	0	0	0	0
BLDG, GROUND, MAINTENANCE	534000	1	0	0	0	0	0
MISCELLANEOUS SUPPLIES	535000	145	25	100	125	148	23
OFFICE SUPPLIES	536000	655	240	384	624	872	248
POSTAGE	541000	398	302	0	302	1,410	1,108
PRINTING	542000	417	185	488	673	923	250
IT EQUIP UNDER $5,000	551000	676	3,992	1,893	5,885	7,962	2,077
OFFICE EQUIP & FURN SUPPLIES	553000	109	24	161	185	312	127
INSURANCE	571000	516	4,201	4,315	8,516	13,917	5,401
RENTALS/LEASES-EQUIP & OTHER	581000	679	157	411	568	690	122
RENTALS/LEASES - BLDG/LAND	582000	7	0	10	10	0	(10)
REPAIRS	591000	3	0	0	0	7	7
SALARY INCREASE	599110	0	0	0	0	3,961	3,961
BENEFIT INCREASE	599160	0	0	0	0	663	663

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DEPARTMENT ADMINISTRATION - JCS
Reporting Level: 01-530-200-24-10-30-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
IT - DATA PROCESSING	601000	2,193	9,255	7,313	16,568	25,474	8,906
IT-COMMUNICATIONS	602000	1,003	312	542	854	723	(131)
IT CONTRACTUAL SERVICES AND RE	603000	0	0	0	0	480	480
PROFESSIONAL DEVELOPMENT	611000	1,954	673	1,155	1,828	2,779	951
OPERATING FEES AND SERVICES	621000	1,961	186	174	360	1,204	844
FEES - PROFESSIONAL SERVICES	623000	6,759	0	1,380	1,380	0	(1,380)
IT EQUIPMENT OVER $5000	693000	0	1,109	0	1,109	0	(1,109)
JUVENILE COMMUNITY SERVICES	72	87,913	64,307	64,853	129,160	321,354	192,194
MEANS OF FUNDING							
STATE GENERAL FUND	001	87,913	64,307	61,196	125,503	321,354	195,851
General Fund	GEN	87,913	64,307	61,196	125,503	321,354	195,851
DEPT OF CORRECTIONS OPER - 379	379	0	0	3,657	3,657	0	(3,657)
Special Funds	SPEC	0	0	3,657	3,657	0	(3,657)
STATE GENERAL FUND	001	0	0	0	0	0	0
General Fund	GEN	0	0	0	0	0	0
EXPENDITURES							
TOTAL EXPENDITURES		87,913	64,307	64,853	129,160	321,354	192,194
MEANS OF FUNDING							
TOTAL FUNDING		87,913	64,307	64,853	129,160	321,354	192,194
AUTHORIZED EMPLOYEES							
FTE		0.62	0.72	0.00	0.72	0.72	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DEPARTMENT ADMINISTRATION - FS
Reporting Level: 01-530-500-10-10-30-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	153,640	114,750	130,006	244,756	270,872	26,116
SALARIES - OTHER	512000	0	0	0	0	0	0
TEMPORARY SALARIES	513000	0	0	0	0	5,326	5,326
OVERTIME	514000	0	11	0	11	0	(11)
FRINGE BENEFITS	516000	46,453	45,502	41,542	87,044	95,027	7,983
TRAVEL	521000	6,535	3,873	0	3,873	11,104	7,231
SUPPLIES - IT SOFTWARE	531000	1,381	24,853	0	24,853	18,844	(6,009)
SUPPLY/MATERIAL-PROFESSIONAL	532000	276	39	117	156	204	48
FOOD AND CLOTHING	533000	0	2	0	2	0	(2)
BLDG, GROUND, MAINTENANCE	534000	62	0	0	0	0	0
MISCELLANEOUS SUPPLIES	535000	190	65	19	84	144	60
OFFICE SUPPLIES	536000	865	889	0	889	1,671	782
POSTAGE	541000	438	996	0	996	3,948	2,952
PRINTING	542000	1,153	954	0	954	1,620	666
IT EQUIP UNDER $5,000	551000	1,255	10,645	214	10,859	21,421	10,562
OFFICE EQUIP & FURN SUPPLIES	553000	183	1,508	0	1,508	2,147	639
INSURANCE	571000	615	10,648	10,129	20,777	35,180	14,403
RENTALS/LEASES-EQUIP & OTHER	581000	739	419	0	419	743	324
RENTALS/LEASES - BLDG/LAND	582000	8	0	7	7	0	(7)
REPAIRS	591000	12	0	0	0	18	18
SALARY INCREASE	599110	0	0	0	0	15,024	15,024
BENEFIT INCREASE	599160	0	0	0	0	2,542	2,542
IT - DATA PROCESSING	601000	3,764	24,681	19,958	44,639	68,078	23,439
IT-COMMUNICATIONS	602000	1,636	1,065	0	1,065	2,265	1,200

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DEPARTMENT ADMINISTRATION - FS
Reporting Level: 01-530-500-10-10-30-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
IT CONTRACTUAL SERVICES AND RE	603000	0	0	0	0	1,280	1,280
PROFESSIONAL DEVELOPMENT	611000	3,256	2,699	0	2,699	5,485	2,786
OPERATING FEES AND SERVICES	621000	5,113	2,241	2,981	5,222	7,470	2,248
FEES - PROFESSIONAL SERVICES	623000	7,242	0	141,481	141,481	0	(141,481)
IT EQUIPMENT OVER $5000	693000	0	2,958	0	2,958	0	(2,958)
FIELD SERVICES	74	234,816	248,798	346,454	595,252	570,413	(24,839)
MEANS OF FUNDING							
TRAINING-CENTRAL OFFICE	P147	2,160	0	0	0	0	0
Federal Funds	FED	2,160	0	0	0	0	0
STATE GENERAL FUND	001	232,656	248,798	335,273	584,071	570,413	(13,658)
General Fund	GEN	232,656	248,798	335,273	584,071	570,413	(13,658)
DEPT OF CORRECTIONS OPER - 379	379	0	0	11,181	11,181	0	(11,181)
Special Funds	SPEC	0	0	11,181	11,181	0	(11,181)
EXPENDITURES							
TOTAL EXPENDITURES		234,816	248,798	346,454	595,252	570,413	(24,839)
MEANS OF FUNDING							
TOTAL FUNDING		234,816	248,798	346,454	595,252	570,413	(24,839)
AUTHORIZED EMPLOYEES							
FTE		1.68	2.76	0.00	2.76	2.96	0.20

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DEPARTMENT ADMINISTRATION - PEN
Reporting Level: 01-530-500-20-10-55-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	375,094	216,645	247,595	464,240	548,257	84,017
SALARIES - OTHER	512000	0	0	0	0	395,776	395,776
TEMPORARY SALARIES	513000	24,427	15,376	20,127	35,503	14,484	(21,019)
OVERTIME	514000	0	23	0	23	0	(23)
FRINGE BENEFITS	516000	157,324	91,941	81,495	173,436	205,179	31,743
TRAVEL	521000	12,605	7,876	2,683	10,559	25,472	14,913
SUPPLIES - IT SOFTWARE	531000	3,901	4,065	39,243	43,308	34,132	(9,176)
SUPPLY/MATERIAL-PROFESSIONAL	532000	329	81	314	395	493	98
FOOD AND CLOTHING	533000	8	5	0	5	0	(5)
BLDG, GROUND, MAINTENANCE	534000	0	0	2	2	0	(2)
MISCELLANEOUS SUPPLIES	535000	159	135	48	183	305	122
OFFICE SUPPLIES	536000	2,228	1,201	68	1,269	2,879	1,610
POSTAGE	541000	5,128	2,381	0	2,381	8,468	6,087
PRINTING	542000	3,721	1,984	0	1,984	3,359	1,375
IT EQUIP UNDER $5,000	551000	15,012	22,824	18,631	41,455	44,181	2,726
OFFICE EQUIP & FURN SUPPLIES	553000	235	133	298	431	1,748	1,317
UTILITIES	561000	0	0	5	5	0	(5)
INSURANCE	571000	9,823	26,647	25,331	51,978	81,682	29,704
RENTALS/LEASES-EQUIP & OTHER	581000	1,733	864	0	864	1,531	667
RENTALS/LEASES - BLDG/LAND	582000	2	0	14	14	0	(14)
REPAIRS	591000	295	0	1	1	203	202
SALARY INCREASE	599110	0	0	0	0	28,698	28,698
BENEFIT INCREASE	599160	0	0	0	0	4,864	4,864
IT - DATA PROCESSING	601000	51,188	50,904	5,258	56,162	103,822	47,660

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DEPARTMENT ADMINISTRATION - PEN
Reporting Level: 01-530-500-20-10-55-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
IT-COMMUNICATIONS	602000	4,718	1,752	339	2,091	4,525	2,434
IT CONTRACTUAL SERVICES AND RE	603000	61,332	116,285	0	116,285	35,205	(81,080)
PROFESSIONAL DEVELOPMENT	611000	6,817	5,532	251	5,783	11,528	5,745
OPERATING FEES AND SERVICES	621000	9,348	4,688	6,723	11,411	22,809	11,398
FEES - PROFESSIONAL SERVICES	623000	700	0	1,297	1,297	0	(1,297)
IT EQUIPMENT OVER $5000	693000	0	6,100	0	6,100	0	(6,100)
PRISONS DIVISION	77	746,127	577,442	449,723	1,027,165	1,579,600	552,435
MEANS OF FUNDING							
RESIDENTIAL SUBSTANCE ABUSE TRMT	P108	0	0	3,000	3,000	0	(3,000)
SCAAP-BJA	P133	0	0	2,500	2,500	0	(2,500)
TRAINING-CENTRAL OFFICE	P147	8,640	0	0	0	0	0
Federal Funds	FED	8,640	0	5,500	5,500	0	(5,500)
STATE GENERAL FUND	001	737,487	577,442	421,053	998,495	1,579,600	581,105
General Fund	GEN	737,487	577,442	421,053	998,495	1,579,600	581,105
DEPT OF CORRECTIONS OPER - 379	379	0	0	23,170	23,170	0	(23,170)
Special Funds	SPEC	0	0	23,170	23,170	0	(23,170)
EXPENDITURES							
TOTAL EXPENDITURES		746,127	577,442	449,723	1,027,165	1,579,600	552,435
MEANS OF FUNDING							
TOTAL FUNDING		746,127	577,442	449,723	1,027,165	1,579,600	552,435
AUTHORIZED EMPLOYEES							
FTE		3.49	5.48	0.00	5.48	6.68	1.20

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DEPARTMENT ADMINISTRATION - JRCC
Reporting Level: 01-530-500-20-15-55-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	241,128	139,271	159,723	298,994	432,697	133,703
SALARIES - OTHER	512000	0	0	0	0	251,707	251,707
TEMPORARY SALARIES	513000	15,964	10,053	13,160	23,213	9,212	(14,001)
OVERTIME	514000	0	15	0	15	0	(15)
FRINGE BENEFITS	516000	101,098	59,074	52,705	111,779	163,096	51,317
TRAVEL	521000	8,055	5,033	1,181	6,214	15,704	9,490
SUPPLIES - IT SOFTWARE	531000	2,473	2,576	25,611	28,187	21,959	(6,228)
SUPPLY/MATERIAL-PROFESSIONAL	532000	210	52	203	255	318	63
FOOD AND CLOTHING	533000	5	3	0	3	0	(3)
BLDG, GROUND, MAINTENANCE	534000	0	0	2	2	0	(2)
MISCELLANEOUS SUPPLIES	535000	101	86	30	116	194	78
OFFICE SUPPLIES	536000	1,421	766	48	814	2,438	1,624
POSTAGE	541000	2,877	1,308	0	1,308	5,182	3,874
PRINTING	542000	2,379	1,269	0	1,269	2,144	875
IT EQUIP UNDER $5,000	551000	9,545	14,512	4,893	19,405	29,090	9,685
OFFICE EQUIP & FURN SUPPLIES	553000	150	85	189	274	2,612	2,338
UTILITIES	561000	0	0	6	6	0	(6)
INSURANCE	571000	7,290	21,746	14,222	35,968	54,870	18,902
RENTALS/LEASES-EQUIP & OTHER	581000	1,103	550	0	550	975	425
RENTALS/LEASES - BLDG/LAND	582000	1	0	9	9	0	(9)
REPAIRS	591000	188	0	1	1	130	129
SALARY INCREASE	599110	0	0	0	0	18,438	18,438
BENEFIT INCREASE	599160	0	0	0	0	3,125	3,125
IT - DATA PROCESSING	601000	32,574	32,393	7,133	39,526	70,143	30,617

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DEPARTMENT ADMINISTRATION - JRCC
Reporting Level: 01-530-500-20-15-55-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
IT-COMMUNICATIONS	602000	3,003	1,115	181	1,296	4,176	2,880
IT CONTRACTUAL SERVICES AND RE	603000	38,200	72,425	0	72,425	19,365	(53,060)
PROFESSIONAL DEVELOPMENT	611000	4,353	3,532	131	3,663	8,569	4,906
OPERATING FEES AND SERVICES	621000	6,002	3,007	4,393	7,400	10,350	2,950
FEES - PROFESSIONAL SERVICES	623000	447	0	2,397	2,397	3,467	1,070
IT EQUIPMENT OVER $5000	693000	0	3,882	0	3,882	0	(3,882)
PRISONS DIVISION	77	478,567	372,753	286,218	658,971	1,129,961	470,990
MEANS OF FUNDING							
SCAAP-BJA	P133	0	0	1,174	1,174	0	(1,174)
TRAINING-CENTRAL OFFICE	P147	0	0	0	0	0	0
Federal Funds	FED	0	0	1,174	1,174	0	(1,174)
STATE GENERAL FUND	001	478,567	372,753	270,187	642,940	1,129,961	487,021
General Fund	GEN	478,567	372,753	270,187	642,940	1,129,961	487,021
DEPT OF CORRECTIONS OPER - 379	379	0	0	14,857	14,857	0	(14,857)
Special Funds	SPEC	0	0	14,857	14,857	0	(14,857)
EXPENDITURES							
TOTAL EXPENDITURES		478,567	372,753	286,218	658,971	1,129,961	470,990
MEANS OF FUNDING							
TOTAL FUNDING		478,567	372,753	286,218	658,971	1,129,961	470,990
AUTHORIZED EMPLOYEES							
FTE		2.24	3.53	0.00	3.53	5.30	1.77

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DEPARTMENT ADMINISTRATION - MRCC
Reporting Level: 01-530-500-20-20-55-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	100,744	58,189	66,164	124,353	147,735	23,382
SALARIES - OTHER	512000	0	0	0	0	109,289	109,289
TEMPORARY SALARIES	513000	6,578	4,140	5,418	9,558	4,006	(5,552)
OVERTIME	514000	0	6	0	6	0	(6)
FRINGE BENEFITS	516000	42,349	24,757	21,711	46,468	55,307	8,839
TRAVEL	521000	3,382	2,113	493	2,606	6,669	4,063
SUPPLIES - IT SOFTWARE	531000	1,058	1,102	10,538	11,640	9,308	(2,332)
SUPPLY/MATERIAL-PROFESSIONAL	532000	89	21	86	107	128	21
FOOD AND CLOTHING	533000	2	1	0	1	0	(1)
BLDG, GROUND, MAINTENANCE	534000	0	0	1	1	0	(1)
MISCELLANEOUS SUPPLIES	535000	43	37	11	48	76	28
OFFICE SUPPLIES	536000	603	325	14	339	772	433
POSTAGE	541000	1,233	560	0	560	2,215	1,655
PRINTING	542000	995	531	0	531	906	375
IT EQUIP UNDER $5,000	551000	4,089	6,217	0	6,217	12,229	6,012
OFFICE EQUIP & FURN SUPPLIES	553000	64	36	79	115	469	354
UTILITIES	561000	0	0	3	3	0	(3)
INSURANCE	571000	3,096	4,849	6,010	10,859	18,955	8,096
RENTALS/LEASES-EQUIP & OTHER	581000	473	236	0	236	418	182
RENTALS/LEASES - BLDG/LAND	582000	0	0	4	4	0	(4)
REPAIRS	591000	80	0	0	0	49	49
SALARY INCREASE	599110	0	0	0	0	7,715	7,715
BENEFIT INCREASE	599160	0	0	0	0	1,303	1,303
IT - DATA PROCESSING	601000	13,960	13,883	1,496	15,379	28,880	13,501

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DEPARTMENT ADMINISTRATION - MRCC
Reporting Level: 01-530-500-20-20-55-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
IT-COMMUNICATIONS	602000	1,286	478	61	539	1,234	695
IT CONTRACTUAL SERVICES AND RE	603000	16,213	30,739	0	30,739	8,919	(21,820)
PROFESSIONAL DEVELOPMENT	611000	1,834	1,489	4	1,493	3,054	1,561
OPERATING FEES AND SERVICES	621000	2,461	1,239	1,887	3,126	4,385	1,259
FEES - PROFESSIONAL SERVICES	623000	192	0	982	982	1,533	551
IT EQUIPMENT OVER $5000	693000	0	1,664	0	1,664	0	(1,664)
PRISONS DIVISION	77	200,824	152,612	114,962	267,574	425,554	157,980
MEANS OF FUNDING							
TRAINING-CENTRAL OFFICE	P147	0	0	0	0	0	0
Federal Funds	FED	0	0	0	0	0	0
STATE GENERAL FUND	001	200,824	152,612	108,769	261,381	425,554	164,173
General Fund	GEN	200,824	152,612	108,769	261,381	425,554	164,173
DEPT OF CORRECTIONS OPER - 379	379	0	0	6,193	6,193	0	(6,193)
Special Funds	SPEC	0	0	6,193	6,193	0	(6,193)
EXPENDITURES							
TOTAL EXPENDITURES		200,824	152,612	114,962	267,574	425,554	157,980
MEANS OF FUNDING							
TOTAL FUNDING		200,824	152,612	114,962	267,574	425,554	157,980
AUTHORIZED EMPLOYEES							
FTE		0.93	1.47	0.00	1.47	1.81	0.34

TESTIMONY ON HB 1015

HOUSE APPROPRIATIONS SUB-COMMITTEE

REPRESENTATIVE CHET POLLERT, CHAIRMAN

ROUGH RIDER INDUSTRIES

DENNIS FRACASSI, DIRECTOR

JANUARY 10, 2007

Included in my handout is a brochure we developed and use as a public relations tool to provide an overview of the Rough Rider Industries program. It basically speaks to why we exist, what we are trying to accomplish, how we go about it, and how our eligible customers have a stake in our success. When you look at Rough Rider Industries, I think it's important to point out that we don't hire inmates to build products – we build products to hire inmates. In other words, our primary focus is to provide inmates an incentive to be productive with their time of incarceration. The products we produce and sell to our eligible customers is simply a mechanism to fund our program without having to further burden ND taxpayers with the cost of incarceration. The fact that we take about 160 inmates off the hands of penitentiary staff and put them to productive work saves North Dakota taxpayers hundreds of thousands of dollars each year. Our mission can be summed up by saying "our goal is to prepare inmates to become taxpayers instead of tax burdens".

Last session you granted us the authority to construct a new building at the Missouri River Correctional Center. We obtained a loan from the Bank of North Dakota, built a 9,000 sq. ft. building and formed a partnership with SturD Manufacturing of Carson, ND to produce agricultural implement products. Our agreement calls for RRI to supply the building and labor pool, and to provide for the training and security. SturD supplies the equipment, raw materials and handles all the sales and marketing of the products. We employ between 15 – 20 inmates in skill areas that significantly increase their chances of obtaining employment upon their release. In fact, we are aware of several inmates who

have found meaningful employment with ND businesses around the state since their release from prison.

Another noteworthy project we started a little over a year ago is developing products for the child care industry. We have just recently signed a contract with Lakes & Prairies Community Action Partnership, Inc. of Fargo/Moorhead to handle the entire sales and marketing of the products we develop. Included on the last page of your handout are pictures of some of the products we have developed thus far. Nobody in the region is making products like this. In fact similar products found in catalogs are primarily made in China and distributed through national chains mostly located on the east coast. Most of these products will be made in Jamestown. This is a great opportunity to replace work we lost in Jamestown after Global Electric Motorcars was purchased by Damlier-Chrysler and began making seats in Detroit.

Our Jamestown operation has struggled since losing the GEM business and has lost nearly a quarter of a million dollars in each of the past two years. If RRI was a private sector company, it would have shut down the Jamestown operation a long time ago. But we are not a private sector company and not having jobs for nearly 400 inmates housed at the JRCC is simply not an option. To address this concern, we relocated the upholstery business from Bismarck to Jamestown. That gives Jamestown a steady stream of business while we continue to build on the child care industry. It also helped us gain some efficiency for our furniture shop by moving drawer box assembly and final assembly into the vacated upholstery area.

Our $14.8 million budget request for the 2007 – 2009 biennium represents $8.3 million to meet our existing needs, $3 million targeted for a general issue of license plates, and $3.5 million targeted for growth. In the event we are successful in forming new partnerships in the national economy through the PIE program, it is imperative that we have adequate spending authority and the authority to hire additional staff to accommodate any growth. Obviously, as a self-funded agency, we must be in a position

to generate enough income before hiring additional staff or making expenditures beyond our present means.

I have been granted permission by Bill Goetz, Pam Sharpe and LeAnn Bertsch to deviate a little from the governor's proposed budget to ask that our original request for four FTE's be restored. These are not general funded positions and would only be filled if appropriate revenue streams were made available to pay for them. We are always working on developing new business opportunities with the private sector, and it would be a shame to have to turn away any such opportunity for lack of available staff. It was the intent of our budget analyst to include these positions in our budget, but as you can imagine how difficult it is to prepare these budgets, it's easy to understand how this could have been overlooked. The four positions we are requesting to have restored are currently listed as an optional request on our budget.

In closing, I ask for your continued support in granting this budget request with the flexibility to enable us to grow in a prudent and responsible fashion. We in turn, will continue to work hard in turning inmates from being tax burdens into taxpayers.

Rough Rider Industries' Eligible Customer Base includes:

State Agencies
Non-Profit Organizations
Schools
Hospitals
Retailers/Wholesalers
Nursing Homes
Federal Agencies
County Agencies
City Agencies
Churches
Tribal Agencies
Certified Private Sector Partners

Rough Rider Industries
3303 East Main Street
PO Box 5521
Bismarck, ND 58506-5521
701-328-6161
800-732-0557
Fax: 701-328-6164
www.roughriderindustries.com

ROUGH RIDER INDUSTRIES

Sharing Our Mission...

"To employ inmates to produce quality goods and services in a self-sustaining manner that makes the time of incarceration productive, while preparing the inmate to reintegrate back into society."

Why Rough Rider Industries...

PRISON

Does this word conjure up any positive thoughts? Probably not. Most of us have little sympathy for people who don't play by the rules. Today, over 1,400 men and women are behind bars and razor wire in North Dakota's prisons. It is not a pretty place, nor should it be. Prison should be a place no one wants to go, yet it must not be a place entirely without...

HOPE

For many of these men and women behind bars, there is an opportunity to be productive with their time of incarceration. Inmates who are compliant with treatment, education, and avoid behavioral problems may earn a chance to work at Rough Rider Industries. Those who apply and are accepted into our program learn some of life's most valuable lessons. Lessons such as...

RESPONSIBILITY

A regular work schedule, accountability for what they produce, teamwork, and managing money are foreign concepts to many inmates. Inmates learn skills, work ethics, and must use their earnings to pay fines, restitution, child support and provide for their own sundry items while incarcerated. Twenty-five percent of their earnings are also set aside in a savings account for when they are released. With over 97 percent of inmates returning to the streets from which they came, it is to your advantage and mine that we give them some legitimate way to survive in the modern American economy. Additionally, productive work helps prison management maintain...

DISCIPLINE

Our prisons are a small yet complex society; one that is difficult and sometimes dangerous to control. Real work has proven to be one of the most effective ways to manage prisons. Over the years we have learned that productive work reduces assaults and disciplinary problems and improves attitudes and positive interactions between inmates and staff. But, no matter how positive the results, we must pursue our mission prudently and responsibly with a sense of...

FAIRNESS

No one wants to take jobs from honest, hard working citizens. And we don't. To the contrary, we actually employ over 30 North Dakotans to run the program. And because we buy many of our raw materials, supplies and services from North Dakota businesses, we contribute to the North Dakota economy just like any other small business. Additionally, we have discovered ways to work in partnership with some North Dakota private sector businesses that would otherwise look for out-of – state companies to fulfill their needs. It is truly a win-win proposition. Yet many people we talk to find it hard to believe that Rough Rider Industries is also...

ECONOMICAL

The truth is, we pay our own way. No tax dollars are used in our program. All salaries, equipment, capital improvements, and operating expenses are paid from revenues generated from the sale of our products and services. You and I along with every other North Dakotan profits because what we do helps defray the huge tax bite required to run the prison system. And as you can imagine, because we must be self-sufficient, the only way we can employ more inmates is to earn your business. And to do that, we must provide products and services of the highest...

QUALITY

Many states throughout the country mandate that state agencies buy their products from prison industries. Rough Rider Industries does not support nor endorse those practices. We want the chance to earn your business. We believe the quality of our products speaks for itself as evidenced by the years of repeat business from many of our eligible customers. We have no formal warranty policy because we have never needed one. On rare occasions when our customers discover a problem with our products, they know we will address their concern to meet their satisfaction. Our products, our services, and our commitment to our mission create an atmosphere of...

SUCCESS

Whether or not we reach our goal is in the hands of you, our eligible customers. Without your support, we are limited in the resources and methods available to instill responsibility, discipline, and a sense of accomplishment in those who need it most. Their success is your success. Tomorrow morning, like every other morning of the year, inmates will be released from the penitentiary to join us side-by-side on the streets of North Dakota. Your purchasing power can improve the odds that they won't return.

(7)

TESTIMONY ON HB 1015
SENATE APPROPRIATIONS COMMITTEE
SENATOR RAY HOLMBERG, CHAIRMAN

ROUGH RIDER INDUSTRIES
DENNIS FRACASSI, DIRECTOR
MARCH 5, 2007

Included with this handout is a brochure we developed for use as a public relations tool to provide an overview of the Rough Rider Industries program. It basically speaks to why we exist, what we are trying to accomplish, how we go about it, and how our eligible customers have a stake in our success. Our mission can be summed up by saying "our goal is to help prepare inmates to become taxpayers instead of tax burdens".

Our $14.6 million budget request for the 2007 – 2009 biennium represents $8.1 million to meet our existing needs, $3 million targeted for a general issue of license plates, and $3.5 million targeted for growth. In the event we are successful in forming private sector partnerships through the PIE program, it is imperative that we have adequate spending authority and the authority to hire additional staff to accommodate that growth. Obviously, as a self-funded agency, we must be in a position to generate enough income before hiring additional staff or making expenditures beyond our present means.

I have been granted permission by Bill Goetz, Pam Sharpe and LeAnn Bertsch to deviate a little from the governor's proposed budget to ask that our original request for four FTE's be restored. It was not the intent to exclude these positions from the executive budget. These are not general funded positions and would only be filled if appropriate revenue streams were made available to pay for them. We are always working on developing new business opportunities with the private sector, and it would be shame to have to turn away any such opportunity for lack of available staff. The four positions we are requesting to have restored are currently listed as an optional request on our budget. The House did not restore these requested positions. Our Budget Analyst Mr.

Joe Morrisette, informed me last Friday that the House felt if additional positions were needed throughout the biennium, I could go to the emergency commission. Unfortunately, I don't believe that is an option for a special funded agency. Accordingly, I ask this committee to restore those non-general funded positions.

The House did remove the $3 million from our budget request targeted for a general issue of license plates because, quite simply, it's not going to happen. Accordingly, our budget request is revised as follows:

Salary and Fringe	$ 3,475,032
Operating	$10,548,282
Equipment	$ 555,500
General Issue Tags	($ 3,000,000)
4 New FTE's	$ 294,342
Revised Total	$11,873,156
General Funds	0
Special Funds	$11,873,156

Last session you granted us the authority to construct a new building at the Missouri River Correctional Center. We obtained a loan from the Bank of North Dakota, built a 9,000 sq. ft. building and have developed a small welding operation. We are currently building agricultural products for SturD Manufacturing of Carson ND, doing welding and assembly for DuraTech of Jamestown and we are exploring additional opportunities with several other local businesses. We employ between 15 – 20 inmates in skill areas that significantly increase their chances of obtaining employment upon their release. In fact, several inmates have found meaningful employment in metal work with ND businesses around the state since their release from prison.

Two years ago we started a sandbagging operation at the MRCC. We currently provide all the sandbagging needs for Dakota Fence Co. of Bismarck and Fargo as well as all the

sandbags used by Newman Signs of Jamestown. The sandbag operation is just one of many examples of synergies that exist between RRI and the private sector. It's a cost effective way for the private sector to address a need they don't like doing for themselves. This provides short term inmates something to do and a way to generate some income before their release. This also provides RRI with a revenue stream to help defray the rising costs of doing business in a restricted market.

Another synergy we have been involved in for years is our work with the NDSU Hettinger Research Station. If you saw the MRCC properties about 12 or 15 years ago, it would have looked like a sea of yellow. That's because the entire 900 plus acres of land was covered with leafy spurge. Hettinger had a need for summer grazing of their sheep and we had to find a solution to combat the leafy spurge without using toxic chemicals along the river, wetlands and wooded areas. Since sheep will include leafy spurge in their diet, this became a viable solution that provided benefit to both agencies. Every spring we set up a crew of inmates to repair fences caused by winter damage in the seven containment pastures we built. Hettinger brings over 500 ewes to the property each spring. We in turn rotate the sheep from one pasture to another to mow down the spurge. Again, this provides work and income for inmates, a revenue stream for RRI, and a solution to Hettinger's grazing needs.

The last thing I want to make you aware of in regards to the MRCC is the work RRI has been involved in with the Missouri River Joint Board, the ND Water Education Foundation and the U.S. Corps of Engineers. These groups along with several other secondary interest groups are in the middle of a $250,000 federal grant being used to determine the feasibility of using all 9,000 lineal feet of prison riverbank for a Bank Stabilization and Aquatic Restoration Demonstration/Study. Some of the focus areas for this study include but are not limited to water quality, fishery food web, bank and bed stability, impact to islands and sandbars, above bank wildlife habitat, backwater areas, threatened and endangered species habitat, and the Oahe Reservoir delta. There is no better place along the entire Missouri River corridor than the MRCC to conduct this study. Much of this work to determine the feasibility of this project has already been

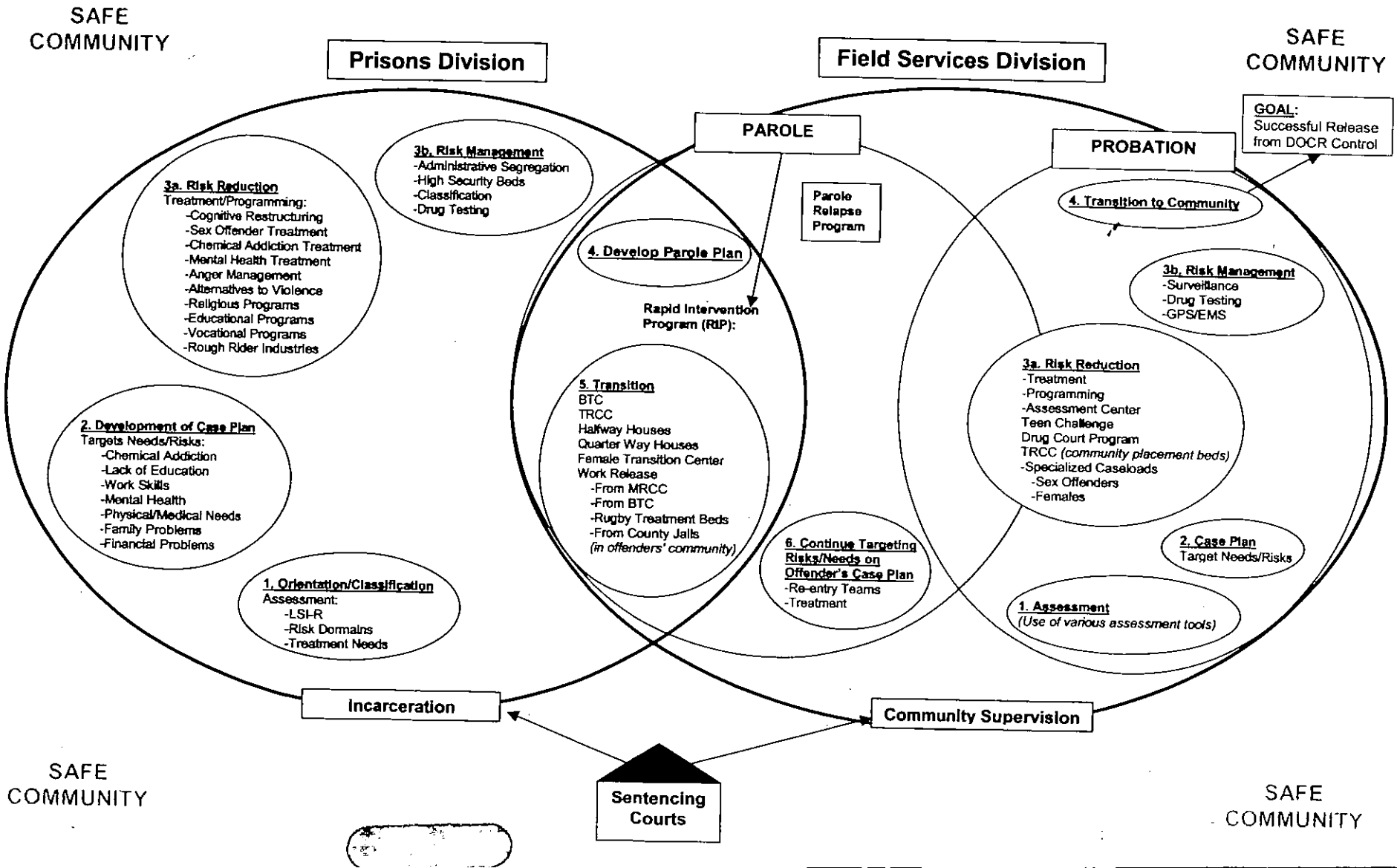
completed. Any remaining work will be completed in time to present to the 61st legislative assembly. Contingent of course, that a decision to sell the MRCC property is not made this session, in which case the project will come to an immediate halt. The knowledge derived from such a study has the potential to provide benefit to all North Dakota citizens, rather than the few who stand to gain if this land is sold for development.

My point for elaborating on the RRI activities at the MRCC is to make you aware that the land is being worked and utilized in such a way that provides benefits to not only RRI and the penitentiary, but to private sector and other public agencies as well. With 401 years of collective correctional experience, those of us on the NDSP management team of which I am a part, see the merits this property brings to the big picture of corrections. That is why, when we submitted our budget to the governor for the $42 million plan, it did not include relocating the MRCC. Last year alone, RRI provided over 27,000 inmate man hours of work at the MRCC. That is significant considering our new building didn't open until July 2006. In addition to the work RRI provides, the MRCC has what it refers to as the general yard crew. These inmates clear deadfall from the woods, mow ditches and other areas around the facilities and provide all the firewood for the Native American Sweat Lodges at both the NDSP and MRCC. I don't know how many inmate man hours this activity provides, but my guess is that it may approach or exceed the 27,000 inmate man hours RRI provides.

My greatest fear as to the outcome of HB 1015 is that needs of RRI is being overlooked in the complexity of the decision you are faced with to add prison beds. In 1997 we were given an unfunded mandate to establish a prison industry in Jamestown. A few years later we were given an unfunded mandate to help establish a prison industry for the women housed at New England. Please don't misunderstand me. Both mandates were absolutely the right thing to do and we were happy accomplish both mandates without having to ask for general fund assistance. But both mandates required a significant investment in time and dollars of which we have not yet recovered.

Unfortunately, whichever new building plan you choose, if we are asked once again in such a short time span to create new buildings and industries for an additional 255 - 405 inmates at the current prison site, or on a new site, RRI will not have the resources to do so on our own. This will be especially true if the MRCC is relocated and we are not compensated for the hundreds of thousands of dollars we have invested in that property over the years. Even with general fund assistance, it will be difficult to replace the inmate man hours and revenue streams we have developed that play such an integral role in the way we operate today.

In closing, I thank you for this opportunity to express my concerns as they relate to RRI and I ask that you not lose sight of the significance and important role RRI plays in the "big picture" of corrections.


SAFE COMMUNITY
Prisons Division
Field Services Division
SAFE COMMUNITY
GOAL:
Successful Release from DOCR Control
PAROLE
PROBATION
3a. Risk Reduction
Treatment/Programming:
-Cognitive Restructuring
-Sex Offender Treatment
-Chemical Addiction Treatment
-Mental Health Treatment
-Anger Management
-Alternatives to Violence
-Religious Programs
-Educational Programs
-Vocational Programs
-Rough Rider Industries
3b. Risk Management
-Administrative Segregation
-High Security Beds
-Classification
-Drug Testing
Parole Relapse Program
4. Transition to Community
4. Develop Parole Plan
Rapid Intervention Program (RIP):
3b. Risk Management
-Surveillance
-Drug Testing
-GPS/EMS
5. Transition
BTC
TRCC
Halfway Houses
Quarter Way Houses
Female Transition Center
Work Release
-From MRCC
-From BTC
-Rugby Treatment Beds
-From County Jails
(in offenders' community)
3a. Risk Reduction
-Treatment
-Programming
-Assessment Center
Teen Challenge
Drug Court Program
TRCC (community placement beds)
-Specialized Caseloads
-Sex Offenders
-Females
2. Development of Case Plan
Targets Needs/Risks:
-Chemical Addiction
-Lack of Education
-Work Skills
-Mental Health
-Physical/Medical Needs
-Family Problems
-Financial Problems
6. Continue Targeting Risks/Needs on Offender's Case Plan
-Re-entry Teams
-Treatment
2. Case Plan
Target Needs/Risks
1. Orientation/Classification
Assessment:
-LSI-R
-Risk Domains
-Treatment Needs
1. Assessment
(Use of various assessment tools)
Incarceration
Community Supervision
SAFE COMMUNITY
Sentencing Courts
SAFE COMMUNITY

HOUSE APPROPRIATIONS COMMITTEE
HUMAN RESOURCES DIVISION
REPRSENTATIVE CHET POLLERT, CHAIRMAN
JANUARY 11, 2007

WARREN R. EMMER, DIRECTOR
DEPARTMENT OF CORRECTIONS AND REHABILITATION,
FIELD SERVICES DIVISION,
PRESENTING TESTIMONY RE: HB 1015

I) **Field Services:** *The community side of the Department of Corrections*

National correctional trends*

- More than 600 000 offenders released from prison annually
- 93% of ALL prisoners eventually are released from prison to community
- 75% of all prisoners have a history of substance abuse
- One in six prisoners suffer from mental illness
- 16% of male prisoners and 12% of female prisoners are diagnosed with SERIOUS mental illness
- 5 000 000 people are on parole or probation throughout the United States
- Women in prisons are now outpacing men in population growth

The Division of Field Services manages all community corrections programs delivered for, or under the direction of, the Department of Corrections. The clientele we manage are high risk; they are all prison eligible.

It is our intent that all offender supervision and release strategies utilized by the division be geared towards protecting the public as well as the interests of crime victims.

II) **We are achieving our goal**. We are protecting the public and our crime victims as we effectively manage our offender population and reduce their recidivism rates.

- *Our parole revocation rates remain incredibly low – 21% versus 55% for the national average. Our parole population is growing dramatically!*
- *We may have stabilized the population of men going to prison for the first time in over a decade!*

- *Let's review some charts. (Copies of data are also in your packet.) Key things to consider include:*
  1. *Impact of parole – growing rapidly*
  2. *Impact of our assessment center program – reducing the number of offenders going to prison*
  3. *Court's increased use of felony probation sentences*

III) North Dakota offender demographics (as of December 31, 2006)

A. We serve 4,813 offenders*.
- 4,233 are on probation (court jurisdiction)
- 372 are on parole (Parole Board jurisdiction)
- 589 are interstate transfer cases (Interstate Compact jurisdiction)

B. There is a strong relationship between the prison's population and the population that we manage:

Type	Field Services	Prison
• Homicide	33	116
• Sex offense	300	213
• Robbery	39	26
• Assault	533	346
• Burglary	502	121
• Theft	724	222
• Drugs	2,165	1,127
• Weapons	71	46

  - 47% have split sentences that require us to manage them after their release from prison
  - Approximately 45-50% of prison "new arrivals" are probation revocation cases
  - 61% of inmates were released on parole supervision

**Offenders may have multiple supervision types. The total number of supervision types may be greater than the total number of offenders served.*

C. Staff testimonials.
- Written officer reports
- Parole Officer III Jennifer College
- Program Manager/Officer Barb Breiland
- Parole Officer III Corey Schlinger

IV) The building blocks of our success!

A. Effective assessment strategies (that provide the court, the Parole and Pardon Advisory Boards, as well as the department, prompt information concerning offender criminal records and future criminal behavior risk factors):
   1. Use of risk predicting assessment tools such as:
      - LSI-R (all offenders)
      - MnSOST-R, Static 99, Acute 2000, Stable 2000 (sex offenders)
   2. Use of sentencing reports prepared between January 1, 2005 – December 31, 2006:
      - 2,191 Parole/Pardon Advisory Board sentencing reports
      - 1,092 pre-sentence reports
   3. Department of Corrections Case Planning Committee

"We provide decision makers with the information they need in order to make good decisions!"

B. Evidence-based treatment and transition programming (that effectively reduces offender future risk):
   1. Tompkins Rehabilitation and Corrections Center (Kerry Wicks)
   2. Transition programming for men (BTC)
   3. Transition programming for women (Centre, Inc.)
   4. Re-entry programming
   5. ½ way and ¼ house placement
   6. Department of Human Services programming (Nancy McKenzie)
   7. In-patient treatment (North Central Correctional Rehab Center)
   8. Teen Challenge
   9. Assessment center programming
   10. Proposed transition program to be sited in the Red River Valley

C. Thoughtful Parole Board interventions that effectively assist the department in managing its inmate population (supported by our Institutional Offender Services Program – IOSP):
   1. The Institutional Offender Services Program (IOSP) develops sentencing reports. The reports are utilized by the Parole and Pardon Advisory Boards, as well as the department.
   2. IOSP is the administrative arm of the Pardon Advisory Board and the Parole Board.
      - North Dakota was second in the nation with a 17% increase in the number of people on parole in 2005.
      - Parole revocation – 21% in 2005 compared to a national average of 55%. (Parole Chairman John Olson to present)

"We are making more people attractive for release on parole; they are succeeding!"

D. Aggressive supervision/security measures (that reduce recidivism and protects the public):
    1. Goal orientated/outcome based case planning
    2. Drug Court program
    3. Drug and alcohol testing
    4. Surveillance program
    5. GPS and traditional electronic monitoring
    6. Home visits
    7. Project Safe Neighborhood program
    8. Polygraph
    9. Operation Falcon/UVAP warrants
    10. Sex-offender Specialist program

E. Empathetic victim programming (that ensures that victim issues are met):
    1. Manage VOCA/CVA programs.
    2. Manage Crime Victims Compensation program.
    3. Maintain a victim coordinator on staff to assist victims, the department, and the parole and pardon process.
        - This reflects the victim coordinator's activity for the period January 1, 2005 – December 31, 2006.
            i. Served 1,971 victims
            ii. Provided 3,162 separate victim services
    4. Holding offenders fiscally responsible.
        - For court-ordered fiscal obligations. This reflects collections from cases terminated during January 1, 2005 – December 31, 2006.
            i. $2,924,176 restitution
            ii. $221,972 court costs
            iii. $454,060 fines
            iv. $678,328 fees
            v. $4,278,536 total
        - For direct fiscal payments to the division. This reflects collections from January 1, 2005 – December 31, 2006.
            i. $2,252,753 supervision fees
            ii. $114,402 interstate compact return fund
            iii. $2,367,155 total

F. Serious consideration of future concerns for corrections in North Dakota:
    1. Caseload and delivery systems are heavily burdened and they may fail in the future.
    2. Revocation rates for those under supervision will rise if workload issues are not addressed.
    3. Less people will be attractive for parole release if workloads are not stabilized.

V) We are proud of what we do!

A. Our staff is making a difference; they do a great job! Staff manages a large and risky population of offenders efficiently and effectively.
B. Victims of crime, and the public at large, are well served by the Field Services Division.
C. Our work is nationally recognized. We consult with other states on "outcome based" corrections program designs. We are also leaders on matters concerning the federal Interstate Compact for the Supervision of Adult Offenders.
D. Our programming has reduced the growth of the cost of North Dakota corrections this biennium. The proposed budget for '07-'09 will accelerate our favorable impact on the department's budget!

ATTACHMENTS INCLUDED IN THE PACKET:

Left side:
1. Division of Field Services Program Descriptions
2. Charts (8)

Right side:
1. Parole/Probation Officer Testimonials
2. Magazine Article – A Call for Evidence-Based Policy
3. Sex Offender Program Description
4. Magazine Article – Managing Adult Sex Offenders in the Community
5. ND Teen Challenge Program Description

HOUSE APPROPRIATIONS COMMITTEE
HUMAN RESOURCES DIVISION
REPRSENTATIVE CHET POLLERT, CHAIRMAN
JANUARY 11, 2007

WARREN R. EMMER, DIRECTOR
DEPARTMENT OF CORRECTIONS AND REHABILITATION,
FIELD SERVICES DIVISION,
PRESENTING TESTIMONY RE: HB 1015

I) **Field Services:** *The community side of the Department of Corrections*

National correctional trends

- More than 600,000 offenders released from prison annually
- 93% of ALL prisoners eventually are released from prison to community
- 75% of all prisoners have a history of substance abuse
- One in six prisoners suffer from mental illness
- 6% of male prisoners and 12% of female prisoners are diagnosed with SERIOUS mental illness
- 5,000,000 people are on parole or probation throughout the United States
- Women in prisons are now outpacing men in population growth

The Division of Field Services manages all community corrections programs delivered for, or under the direction of, the Department of Corrections. The clientele we manage are high risk; they are all prison eligible.

It is our intent that all offender supervision and release strategies utilized by the division be geared towards protecting the public as well as the interests of crime victims.

II) **We are achieving our goal**. We are protecting the public and our crime victims as we effectively manage our offender population and reduce their recidivism rates.

- *Our parole revocation rates remain incredibly low – 21% versus 55% for the national average. Our parole population is growing dramatically!*
- *We may have stabilized the population of men going to prison for the first time in over a decade!*

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TREATMENT SERVICES - FS
Reporting Level: 01-530-500-10-10-25-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
MEANS OF FUNDING							
DEPT OF CORRECTIONS OPER - 379	379	0	0	0	0	0	0
Special Funds	SPEC	0	0	0	0	0	0
EXPENDITURES							
SALARIES - PERMANENT	511000	755,602	440,962	558,730	999,692	1,254,552	254,860
TEMPORARY SALARIES	513000	28,570	27,739	13,530	41,269	51,744	10,475
FRINGE BENEFITS	516000	246,424	148,899	246,178	395,077	461,488	66,411
TRAVEL	521000	103,407	57,456	42,745	100,201	137,161	36,960
SUPPLIES - IT SOFTWARE	531000	2,499	718	482	1,200	1,419	219
SUPPLY/MATERIAL-PROFESSIONAL	532000	3,358	1,246	2,446	3,692	3,692	0
FOOD AND CLOTHING	533000	2,682	839	4,066	4,905	6,505	1,600
BLDG, GROUND, MAINTENANCE	534000	29	0	50	50	50	0
MISCELLANEOUS SUPPLIES	535000	1,967	130	512	642	642	0
OFFICE SUPPLIES	536000	2,086	1,015	1,782	2,797	3,297	500
POSTAGE	541000	214	404	974	1,378	1,378	0
PRINTING	542000	318	0	293	293	293	0
IT EQUIP UNDER $5,000	551000	0	0	0	0	9,650	9,650
OTHER EQUIP UNDER $5,000	552000	0	474	789	1,263	1,263	0
OFFICE EQUIP & FURN SUPPLIES	553000	0	252	229	481	2,981	2,500
UTILITIES	561000	16	0	50	50	50	0
INSURANCE	571000	3,739	87	270	357	357	0
RENTALS/LEASES - BLDG/LAND	582000	0	16	49	65	4,865	4,800
REPAIRS	591000	1,828	1,018	1,399	2,417	2,417	0
SALARY INCREASE	599110	0	0	0	0	53,479	53,479
BENEFIT INCREASE	599160	0	0	0	0	9,046	9,046
IT - DATA PROCESSING	601000	6,309	2,220	2,397	4,617	7,178	2,561

Agency Name: DEPT OF CORRECTIONS AND REHAB
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EXPENDITURES							
IT-COMMUNICATIONS	602000	12,442	6,585	7,349	13,934	16,229	2,295
PROFESSIONAL DEVELOPMENT	611000	12,149	8,379	7,935	16,314	16,314	0
OPERATING FEES AND SERVICES	621000	6,836,174	4,424,773	6,302,476	10,727,249	17,399,133	6,671,884
FEES - PROFESSIONAL SERVICES	623000	24,625	60,044	548,951	608,995	608,995	0
MEDICAL, DENTAL AND OPTICAL	625000	9,787	4,007	4,203	8,210	8,210	0
GRANTS, BENEFITS & CLAIMS	712000	370,511	178,933	0	178,933	0	(178,933)
FIELD SERVICES	74	8,424,736	5,366,196	7,747,885	13,114,081	20,062,388	6,948,307
MEANS OF FUNDING							
DRUG COURT GRANT	P153	180,245	0	0	0	0	0
LAST CHANCE PROGRAM (D01-504)	P155	29,069	0	0	0	0	0
VOI/TIS-5TH & 6TH JRCC	P161	1,915,212	0	0	0	0	0
REENTRY GRANT	P181	188,141	23,208	0	23,208	0	(23,208)
REENTRY GRANT	P182	344,509	566,077	174,385	740,462	0	(740,462)
1/4 HOUSE PROGRAM (D02-507)	P188	41,198	49,484	7,938	57,422	0	(57,422)
DRUG COURT TREATMENT	P190	58,500	34,480	0	34,480	0	(34,480)
REENTRY GRANT	P199	3,963	1,229	0	1,229	0	(1,229)
Byrne Grant	P202	264,120	34,214	0	34,214	0	(34,214)
Byrne Grant	P204	73,396	29,547	33,107	62,654	1,316	(61,338)
Federal Funds	FED	3,098,353	738,239	215,430	953,669	1,316	(952,353)
STATE GENERAL FUND	001	3,816,570	3,832,622	7,058,980	10,891,602	19,183,738	8,292,136
General Fund	GEN	3,816,570	3,832,622	7,058,980	10,891,602	19,183,738	8,292,136
DEPT OF CORRECTIONS OPER - 379	379	1,509,813	795,335	473,475	1,268,810	877,334	(391,476)
Special Funds	SPEC	1,509,813	795,335	473,475	1,268,810	877,334	(391,476)
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	0	0	0	0	0	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TREATMENT SERVICES - FS
Reporting Level: 01-530-500-10-10-25-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
PRISONS DIVISION	77	0	0	0	0	0	0
MEANS OF FUNDING							
STATE GENERAL FUND	001	0	0	0	0	0	0
General Fund	GEN	0	0	0	0	0	0
EXPENDITURES							
TOTAL EXPENDITURES		8,424,736	5,366,196	7,747,885	13,114,081	20,062,388	6,948,307
MEANS OF FUNDING							
TOTAL FUNDING		8,424,736	5,366,196	7,747,885	13,114,081	20,062,388	6,948,307
AUTHORIZED EMPLOYEES							
FTE		10.00	11.00	0.00	11.00	14.00	3.00

Field Services Division - Treatment-Operating Fees and Services	No.	Daily Rate	2007-09 Budget	2005-07 Budget	Change
Bismarck Transition Center (BTC)-(Assessment, Relapse, Treatment)	114	49.94	4,162,021	3,673,797	488,224
Tompkins Rehabiliation and Corrections Center (TRCC)	90	68.73	4,522,026	3,885,447	636,579
Female Transition / Community Placement	60	61.50	2,697,390	635,100	2,062,290
North Central Correctional and Rehabilitation Center (NCRC)	25	89.25	1,631,044	684,375	946,669
Male Transition (1/1/08)	40	61.50	1,233,690	-	1,233,690
Half-way House	40	51.12	1,494,749	-	1,494,749
Quarter-way House	22	20.40	328,073	167,143	160,930
Parole Hold / Jailed Parole Violator	5	60.00	219,300	114,516	104,784
Electronic Monitoring	55	6.82	274,125	177,106	97,019
Low Risk	50	1.75	63,963	163,592	(99,629)
Drug Court Treatment (Share House)			192,000	90,511	101,489
Faith Based Programming			300,000	150,000	150,000
Re-entry Programming			280,752	634,997	(354,245)
Day Report			-	261,752	(261,752)
Last Chance			-	88,913	(88,913)
Total			**17,399,133**	**10,727,249**	**6,671,884**

Fifty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2005

SENATE BILL NO. 2341
(Senators Lyson, Nelson, Robinson)
(Representatives Carlisle, Delmore, Price)

AN ACT to create and enact a new section to chapter 19-03.1 of the North Dakota Century Code, relating to drug abuse treatment for first-time felons; to amend and reenact subsections 7 and 8 of section 19-03.1-23 and section 62.1-02-01 of the North Dakota Century Code, relating to drug abuse treatment for first-time felons; to repeal section 19-03.1-30 of the North Dakota Century Code, relating to conditional discharge for possession as first offense; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 19-03.1 of the North Dakota Century Code is created and enacted as follows:

Mandatory drug abuse assessment and treatment - Presentence investigation - Certified drug abuse treatment programs.

1. When a person located in Walsh, Pembina, or Grand Forks Counties has pled guilty or has been found guilty of a felony violation of subsection 6 of section 19-03.1-23 and that person has not previously pled guilty or been found guilty of any offense involving the use, possession, manufacture, or delivery of a controlled substance or of any other felony offense of this or another state or the federal government, the court shall impose a period of probation of not less than eighteen months in conjunction with a suspended execution of a sentence of imprisonment, a sentence to probation, or an order deferring imposition of sentence.

2. Upon a plea or finding of guilt of a person subject to the provisions of subsection 1, the court shall order a presentence investigation to be conducted by the department. The presentence investigation shall include a drug and alcohol evaluation conducted by a licensed addiction counselor.

3. If the licensed addiction counselor recommends treatment, the court shall require the person to participate in an addiction program licensed by the department of human services as a condition of the probation. The court shall commit the person to treatment through a licensed addiction program until determined suitable for discharge by the court. The term of treatment shall not exceed eighteen months and may include an aftercare plan. During the commitment and while subject to probation, the person shall be supervised by the department.

4. If the person fails to participate in, or has a pattern of intentional conduct that demonstrates the person's refusal to comply with or participate in the treatment program, as established by judicial finding, the person shall be subject to revocation of the probation. Notwithstanding subsection 2 of section 12.1-32-02, the amount of time participating in the treatment program under this section is not "time spent in custody" and will not be a credit against any sentence to term of imprisonment.

5. The cost for all drug abuse assessments and certified drug abuse treatment programs shall be initially paid by the department. The court shall order the person to reimburse the department for the assessment and treatment expenses in accordance with the procedures of section 12.1-32-08. The department shall handle the collection of costs

from the offenders in the same manner as it collects court costs, fees, and supervision fees.

6. In this section:

   a. "Department" means the department of corrections and rehabilitation; and

   b. "Licensed addiction counselor" is a person licensed pursuant to section 43-45-05.1.

7. The provisions of this section shall be implemented as a pilot project in Pembina, Walsh, and Grand Forks Counties effective three months from the date of receipt of a federal grant for methamphetamine treatment being applied for by the department of human services. The department shall collaborate management of the pilot project with the department of human services to ensure services under the federal grant program for one-half of the offenders mandated by the court to submit to mandatory treatment, not to exceed twenty-three individuals. The department shall hire a program manager to manage the pilot project, collect statistics regarding the operation of the program, track participants in the program, and provide a report to the attorney general, the legislative council for distribution during the November 2006 legislative council meeting, and the sixtieth legislative assembly detailing the number of participants in the program, the cost of the program, relapse statistics, and other data concerning the effectiveness of the program.

SECTION 2. AMENDMENT. Subsections 7 and 8 of section 19-03.1-23 of the North Dakota Century Code are amended and reenacted as follows:

7. ~~A~~ Except as provided by section 1 of this Act, a person who violates this chapter or chapter 19-03.4 must undergo a drug addiction evaluation by ~~an appropriate~~ a licensed addiction ~~treatment program~~ counselor. The evaluation must indicate the prospects for rehabilitation and whether addiction treatment is required. The evaluation must be submitted to the court for consideration when imposing punishment for a felony violation of this chapter or chapter 19-03.4, and may be submitted before or after the imposing of punishment for a misdemeanor violation of this chapter or chapter 19-03.4.

8. ~~Notwithstanding section 19-03.1-30, whenever~~ When a person pleads guilty or is found guilty of a first offense regarding possession of one ounce [28.35 grams] or less of marijuana and a judgment of guilt is entered, a court, upon motion, shall expunge that conviction from the record if the person is not subsequently convicted within two years of a further violation of this chapter and has not been convicted of any other criminal offense.

SECTION 3. AMENDMENT. Section 62.1-02-01 of the North Dakota Century Code is amended and reenacted as follows:

62.1-02-01. Persons who are not to possess firearms - Penalty.

1. A person who has been convicted anywhere for a felony involving violence or intimidation, as defined in chapters 12.1-16 through 12.1-25, is prohibited from owning a firearm or having one in possession or under control from the date of conviction and continuing for a period of ten years after the date of conviction or release from incarceration or probation, whichever is latest.

2. A person who has been convicted of any felony not provided for in subsection 1 or has been convicted of a class A misdemeanor involving violence or intimidation and that crime was committed while using or possessing a firearm or dangerous weapon, as defined in chapters 12.1-16 through 12.1-25, is prohibited from owning a firearm or having one in possession or under control from the date of conviction and continuing for a period of five years after the date of conviction or release from incarceration or probation, whichever is latest.

3. A person who is or has ever been diagnosed and confined or committed to a hospital or other institution in this state or elsewhere by a court of competent jurisdiction, other than a person who has had the petition that provided the basis for the diagnosis, confinement, or commitment dismissed under section 25-03.1-17, 25-03.1-18, or 25-03.1-19, or equivalent statutes of another jurisdiction, as a mentally ill person as defined in section 25-03.1-02, or as a mentally deficient person as defined in section 25-01-01, is prohibited from purchasing a firearm or having one in possession or under control. This limitation does not apply to a person who has not suffered from the disability for the previous three years.

4. A person under the age of eighteen years may not possess a handgun except that such a person, while under the direct supervision of an adult, may possess a handgun for the purposes of firearm safety training, target shooting, or hunting.

A person who violates subsection 1 or 2 is guilty of a class C felony, and a person who violates subsection 3 or 4 is guilty of a class A misdemeanor. For the purposes of this section, "conviction" means determination by a jury or court that a person committed one of the above-mentioned crimes even though the court suspended execution of sentence in accordance with subsection 3 of section 12.1-32-02 or deferred imposition of sentence in accordance with subsection 4 of section 12.1-32-02, placed the defendant on probation, ~~granted a conditional discharge in accordance with section 19-03.1-30,~~ the defendant's conviction has been reduced in accordance with subsection 9 of section 12.1-32-02 or section 12.1-32-07.1, or a determination under chapter 27-20 that the person committed a delinquent act equivalent to the offenses provided in subsection 1 or 2.

SECTION 4. REPEAL. Section 19-03.1-30 of the North Dakota Century Code is repealed.

SECTION 5. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $515,855, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of funding the mandatory treatment pilot project, for the biennium beginning July 1, 2005, and ending June 30, 2007.

SECTION 6. APPROPRIATION. There is appropriated from special funds derived from federal funds and other income, the amount of $448,471, or so much of the sum as may be necessary, to the department of human services for the purpose of funding the mandatory treatment pilot project, for the biennium beginning July 1, 2005, and ending June 30, 2007.

DEPARTMENT OF CORRECTIONS & REHABILITATION
DIVISION OF FIELD SERVICES
05-07 Community Corrections Supervision and Treatment Programs

The Department of Corrections and Rehabilitation Field Services Adult Offender programs will follow the universal goal stated below. Individual programs may state additional goals, objectives, and performance indicators specific to the program.

Goal: **TO PROVIDE COST EFFECTIVE AND RESPONSIBLE ADULT OFFENDER POPULATION MANAGEMENT THROUGH A COORDINATED CORRECTIONS TREATMENT DELIVERY SYSTEM.**

COGNITIVE RESTRUCTURING PROGRAMMING

Cognitive Restructuring is a theoretical approach designed to reduce risk and increase public safety. This is accomplished by reducing risk through affecting change in an offender's attitude and beliefs resulting in criminal conduct. This approach is used in conjunction with our corrections treatment programming to enhance the treatment outcomes and reduce risk behaviors.

The principles of effective programming using the cognitive behavioral approach include using a validated assessment instrument to assess the offender's risk to re-offend and identifying criminogenic needs contributing to the offender's anti-social behavior. The Responsivity principle is referring the offender to the specific program with the services to match with the offender's specific area of risk or need. This also considers the skills and specialized training for staff to deliver programs as designed to target high-risk offender populations.

BISMARCK TRANSITION CENTER

The Bismarck Transition Center provides transitional treatment, educational and employment services to assist offenders/participants in achieving meaningful stability and lasting sobriety in their lives. This assistance is provided through program services that are cognitive behavioral in nature. Continuation of follow-up services and programs throughout the state are arranged upon completion of this program.

The intent of transitional center programming is to design, develop and implement innovative programs and strategies and deliver coordinated corrections treatment programming to enhance supervision of offenders in the community while reducing risk. This assists adult services with the enhancement of the infrastructure and aids in the management and transition of offenders in the community.

FEMALE INMATE TRANSITION PROGRAM (FITP)

Centre, Inc., a non-profit organization, with the DOCR, implemented the Female Inmate Transition Program in 2004. The Centre facility staff, in cooperation with the DOCR, manages the program delivery.

The goal of the Transition Program is to diagnose and provide a continuum of community treatment and program services for females. The emphasis of treatment is on initiating and maintaining the recovery process. All approaches are gender-responsive and consistent with a cognitive behavioral approach. The intent is to return the individual through a support system to assure success after receiving programming in this setting.

TOMPKINS REHABILITATION AND CORRECTIONS CENTER (TRCC)

The Tompkins Rehabilitation and Correction Center (TRCC) is a treatment center for male and female inmates/offenders. The TRCC program is managed in cooperation between the DOCR and the ND State Hospital. There are 3 wards that require a minimum 100 days up to 150 days treatment, followed by community supervision. All wards consist of diagnosis, evaluation, and treatment planning. Family involvement, group and individual therapy, cognitive restructuring, education, A.A. meetings, therapeutic recreation therapy, structured social environment therapy are all utilized. Interdisciplinary involvement, multiple treatment modalities and aftercare planning are all accomplished. Specialized programs are available such as specific skills based approaches, and involvement from DOCR case manager.

A solid foundation for discharge placement and aftercare is based on community placement criteria as determined by the DOCR. Appointments for aftercare are completed for every resident prior to discharge.

NORTH CENTRAL CORRECTIONAL REHABILITATION CENTER (NCCRC)

The North Central Correctional Rehabilitation Center (NCCRC) is a regional jail facility located in Rugby, North Dakota. A jail-based addiction treatment center for male offenders is annexed to the traditional jail facility. The offender has a DSM-IV diagnosis of alcohol and/or other drug dependence and has legal difficulties that are exacerbated by alcohol and/or other drug abuse. A program requirement also provides for discharge placement and aftercare based on community placement criteria as determined by the DOCR.

REENTRY PROGRAM

The Re-entry program was started in 2002 as a Federal initiative supporting the cooperation of multiple service agencies to return youthful and higher risk offenders from prison to their community on parole. Offenders are identified upon admission to prison that meet the criteria for the Re-entry Program. It is mandatory offenders participate and complete recommended services. The program requires entering into a program agreement, which includes goals and objectives that focus on reducing risk by addressing criminogenic risk.

The Re-entry program includes institutional and community treatment, participation in AA/NA, education and vocational training, employment, and community services. The program identifies the importance of faith-based relations. The second phase is the continuation of the program after release from prison to the community. The duration of an offender in Re-Entry in the community should be 1 year.

DRUG COURT

The Bismarck and Fargo Drug Court Program are court-supervised programs that target non-violent participants whose major problems stem from substance abuse. National statistics show the numerous benefits drug courts have on communities. Some of the benefits include alleviating pressure of court dockets, reducing the revolving-door syndrome, quick access to chemical treatment, cost effective chemical treatment vs. $20,000 to $50,000 for one year of incarceration, and reduced recidivism rates.

The drug court team consists of a district judge, probation officer/program coordinator, state's attorney, and contractual treatment provider. The district judge is responsible for judicial interaction. The program coordinator serves many areas including program development and implementation. They are responsible for case management and probation supervision. The states attorney is responsible for the initial screening of applicants and is the conduit for program entry. The contractual treatment provider provides addictions assessments and recommendations for all defendants referred to the drug court program.

Proposed for 07-09 are drug court programs in Grand Forks, Minot, and an additional drug court in Fargo.

HALFWAY HOUSE

The DOCR in cooperation with Centre, Inc. works toward the further development and implementation of correctional treatment services based on evidence-based practices.

Centre, Inc. is a North Dakota nonprofit correctional agency that was formed in the mid 1970s to establish halfway houses as a cost-effective intermediate sanction as well as an adjunct to parole and probation supervision. Halfway houses assist Field Services, the courts, and mainstream public agencies in providing community-based offender services.

The role of Centre Inc. has been to provide for the public safety by offering specialized programs in the state that can effectively monitor and house offenders outside the institutions and jails.

QUARTER HOUSE

The DOCR in cooperation with Centre, Inc. entered into a contractual arrangement for the Quarter House facility in Fargo, ND. The strategy is to better manage resources and effectively provide timely and appropriate housing with levels of services and accountability in a most cost effective manner.

The population served is probation and parole offenders completing or enrolled in corrections treatment programming to support their recovery and/or continued reduction in risk. Offenders should demonstrate the knowledge and skills to support their functioning in this less restrictive facility.

Offenders requiring a higher level of services in transition, such as the halfway house, may be phased toward the Quarter House facility. This strategy provides staff a better opportunity to monitor an offender's progress and activities in the community with the offender assuming greater responsibilities.

TEEN CHALLENGE

North Dakota Teen Challenge is a faith-based, non-profit, thirteen to nineteen month residential inpatient recovery program for adult men and women struggling with life controlling problems such as drug addictions and violence. Teen Challenge is a rigidly structured environment with each day filled with classes, counseling, work detail, chapel, and recreation. Students are not allowed to work while in this program.

North Dakota Teen Challenge was awarded the pilot project on September 1, 2005. North Dakota Teen Challenge was originally located in Williston, North Dakota. In September of 2005, due to the growth and need for a larger facility, North Dakota Teen Challenge moved to Mandan, North Dakota. In June of 2006 North Dakota Teen Challenge opened a women's facility in Bismarck, North Dakota.

SEX OFFENDER SUPERVISION

Sex Offender Specialists (SOS) supervise sex offender-specific caseloads in Bismarck, Mandan, Minot, Jamestown, Grand Forks, and Fargo. The SOSs are highly trained in the dynamics of sexual offending and work closely with local Task Forces, law enforcement and other agencies to provide critical monitoring and supervision of sex offenders. Specialists are responsible for writing all sex offender presentence reports in the state. Sex Offender Specialist Liaisons (SOSL) are located in Wahpeton, Dickinson, Williston, Rolla, Grafton, and Devils Lake. They, too, have been trained to provide appropriate supervision to the sex offenders they supervise. Community safety is a priority for all officers supervising sex offenders.

Assessment of risk is an important job duty of all officers supervising sex offenders. Assessment tools include the Minnesota Sex Offender Screening Tool-Revised (MnSOST-R), Static 99, Level of Services Inventory-Revised (LSI-R), Stable, and Acute. Officers understand they must always be cognizant of risk and potential risk factors since undeterred or with no intervention, sex offenders can reoffend.

Sex Offender Containment Task Forces assist in determining which offenders will be placed on Global Positioning System (GPS) and the length of that placement. GPS is a tool that assists in monitoring the physical locations of offenders and can provide "real time" or historical data. It should be noted that placement on a GPS unit does *not* prohibit offenders from committing further criminal offenses.

Sharing intelligence is critical to the local law enforcement, treatment providers, victims' advocates, local prosecutors, polygraph operators, and parole/probation officers in sustaining community safety and, as such, Field Services is an advocate of the Containment Model of supervising sex offenders.

ELECTRONIC MONITORING/ GLOBAL POSITIONING SYSTEM (GPS)

Electronic monitoring and global positioning systems are tools that can assist parole/probation officers to monitor and supervise offenders.

Electronic Monitoring uses technology and equipment to provide the capability to monitor an offender's compliance with curfew, house arrest, or home detention conditions of supervision. Active monitoring provides a confirmation of the offender's compliance within a pre-established range in their

residence. Schedules may be approved to allow work release or other activity beyond the established residence within restricted times.

New technology integrates Global Positioning Systems (GPS) with electronic monitoring to include mapping an offender's travel within the community. This technology allows identifying zones or restricted areas that will provide an alert via e-mail, or cell phone text message when the offender enters an exclusionary or restricted zone.

There are two types of GPS monitoring – active and passive. An active system gives the user a real-time report of an offender's movements and provides real-time alerts, including restricted-zone violations. The passive system provides a history of the movements of the offender during the past day. The information on a passive system is downloaded in the evening and a report given to the parole/probation officer the next day.

JAIL PAROLE VIOLATOR

A parole violator awaiting further disposition and their return to prison may be held in jail pending further outcome. Elevated risk to re-offend warrants an offender's return to incarceration.

3-DAY HOLD PAROLE HOLD

A parole violator experiencing relapse in their recovery or other technical violations may require detention as an intervention to reestablish the offender's treatment in the community. Authority is provided Field Officers to use this time to further evaluate and implement the services recommended for the offender in the community. Evaluation of the offender's risk to re-offend determines if the risk can be effectively reduced with community corrections treatment intervention and supervision.

ASSESSMENT CENTER PROGRAM

Best practices to manage and treat offenders in the interest of public safety and to reduce risk to re-offend requires knowledge of the offender's risk and needs. Validated assessment and evaluation is most often needed to determine the level of treatment to make the referral to a DOCR or Court approved treatment program. The assessment phase requires no less than ten days and up to sixty days. During this time an assessment team conducts a thorough evaluation and recommend treatment programming.

The Assessment Center Program is a cooperative effort between the Department of Corrections and Rehabilitation and another private or public agency to provide further assessment and evaluation of offenders. It is a program that can be up to 60 days and provides for a thorough assessment for offenders requiring evaluation and stabilization in a controlled environment. Each offender referred has a corrections treatment plan written to include addressing the risk domains of the Levels of Services Inventory-Revised and state the recommended treatment programming targeting the criminogenic needs and risk.

RAPID TREATMENT INTERVENTION PROGRAM (RIP)

Relapse Programming targeted for an offender provides intervention and an alternative for offenders under parole supervision in the community who demonstrate relapse after successfully completing primary treatment and aftercare. Often the appropriate and timely response will intervene on what often results in a rapid decline in an offender's risk behaviors. Parolees are returned to the North Dakota Parole Board with the recommendation to complete the Rapid Intervention Program. They are placed at the Missouri River Correctional Center or the Tompkins Rehabilitation and Correctional Center (TRCC) to complete the program and be returned to the community on parole status.

LOW RISK OFFENDER SUPERVISION

The ND DOC&R Division of Field Services uses the Levels of Services Inventory-Revised (LSI-R) to assess an offender's level of risk, and targets specific high-risk offenders to be managed by the most skilled and trained staff. When offenders are placed on supervision, their cases are scored by a shortened "proxy" version of the LSI-R, and they may be placed immediately into a Low Risk Supervision Program. Cases are also reassessed every six months on the LSI-R, which may also refer them into the Low Risk Program. The Low

Risk Offender Supervision Program allows lower risk offenders to be managed with less intensity and supervision.

Most offenders in the low-risk program are supervised by Community Corrections Agents employed by the DOCR, but some are monitored by contracted agencies outside the Division. Low-risk offenders are generally those that are felt to offer less risk in the community, and have fewer issues to address on their cases supervision plans. Some offenders are not deemed appropriate for low-risk supervision based on their current or past offenses, and will not be allowed in the program regardless of their risk score. Offenders that comply with the conditions of probation may remain in the low-risk program throughout the period of their supervision, while those that do not comply will be placed on the caseloads of a Parole/Probation Officer for more intensive supervision.

RED RIVER VALLEY MALE INMATE TRANSITION PROGRAM (PROPOSED FOR 07-09)

The Bismarck Transition Center and the Female Inmate Transition Program are models to implement the services to meet the need for a male inmate population in transition to eastern North Dakota, primarily in the southeast.

JAIL or OTHER COMMUNITY BASED TREATMENT (PROPOSED FOR 07-09)

The offender has a DSM-IV diagnosis of alcohol and/or other drug dependence, has legal difficulties that are exacerbated by alcohol and/or other drug abuse and is willing to be involved in this diversionary program and comply with treatment recommendations and requirements of a DOCR approved treatment program.

Offenders on Community Supervision

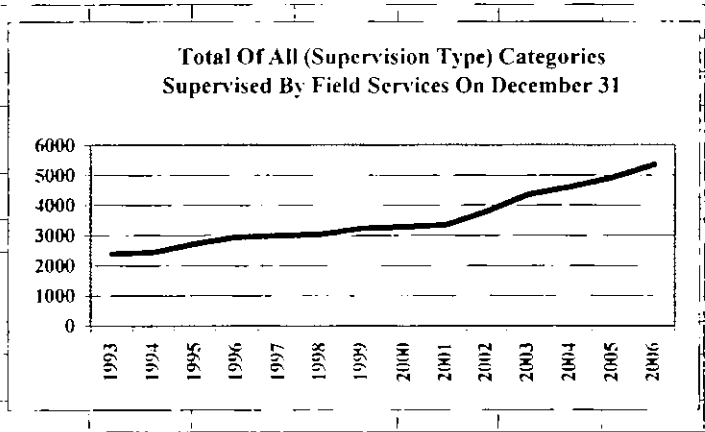
ND DOCR Field Services Division

One Day Counts on December 31 of Each Year

Supervision Type	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006***
Probation	1,981	2,032	2,320	2,590	2,695	2,701	2,756	2,745	2,981	3,229	3,523	3,687	3,960	4,235
Parole	91	95	112	100	117	175	152	115	117	148	228	239	287	366
Interstate Compact	311	312	296	250	184	158	264	377	192	299	482	542	546	583
Inmates in Community Programs *							59	46	58	121	116	134	130	160
Total	**2,383**	**2,439**	**2,728**	**2,940**	**2,996**	**3,034**	**3,231**	**3,283**	**3,348**	**3,797**	**4,349**	**4,602**	**4,923**	**5,344**

NOTE: Some offenders may be on multiple types of supervision at the same time. The above measurement may count an offender more than one time if that offender is on multiple types of supervision at the same time.

New Offenders in CY									2,387	2,720	3,265	3,354	3,711	3,872
Offenders Terminated in CY									2,345	2,339	2,732	3,054	3,295	3,504
Discreet Number of Offenders Dec 31 **								3,100	**3,234**	**3,598**	**3,943**	**4,208**	**4,576**	**4,978**
Number of Parole/Probation Officer FTE's									**40.75**	**40.75**	**42.75**	**42.75**	**47.75**	**47.75**



Comm.	4,818
Inmate	160
Total	4,978

* Inmates in Community Programs and Discreet Number of Offenders Dec 31 are taken from the DOCR Tally.

** New offender, offenders terminated and discreet number of offenders will not add up correctly because inmates are counted differently.

*** 2006 Data collected on 01/11/2007. It will change with a later collection when the data is more complete.

Funding Sources for Fund 321 and 379 - 1/18/07		
Fund 321		
Travel Permits	$10	
Offender Application fee	$150	
County Acceptance Fee	$150	
Fund 379		
Supervision fee	$40	This fee ranges from $5 to $40 a month depending on ordered amount or reduced amount
Pre-sentence Report	$50	
Community Corrections	$0	Varies - All GPS ($10 a day), Sex Offender Poly $175 to $200),
		DOCR Director's fee ($4 to $10)

Pollert, Chet A.

From: Keller, Becky J.
Sent: Tuesday, March 06, 2007 4:24 PM
To: Pollert, Chet A.
Cc: Smith, Jim W.
Subject: community services

Representative Pollert,

This email is in response to your question relating to the 2005-07 biennium funding for community services grants within the Department of Corrections and Rehabilitation. The department had requested, for the 2005-07 biennium, a total of $380,000 from the general fund for community services grants. Although the Legislative Assembly did not specifically reduce this funding, it did remove $226,748 from the general fund added by the Governor to replace a number of federal fund reductions in the adult services division. After the session, the department reprioritized its funding available and made the decision to reduce the funding for community services grants from $380,000 to $180,000 and as a result is providing the grants to these community services organizations for the first year of the biennium only.

Please contact this office if you have questions or need additional information.

Becky Keller
Fiscal Analyst
ND Legislative Council Staff
328-2916

NORTH DAKOTA COUNCIL ON ABUSED WOMEN'S SERVICES
COALITION AGAINST SEXUAL ASSAULT IN NORTH DAKOTA
418 East Rosser #320 • Bismarck, ND 58501 • Phone: (701) 255-6240 • Fax 255-1904 • Toll Free 1-888-255-6240 • ndcaws@ndcaws.org

House Budget Committee
Human Resources Subcommittee
Chet Pollert, Chair
January 17, 2007

Testimony on HB 1015
Re: Crime Victims Compensation Fund

Chair Pollert and Members of the Committee:

My name is Bonnie Palecek and I am speaking on behalf of the ND Council on Abused Women's Services/Coalition Against Sexual Assault in ND. I need to express grave concerns about the viability of the ND Crime Victims Compensation Fund.

As you know, the Crime Victims Compensation Fund is a Fund which compensates victims of violent crime for damages they have experienced as the result of that crime. For example, it would reimburse medial expenses for victims of domestic violence, funeral expenses for a victim of homicide, forensic and medical expenses for a child sexual abuse victim.

The Fund is a payer of last resort. Insurance must be billed first. Funds to any individual are capped at $25,000 per violent crime. Funeral expenses are capped at $3,000. In addition to compensating for physical damages, the Fund can also reimburse for counseling services. The intent is to "make the victim whole," at least insofar as monetary reimbursement can do that.

The funding mechanism is such that the federal government portion is based on what the state has spent in the previous year. The state is compensated at a rate of 60% of the previous year's expenditures.
+
The Fund has been a godsend to victims of violent crime in North Dakota and in 49 other states. Claims are considered in a timely manner, and there seems to be an efficient and effective base of collaboration between law enforcement, the advocacy network, and the Department of Correction's Crime Victims' Compensation administrator.

Here is the problem, however. The Fund has not been operating is the black for at least the last four bienniums, and things are getting worse. Right now, CVCF is almost a year behind in reimbursing service providers and victims. Rates to providers are already reimbursed at 80% of the going rate (for example to hospitals or therapists). In addition to that contribution, however, providers now have to wait nearly a year for their 80% reimbursement. Some small private providers such as private practice therapists, are being stretched thin and may not be able to carry bills for an extended period of time much longer.

We have been told that for this biennium money has again been "found" on a one time basis, to cover the additional costs this biennium. We need a more solid fix. Applications for the Fund have grown from 142 applications for assistance in 1997 to 224 in 2005 to 302 in 2006. No additional funding has been added, with the result that the Fund goes deeper and deeper into deficit spending each biennium. This is no way to do business, and it is doing a real disservice to victims.

Claims for domestic violence assaults account for 6.34% of the total; domestic violence homicides, 1.90%, and sexual assault, 5.23%. The other 87 % of claims are paid for victims of other violent crimes.

They truly have no one to speak for them, and they are among our most vulnerable citizens, victims of drunk drivers, hit and run crimes and physically and sexually abused children.

We had hoped that this would be the year to establish solvency for the Fund, but have since learned that no additional funds are included in the Department of Corrections budget. This is very disturbing to us. At minimum, we felt that you should be made aware of the sorry state of this important financial resource for victims of violent crime. We would urge you to do what you can to stabilize this funding.

Thank you.

CRIME VICTIMS COMPENSATION PERFORMANCE REPORT DATA

REPORTING PERIOD FROM 1/1/2005 THROUGH 12/31/2005

FORM 7390 SECTION III A.

DATE: 01/18/2007

1. Number of Claims Pending at Begining of Period: 8

2. NUMBER OF CLAIMS RECEIVED DURING REPORTING PERIOD: 224

3. SUM OF LINE 1 + LINE 2.....: 232

CLAIMS APPROVED DURING REPORTING PERIOD

4. NUMBER OF CLAIMS FOR PAYMENT: 190

5. (A) NUMBER OF STATE RESIDENTS: 184

5. (B) NUMBER OF NON-RESIDENTS: 6

5. (C) NUMBER OF VICTIMS 17 AND UNDER: 65

5. (D) NUMBER OF VICTIMS 18 - 64: 123

5. (E) NUMBER OF VICTIMS 65 AND OLDER: 2

6. NUMBER OF CLAIMS NOT APPROVED FOR PAYMENT: 41

7. TOTAL NUMBER OF CLAIM DETERMINATIONS (SUM OF LINE 4 + LINE 6): 231

8. NUMBER OF CLAIMS PENDING AT THE END OF REPORTING REPORTING PERIOD (LINE 3 MINUS LINE 1

SECTION III E.

EXPENSES PAID:	TOTALS	% OF TOTAL
1. Medical/Dental/Mileage/Drugs:	$198,372.15	64.47%
2. Mental Health:	$29,071.95	9.54%
3. Economic Support: (Lost Wages)	$49,229.08	16.16%
4. Funeral/Burial:	$21,003.19	6.90%
5. Forensic:	$8,912.44	2.93%
6. Other:	$0.00	
EXPENSE TOTAL:	$304,588.81	

MILEAGE, MEDICAL, DENTAL, DRUG EXPENSES BREAKDOWN:

1. Total Mileage: $5,183.98
2. Total Medical: $170,667.80
3. Total Dental: $11,126.20
4. Total Drugs: $9,514.17

FUNDS TOTAL

EXPENSES PAID:

GENERAL FUNDS TOTAL:	$0.00
SPECIAL FUND 379 TOTAL:	$191,792.15
SPECIAL FUND 372 TOTAL:	$37,700.00
FEDERAL FUNDS TOTAL:	$88,715.22
EXPENSES TOTAL:	$318,207.37

REFUNDS:

GENERAL FUNDS TOTAL:	$0.00
SPECIAL FUND 379 TOTAL:	($9,674.50)
SPECIAL FUND 372 TOTAL:	($2,484.16)
FEDERAL FUNDS TOTAL:	($1,679.90)
REFUND TOTAL:	($13,818.56)
TOTAL NET FUNDS EXPENDED:	$304,388.81

01/18/2007

FORM 7390 SECTION III D.

**** ADULT CRIME (NON DOMESTIC VIOLENCE) SUB SECTION *****

CRIME TYPE: ASSAULT

CLAIM NUMBER: 2899	TOTAL CLAIM AMOUNT: ($2,464.16)
CLAIM NUMBER: 2868	TOTAL CLAIM AMOUNT: $10,910.00
CLAIM NUMBER: 2941	TOTAL CLAIM AMOUNT: $150.00
CLAIM NUMBER: 3009	TOTAL CLAIM AMOUNT: $7,477.50
CLAIM NUMBER: 3012	TOTAL CLAIM AMOUNT: $2,442.05
CLAIM NUMBER: 3027	TOTAL CLAIM AMOUNT: $1,200.00
CLAIM NUMBER: 3031	TOTAL CLAIM AMOUNT: $5,200.00
CLAIM NUMBER: 3073	TOTAL CLAIM AMOUNT: $24,768.00
CLAIM NUMBER: 3077	TOTAL CLAIM AMOUNT: $13,582.80
CLAIM NUMBER: 3085	TOTAL CLAIM AMOUNT: $161.80
CLAIM NUMBER: 3096	TOTAL CLAIM AMOUNT: $249.72
CLAIM NUMBER: 3098	TOTAL CLAIM AMOUNT: $263.12
CLAIM NUMBER: 3139	TOTAL CLAIM AMOUNT: $848.18
CLAIM NUMBER: 3146	TOTAL CLAIM AMOUNT: $14.83
CLAIM NUMBER: 3148	TOTAL CLAIM AMOUNT: $134.48
CLAIM NUMBER: 3160	TOTAL CLAIM AMOUNT: $296.65
CLAIM NUMBER: 3182	TOTAL CLAIM AMOUNT: $5,030.90
CLAIM NUMBER: 3186	TOTAL CLAIM AMOUNT: $6,112.14
CLAIM NUMBER: 3204	TOTAL CLAIM AMOUNT: $127.80
CLAIM NUMBER: 3213	TOTAL CLAIM AMOUNT: $6,880.49
CLAIM NUMBER: 3216	TOTAL CLAIM AMOUNT: $67.94
CLAIM NUMBER: 3223	TOTAL CLAIM AMOUNT: $25,000.00
CLAIM NUMBER: 3226	TOTAL CLAIM AMOUNT: $662.08
CLAIM NUMBER: 3228	TOTAL CLAIM AMOUNT: $385.90
CLAIM NUMBER: 3249	TOTAL CLAIM AMOUNT: $1,600.87
CLAIM NUMBER: 3250	TOTAL CLAIM AMOUNT: $368.30
CLAIM NUMBER: 3251	TOTAL CLAIM AMOUNT: $488.30
CLAIM NUMBER: 3257	TOTAL CLAIM AMOUNT: $7,600.57
CLAIM NUMBER: 3259	TOTAL CLAIM AMOUNT: $1,177.07
CLAIM NUMBER: 3266	TOTAL CLAIM AMOUNT: $521.48
CLAIM NUMBER: 3267	TOTAL CLAIM AMOUNT: $1,269.38
CLAIM NUMBER: 3269	TOTAL CLAIM AMOUNT: $4,071.70
CLAIM NUMBER: 3270	TOTAL CLAIM AMOUNT: $1,163.38
CLAIM NUMBER: 3275	TOTAL CLAIM AMOUNT: $3,625.22

FORM 7390 SECTION III D.

CLAIM NUMBER:	3276	TOTAL CLAIM AMOUNT:	$11,446.29
CLAIM NUMBER:	3292	TOTAL CLAIM AMOUNT:	$1,702.40
CLAIM NUMBER:	3293	TOTAL CLAIM AMOUNT:	$670.73
CLAIM NUMBER:	3295	TOTAL CLAIM AMOUNT:	$3,930.19
CLAIM NUMBER:	3303	TOTAL CLAIM AMOUNT:	$2,347.72
CLAIM NUMBER:	3322	TOTAL CLAIM AMOUNT:	$1,106.58
CLAIM NUMBER:	3325	TOTAL CLAIM AMOUNT:	$1,301.06
CLAIM NUMBER:	3331	TOTAL CLAIM AMOUNT:	$199.88
CLAIM NUMBER:	3341	TOTAL CLAIM AMOUNT:	$562.88
CLAIM NUMBER:	3344	TOTAL CLAIM AMOUNT:	$532.28
CLAIM NUMBER:	3356	TOTAL CLAIM AMOUNT:	$1,437.44
CLAIM NUMBER:	3360	TOTAL CLAIM AMOUNT:	$2,228.20
CLAIM NUMBER:	3363	TOTAL CLAIM AMOUNT:	$8,100.00
CLAIM NUMBER:	3378	TOTAL CLAIM AMOUNT:	$4,072.86
CLAIM NUMBER:	3401	TOTAL CLAIM AMOUNT:	$900.00
CLAIM NUMBER:	3416	TOTAL CLAIM AMOUNT:	$17.10
CLAIM NUMBER:	3417	TOTAL CLAIM AMOUNT:	$294.17
CLAIM NUMBER:	3428	TOTAL CLAIM AMOUNT:	$570.07
CLAIM NUMBER:	3429	TOTAL CLAIM AMOUNT:	$1,500.00
CLAIM NUMBER:	3430	TOTAL CLAIM AMOUNT:	$320.57
CLAIM NUMBER:	3432	TOTAL CLAIM AMOUNT:	$67.47
CLAIM NUMBER:	3439	TOTAL CLAIM AMOUNT:	$388.78
CLAIM NUMBER:	3441	TOTAL CLAIM AMOUNT:	$278.24
CLAIM NUMBER:	3450	TOTAL CLAIM AMOUNT:	$1,622.20
CLAIM NUMBER:	3452	TOTAL CLAIM AMOUNT:	$137.00
CLAIM NUMBER:	3453	TOTAL CLAIM AMOUNT:	$2,227.20

ASSAULT TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
60	$179,418.84	87.85%	58.91%

FORM 7390 SECTION III D.

CRIME TYPE: HOMICIDE

CLAIM NUMBER:	3143	TOTAL CLAIM AMOUNT:	$558.65
CLAIM NUMBER:	3408	TOTAL CLAIM AMOUNT:	$1,390.00
CLAIM NUMBER:	3451	TOTAL CLAIM AMOUNT:	$3,000.00

HOMICIDE TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
3	$4,948.65	2.42%	1.62%

CRIME TYPE: OTHER

CLAIM NUMBER:	432	TOTAL CLAIM AMOUNT:	$208.64
CLAIM NUMBER:	699	TOTAL CLAIM AMOUNT:	$778.87
CLAIM NUMBER:	3291	TOTAL CLAIM AMOUNT:	$257.00
CLAIM NUMBER:	3324	TOTAL CLAIM AMOUNT:	$189.54
CLAIM NUMBER:	3398	TOTAL CLAIM AMOUNT:	$2,520.00

OTHER TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
5	$3,954.05	1.94%	1.30%

FORM 7390 SECTION III D.

CRIME TYPE: SEXUAL ASSAULT

CLAIM NUMBER:	2594	TOTAL CLAIM AMOUNT:	$1,008.00
CLAIM NUMBER:	2957	TOTAL CLAIM AMOUNT:	$148.80
CLAIM NUMBER:	2986	TOTAL CLAIM AMOUNT:	$1,000.00
CLAIM NUMBER:	3090	TOTAL CLAIM AMOUNT:	$560.00
CLAIM NUMBER:	3101	TOTAL CLAIM AMOUNT:	$760.80
CLAIM NUMBER:	3145	TOTAL CLAIM AMOUNT:	$483.93
CLAIM NUMBER:	3207	TOTAL CLAIM AMOUNT:	$480.44
CLAIM NUMBER:	3254	TOTAL CLAIM AMOUNT:	$229.60
CLAIM NUMBER:	3265	TOTAL CLAIM AMOUNT:	$267.20
CLAIM NUMBER:	3289	TOTAL CLAIM AMOUNT:	$944.16
CLAIM NUMBER:	3330	TOTAL CLAIM AMOUNT:	$48.88
CLAIM NUMBER:	3352	TOTAL CLAIM AMOUNT:	$71.83
CLAIM NUMBER:	3372	TOTAL CLAIM AMOUNT:	$2,361.10
CLAIM NUMBER:	3377	TOTAL CLAIM AMOUNT:	$706.25
CLAIM NUMBER:	3394	TOTAL CLAIM AMOUNT:	$3,211.85
CLAIM NUMBER:	3409	TOTAL CLAIM AMOUNT:	$856.00
CLAIM NUMBER:	3419	TOTAL CLAIM AMOUNT:	$612.00
CLAIM NUMBER:	3425	TOTAL CLAIM AMOUNT:	$247.60
CLAIM NUMBER:	3433	TOTAL CLAIM AMOUNT:	$1,810.40
CLAIM NUMBER:	3434	TOTAL CLAIM AMOUNT:	$308.87

SEXUAL ASSAULT TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
20	$15,916.51	7.79%	6.23%

Grand Total Of Claims For Period: 88
Grand Total Amount Awarded for Period: $204,237.75
% of Overall Award: 67.05%

******* ADULT CRIME (DOMESTIC VIOLENCE) SUB SECTION *******

FORM 7390 SECTION III D.

CRIME TYPE: DOMESTIC VIOLENCE ASSAULT

CLAIM NUMBER:	936	TOTAL CLAIM AMOUNT:	$415.88
CLAIM NUMBER:	2726	TOTAL CLAIM AMOUNT:	$1,085.91
CLAIM NUMBER:	2881	TOTAL CLAIM AMOUNT:	$29.60
CLAIM NUMBER:	2916	TOTAL CLAIM AMOUNT:	$5,433.90
CLAIM NUMBER:	3032	TOTAL CLAIM AMOUNT:	$240.00
CLAIM NUMBER:	3043	TOTAL CLAIM AMOUNT:	$448.00
CLAIM NUMBER:	3125	TOTAL CLAIM AMOUNT:	$695.97
CLAIM NUMBER:	3141	TOTAL CLAIM AMOUNT:	$340.00
CLAIM NUMBER:	3196	TOTAL CLAIM AMOUNT:	$298.60
CLAIM NUMBER:	3235	TOTAL CLAIM AMOUNT:	$429.01
CLAIM NUMBER:	3247	TOTAL CLAIM AMOUNT:	$468.00
CLAIM NUMBER:	3248	TOTAL CLAIM AMOUNT:	$1,848.00
CLAIM NUMBER:	3271	TOTAL CLAIM AMOUNT:	$576.93
CLAIM NUMBER:	3301	TOTAL CLAIM AMOUNT:	$2,191.99
CLAIM NUMBER:	3323	TOTAL CLAIM AMOUNT:	$2,563.48
CLAIM NUMBER:	3326	TOTAL CLAIM AMOUNT:	$105.60
CLAIM NUMBER:	3329	TOTAL CLAIM AMOUNT:	$40.69
CLAIM NUMBER:	3334	TOTAL CLAIM AMOUNT:	$697.26
CLAIM NUMBER:	3340	TOTAL CLAIM AMOUNT:	$1,266.69
CLAIM NUMBER:	3361	TOTAL CLAIM AMOUNT:	$75.26
CLAIM NUMBER:	3413	TOTAL CLAIM AMOUNT:	$94.00
CLAIM NUMBER:	3416	TOTAL CLAIM AMOUNT:	$179.20

DOMESTIC VIOLENCE ASSAULT TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
22	$19,313.99	43.51%	6.34%

CRIME TYPE: DOMESTIC VIOLENCE HOMICIDE

CLAIM NUMBER:	3236	TOTAL CLAIM AMOUNT:	$3,000.00
CLAIM NUMBER:	3437	TOTAL CLAIM AMOUNT:	$2,800.00

DOMESTIC VIOLENCE HOMICIDE TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
2	$5,800.00	13.07%	1.90%

FORM 7390 SECTION III D.

CRIME TYPE: DOMESTIC VIOLENCE OTHER

CLAIM NUMBER: 2942 TOTAL CLAIM AMOUNT: $7,629.36
CLAIM NUMBER: 3033 TOTAL CLAIM AMOUNT: $2,806.00
CLAIM NUMBER: 3154 TOTAL CLAIM AMOUNT: $7,638.39

DOMESTIC VIOLENCE OTHER TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
3	$18,073.75	40.72%	5.93%

CRIME TYPE: DOMESTIC VIOLENCE SEXUAL ASSAULT

CLAIM NUMBER: 3166 TOTAL CLAIM AMOUNT: $1,198.62

DOMESTIC VIOLENCE SEXUAL ASSAULT TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
1	$1,198.62	2.70%	0.39%

Grand Total Of Claims For Period: 28
Grand Total Amount Awarded for Period: $44,386.36
% of Overall Award: 14.57%

****** VEHICLE CRIME SUB SECTION ********

01/18/2007

CRIME TYPE: AGGRAVATED RECKLESS DRIVING

CLAIM NUMBER: 3052 TOTAL CLAIM AMOUNT: $3,108.00
CLAIM NUMBER: 3442 TOTAL CLAIM AMOUNT: $3,900.00

AGGRAVATED RECKLESS DRIVING TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
2	$7,008.00	45.74%	2.30%

FORM 7390 SECTION III D.

CRIME TYPE: DUI

CLAIM NUMBER: 3248 TOTAL CLAIM AMOUNT: $1,800.00

DUI TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
1	$1,800.00	11.75%	0.59%

CRIME TYPE: HIT/RUN

CLAIM NUMBER: 2169 TOTAL CLAIM AMOUNT: $318.40

HIT/RUN TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
1	$318.40	2.08%	0.10%

CRIME TYPE: NEGLIGENT HOMICIDE

CLAIM NUMBER: 2367 TOTAL CLAIM AMOUNT: $240.00

CLAIM NUMBER: 2954 TOTAL CLAIM AMOUNT: $2,954.54

CLAIM NUMBER: 3286 TOTAL CLAIM AMOUNT: $3,000.00

NEGLIGENT HOMICIDE TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
3	$8,194.54	40.43%	2.03%

Grand Total Of Claims For Period: 7

Total Amount Awarded for Period excluding DUI: $13,520.94

Grand Total Amount Awarded for Period: $15,320.94

% of Overall Award: 5.03%

******* CHILD CRIME SUB SECTION ********

FORM 7390 SECTION III D.

CRIME TYPE: CHILD (UNDER 18) PHYSICAL ABUSE/ASSAULT

CLAIM NUMBER:	3209	TOTAL CLAIM AMOUNT:	$574.43
CLAIM NUMBER:	3237	TOTAL CLAIM AMOUNT:	$1,000.00
CLAIM NUMBER:	3287	TOTAL CLAIM AMOUNT:	$2,500.00

CHILD (UNDER 18) PHYSICAL ABUSE/ASSAULT TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
3	$4,074.43	10.97%	1.34%

FORM 7390 SECTION III D.

CRIME TYPE: CHILD (UNDER 18) SEXUAL ABUSE BY FAMILY

CLAIM NUMBER:	2408	TOTAL CLAIM AMOUNT:	$140.72
CLAIM NUMBER:	2609	TOTAL CLAIM AMOUNT:	$278.21
CLAIM NUMBER:	2663	TOTAL CLAIM AMOUNT:	$674.75
CLAIM NUMBER:	2808	TOTAL CLAIM AMOUNT:	$43.22
CLAIM NUMBER:	2899	TOTAL CLAIM AMOUNT:	$0.00
CLAIM NUMBER:	2923	TOTAL CLAIM AMOUNT:	$77.79
CLAIM NUMBER:	3044	TOTAL CLAIM AMOUNT:	$240.00
CLAIM NUMBER:	3060	TOTAL CLAIM AMOUNT:	$2,022.31
CLAIM NUMBER:	3070	TOTAL CLAIM AMOUNT:	$2,136.00
CLAIM NUMBER:	3114	TOTAL CLAIM AMOUNT:	$988.92
CLAIM NUMBER:	3131	TOTAL CLAIM AMOUNT:	$1,171.36
CLAIM NUMBER:	3165	TOTAL CLAIM AMOUNT:	$182.60
CLAIM NUMBER:	3217	TOTAL CLAIM AMOUNT:	$247.70
CLAIM NUMBER:	3238	TOTAL CLAIM AMOUNT:	$310.00
CLAIM NUMBER:	3239	TOTAL CLAIM AMOUNT:	$210.00
CLAIM NUMBER:	3252	TOTAL CLAIM AMOUNT:	$227.20
CLAIM NUMBER:	3255	TOTAL CLAIM AMOUNT:	$227.20
CLAIM NUMBER:	3280	TOTAL CLAIM AMOUNT:	$280.00
CLAIM NUMBER:	3284	TOTAL CLAIM AMOUNT:	$454.40
CLAIM NUMBER:	3307	TOTAL CLAIM AMOUNT:	$227.20
CLAIM NUMBER:	3309	TOTAL CLAIM AMOUNT:	$353.60
CLAIM NUMBER:	3317	TOTAL CLAIM AMOUNT:	$219.50
CLAIM NUMBER:	3390	TOTAL CLAIM AMOUNT:	$34.10
CLAIM NUMBER:	3391	TOTAL CLAIM AMOUNT:	$164.30
CLAIM NUMBER:	3396	TOTAL CLAIM AMOUNT:	$148.20
CLAIM NUMBER:	3403	TOTAL CLAIM AMOUNT:	$2,371.08
CLAIM NUMBER:	3411	TOTAL CLAIM AMOUNT:	$499.60
CLAIM NUMBER:	3445	TOTAL CLAIM AMOUNT:	$227.20
CLAIM NUMBER:	3467	TOTAL CLAIM AMOUNT:	$278.52

CHILD (UNDER 18) SEXUAL ABUSE BY FAMILY TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
29	$14,436.88	38.86%	4.74%

FORM 7390 SECTION III D.

CRIME TYPE: CHILD (UNDER 18) SEXUAL ABUSE BY NON-FAMILY

CLAIM NUMBER:	2191	TOTAL CLAIM AMOUNT:	$800.00
CLAIM NUMBER:	2521	TOTAL CLAIM AMOUNT:	$716.60
CLAIM NUMBER:	2667	TOTAL CLAIM AMOUNT:	$446.02
CLAIM NUMBER:	2801	TOTAL CLAIM AMOUNT:	$86.80
CLAIM NUMBER:	2926	TOTAL CLAIM AMOUNT:	$198.12
CLAIM NUMBER:	2934	TOTAL CLAIM AMOUNT:	$342.06
CLAIM NUMBER:	3029	TOTAL CLAIM AMOUNT:	$5,232.18
CLAIM NUMBER:	3071	TOTAL CLAIM AMOUNT:	$869.75
CLAIM NUMBER:	3149	TOTAL CLAIM AMOUNT:	$523.88
CLAIM NUMBER:	3164	TOTAL CLAIM AMOUNT:	$340.80
CLAIM NUMBER:	3194	TOTAL CLAIM AMOUNT:	$437.22
CLAIM NUMBER:	3195	TOTAL CLAIM AMOUNT:	$84.40
CLAIM NUMBER:	3214	TOTAL CLAIM AMOUNT:	$330.00
CLAIM NUMBER:	3216	TOTAL CLAIM AMOUNT:	$227.20
CLAIM NUMBER:	3219	TOTAL CLAIM AMOUNT:	$44.64
CLAIM NUMBER:	3220	TOTAL CLAIM AMOUNT:	$227.20
CLAIM NUMBER:	3221	TOTAL CLAIM AMOUNT:	$227.20
CLAIM NUMBER:	3226	TOTAL CLAIM AMOUNT:	$503.60
CLAIM NUMBER:	3231	TOTAL CLAIM AMOUNT:	$227.20
CLAIM NUMBER:	3234	TOTAL CLAIM AMOUNT:	$803.95
CLAIM NUMBER:	3253	TOTAL CLAIM AMOUNT:	$227.20
CLAIM NUMBER:	3260	TOTAL CLAIM AMOUNT:	$227.20
CLAIM NUMBER:	3263	TOTAL CLAIM AMOUNT:	$481.60
CLAIM NUMBER:	3290	TOTAL CLAIM AMOUNT:	$913.88
CLAIM NUMBER:	3319	TOTAL CLAIM AMOUNT:	$838.14
CLAIM NUMBER:	3328	TOTAL CLAIM AMOUNT:	$44.02
CLAIM NUMBER:	3347	TOTAL CLAIM AMOUNT:	$171.60
CLAIM NUMBER:	3351	TOTAL CLAIM AMOUNT:	$81.88
CLAIM NUMBER:	3354	TOTAL CLAIM AMOUNT:	$227.20
CLAIM NUMBER:	3369	TOTAL CLAIM AMOUNT:	$171.60
CLAIM NUMBER:	3370	TOTAL CLAIM AMOUNT:	$286.20
CLAIM NUMBER:	3374	TOTAL CLAIM AMOUNT:	$454.40
CLAIM NUMBER:	3376	TOTAL CLAIM AMOUNT:	$808.18
CLAIM NUMBER:	3431	TOTAL CLAIM AMOUNT:	$815.60
CLAIM NUMBER:	3443	TOTAL CLAIM AMOUNT:	$227.20

FORM 7390 SECTION III D.

CHILD (UNDER 18) SEXUAL ABUSE BY NON-FAMILY TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
35	$18,633.70	50.17%	6.12%

Grand Total Of Claims For Period: 67
Grand Total Amount Awarded for Period: $37,144.01
% of Overall Award: 12.19%

FORM 7390 SECTION III D.

ADULT CRIME (COMBINED DV AND NON-DV) SUB SECTION

1. ASSAULT TOTALS:	$198,732.53
2. HOMICIDE TOTALS:	$10,748.85
3. SEXUAL ASSAULT TOTALS:	$17,115.13
4. OTHER CRIMETYPE TOTALS::	$22,027.80

Grand Total Amount Awarded for Period: **$248,624.11**

FORM 7390 BREAKOUT TOTALS FOR OTHER CRIMETYPE

01/18/2007

DOMESTIC VIOLENCE CRIMES

CRIME TYPE: DOMESTIC VIOLENCE OTHER

HARASSMENT

CLAIM NUMBER: 3154 — TOTAL CLAIM AMOUNT: $7,636.39

TOTAL FOR CRIME: $7,636.39

MISC

CLAIM NUMBER: 2942 — TOTAL CLAIM AMOUNT: $7,629.36

TOTAL FOR CRIME: $7,629.36

TERRORISM

CLAIM NUMBER: 3033 — TOTAL CLAIM AMOUNT: $2,808.00

TOTAL FOR CRIME: $2,808.00

DOMESTIC VIOLENCE OTHER TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
3	$18,073.75	100.00%	5.93%

Grand Total Of Claims For Period: 3
Grand Total Amount Awarded for Period: $18,073.75
% of Overall Award: 5.93%

NON DOMESTIC VIOLENCE CRIMES

CRIME TYPE: OTHER

ATTEMPTED HOMICIDE

CLAIM NUMBER: 589 — TOTAL CLAIM AMOUNT: $778.87

TOTAL FOR CRIME: $778.87

CRIMINAL TRESPASS

CLAIM NUMBER: 3291

TOTAL CLAIM AMOUNT: $257.00
TOTAL FOR CRIME: $257.00

MISC

CLAIM NUMBER: 432

TOTAL CLAIM AMOUNT: $208.64
TOTAL FOR CRIME: $208.64

RECKLESS ENDANGERMENT

CLAIM NUMBER: 3398

TOTAL CLAIM AMOUNT: $2,520.00
TOTAL FOR CRIME: $2,520.00

TERRORIZING

CLAIM NUMBER: 3324

TOTAL CLAIM AMOUNT: $189.54
TOTAL FOR CRIME: $189.54

OTHER TOTALS:

CLAIM TOTALS FOR THIS CRIME	TOTAL AMOUNT AWARDED	% OF SUB SECTION AWARDED	% OF TOTAL
5	$3,954.05	100.00%	1.30%

Grand Total Of Claims For Period: 5
Grand Total Amount Awarded for Period: $3,954.05
% of Overall Award: 1.30%

CRIME VICTIMS COMPENSATION PERFORMANCE REPORT DATA

REPORTING PERIOD FROM 7/1/1999 THROUGH 6/30/2001

FORM 7390 SECTION III A.

DATE: 01/24/2007

1. Number of Claims Pending at Begining of Period: 7

2. NUMBER OF CLAIMS RECEIVED DURING REPORTING PERIOD: 358

3. SUM OF LINE 1 + LINE 2.....: 365

CLAIMS APPROVED DURING REPORTING PERIOD

4. NUMBER OF CLAIMS FOR PAYMENT: 299

5. (A) NUMBER OF STATE RESIDENTS: 295

5. (B) NUMBER OF NON-RESIDENTS: 4

5. (C) NUMBER OF VICTIMS 17 AND UNDER: 115

5. (D) NUMBER OF VICTIMS 18 - 64: 183

5. (E) NUMBER OF VICTIMS 65 AND OLDER: 1

6. NUMBER OF CLAIMS NOT APPROVED FOR PAYMENT: 55

7. TOTAL NUMBER OF CLAIM DETERMINATIONS (SUM OF LINE 4 + LINE 6): 354

8. NUMBER OF CLAIMS PENDING AT THE END OF REPORTING REPORTING PERIOD (LINE 3 MINUS LINE 11

SECTION III E.

EXPENSES PAID:	TOTALS	% OF TOTAL
1. Medical/Dental/Mileage/Drugs:	$465,626.49	65.03%
2. Mental Health:	$20,315.44	2.84%
3. Economic Support: (Lost Wages)	$198,906.42	27.78%
4. Funeral/Burial:	$24,780.13	3.46%
5. Forensic:	$6,418.48	0.90%
6. Other:	$0.00	
EXPENSE TOTAL:	$716,046.96	

MILEAGE, MEDICAL, DENTAL, DRUG EXPENSES BREAKDOWN:

1. Total Mileage: $3,450.95
2. Total Medical: $429,197.77
3. Total Dental: $29,374.48
4. Total Drugs: $3,603.29

FUNDS TOTAL

EXPENSES PAID:

GENERAL FUNDS TOTAL:	$126,845.51
SPECIAL FUND 379 TOTAL:	$494,914.62
SPECIAL FUND 372 TOTAL:	$42,000.00
FEDERAL FUNDS TOTAL:	$105,415.46
EXPENSES TOTAL:	$769,175.59

REFUNDS:

GENERAL FUNDS TOTAL:	($21,779.77)
SPECIAL FUND 379 TOTAL:	($28,775.64)
SPECIAL FUND 372 TOTAL:	($443.70)
FEDERAL FUNDS TOTAL:	($2,129.52)
REFUND TOTAL:	($53,128.63)
TOTAL NET FUNDS EXPENDED:	$716,046.96

CRIME VICTIMS COMPENSATION PERFORMANCE REPORT DATA

REPORTING PERIOD FROM 7/1/2001 THROUGH 6/30/2003

FORM 7390 SECTION III A.

DATE: 01/24/2007

1. Number of Claims Pending at Begining of Period: 9

2. NUMBER OF CLAIMS RECEIVED DURING REPORTING PERIOD: 385

3. SUM OF LINE 1 + LINE 2.....: 394

CLAIMS APPROVED DURING REPORTING PERIOD

4. NUMBER OF CLAIMS FOR PAYMENT: 313

5. (A) NUMBER OF STATE RESIDENTS: 309

5. (B) NUMBER OF NON-RESIDENTS: 4

5. (C) NUMBER OF VICTIMS 17 AND UNDER: 119

5. (D) NUMBER OF VICTIMS 18 - 64: 192

5. (E) NUMBER OF VICTIMS 65 AND OLDER: 2

6. NUMBER OF CLAIMS NOT APPROVED FOR PAYMENT: 63

7. TOTAL NUMBER OF CLAIM DETERMINATIONS (SUM OF LINE 4 + LINE 6): 376

8. NUMBER OF CLAIMS PENDING AT THE END OF REPORTING REPORTING PERIOD (LINE 3 MINUS LINE 18

SECTION III E.

EXPENSES PAID:	TOTALS	% OF TOTAL
1. Medical/Dental/Mileage/Drugs:	$290,485.16	61.80%
2. Mental Health:	$29,040.58	6.18%
3. Economic Support: (Lost Wages)	$121,757.42	25.90%
4. Funeral/Burial:	$21,688.09	4.61%
5. Forensic:	$7,088.82	1.51%
6. Other:	$0.00	
EXPENSE TOTAL:	$470,060.07	

MILEAGE, MEDICAL, DENTAL, DRUG EXPENSES BREAKDOWN:

1. Total Mileage: $3,991.81
2. Total Medical: $248,703.18
3. Total Dental: $31,306.42
4. Total Drugs: $6,483.75

FUNDS TOTAL

EXPENSES PAID:

GENERAL FUNDS TOTAL:	$32,934.66
SPECIAL FUND 379 TOTAL:	$169,584.65
SPECIAL FUND 372 TOTAL:	$70,114.92
FEDERAL FUNDS TOTAL:	$221,700.92
EXPENSES TOTAL:	$494,335.15

REFUNDS:

GENERAL FUNDS TOTAL:	($99.12)
SPECIAL FUND 379 TOTAL:	($11,386.34)
SPECIAL FUND 372 TOTAL:	($1,188.22)
FEDERAL FUNDS TOTAL:	($11,601.40)
REFUND TOTAL:	($24,275.08)
TOTAL NET FUNDS EXPENDED:	$470,060.07

CRIME VICTIMS COMPENSATION PERFORMANCE REPORT DATA

REPORTING PERIOD FROM 7/1/2003 THROUGH 6/30/2005

FORM 7390 SECTION III A.

DATE: 01/24/2007

1. Number of Claims Pending at Begining of Period: 13

2. NUMBER OF CLAIMS RECEIVED DURING REPORTING PERIOD: 487

3. SUM OF LINE 1 + LINE 2.....: 500

CLAIMS APPROVED DURING REPORTING PERIOD

4. NUMBER OF CLAIMS FOR PAYMENT: 426

5. (A) NUMBER OF STATE RESIDENTS: 423

5. (B) NUMBER OF NON-RESIDENTS: 3

5. (C) NUMBER OF VICTIMS 17 AND UNDER: 145

5. (D) NUMBER OF VICTIMS 18 - 64: 276

5. (E) NUMBER OF VICTIMS 65 AND OLDER: 5

6. NUMBER OF CLAIMS NOT APPROVED FOR PAYMENT: 66

7. TOTAL NUMBER OF CLAIM DETERMINATIONS (SUM OF LINE 4 + LINE 6): 492

8. NUMBER OF CLAIMS PENDING AT THE END OF REPORTING REPORTING PERIOD (LINE 3 MINUS LINE 8

SECTION III E.

EXPENSES PAID:	TOTALS	% OF TOTAL
1. Medical/Dental/Mileage/Drugs:	$387,440.13	61.62%
2. Mental Health:	$48,457.44	7.71%
3. Economic Support: (Lost Wages)	$148,956.29	23.69%
4. Funeral/Burial:	$35,241.99	5.60%
5. Forensic:	$8,707.14	1.38%
6. Other:	$0.00	
EXPENSE TOTAL:	$628,802.99	

MILEAGE, MEDICAL, DENTAL, DRUG EXPENSES BREAKDOWN:

1. Total Mileage: $5,186.56
2. Total Medical: $346,907.97
3. Total Dental: $18,920.60
4. Total Drugs: $16,425.00

FUNDS TOTAL

EXPENSES PAID:

GENERAL FUNDS TOTAL:	$62,441.14
SPECIAL FUND 379 TOTAL:	$347,068.10
SPECIAL FUND 372 TOTAL:	$0.00
FEDERAL FUNDS TOTAL:	$239,849.34
EXPENSES TOTAL:	$649,358.58

REFUNDS:

GENERAL FUNDS TOTAL:	($2,837.18)
SPECIAL FUND 379 TOTAL:	($9,138.24)
SPECIAL FUND 372 TOTAL:	$0.00
FEDERAL FUNDS TOTAL:	($8,260.17)
REFUND TOTAL:	($20,235.59)
TOTAL NET FUNDS EXPENDED:	$629,122.99

WRITTEN

TESTIMONY FROM

PRESIDING JUDGE,

DONOVAN FOUGHTY

Emmer, Warren R.

From: Foughty, Donovan [DFoughty@ndcourts.gov]
Sent: Wednesday, February 28, 2007 2:35 PM
To: Emmer, Warren R.
Subject: HB 1015--Support Governor's Executive Budget for 10.2 FTE's

Warren please submit this email as my comment in support for more field probation officers. There is a need for more probation officers in the northeast quarter of the state. My experience is that because of the heavy case loads probationers are less likely to succeed on probation. I seem to be revoking a lot of probationers within six months of probation placement. In our part of the state probation officers are even more critical in that we do not have services such as halfway houses to assist in supervision. There is a philosophy that if probationers foul up they should go to prison. For the most part I agree with that position. However the possibility for success increases when there are more contacts and tighter supervision by probation officers. In the long run we are all better off if we can keep the nonviolent offenders out of jail, working and receiving services outside the pen. Probationers are not only obligated not to commit crimes but to be employed, follow through with treatment, aftercare and pay child support along with numerous other standard and unique conditions that may be put in place based on the circumstances. Probation officers are needed to insure that probationers are following through. Often revocations take place not because of new crimes but rather failure to follow through with conditions set out in the appendix A. I ask that Warren attach an Appendix A for your review. Probation officers with case loads over 100 cannot provide adequate supervision. Please look favorably on the request of DOC&R. Donovan Foughty Presiding Judge Northeast Judicial District

WRITTEN

TESTIMONY FROM

DISTRICT JUDGE,

ROBERT WEFALD

Emmer, Warren R.

From: Wefald, Robert [RWefald@ndcourts.gov]

Sent: Thursday, February 22, 2007 11:26 AM

To: Metcalf, Ralph E.

Cc: (NECJD) Judges; (NEJD) Judges; (NWJD) Judges; (SCJD) Judges; (SEJD) Judges; (SUP) Justices; (SWJD) Judges; Dawson, Georgia; Herman, Douglas; Irby, John; Marquart, Steven; McCullough, Steven; Rothe-Seeger, Cynthia; Webb, Wade

Subject: It was good talking with you

Dear Representative Metcalf:

It was good talking with you this morning in our chance encounter. Thank you for remembering our time in the service of our country! As you enjoyed your 41 years in the Guard I enjoyed my 3 years of active duty in the Navy and my 24 years in the Naval Reserve.

You asked me what could be done to help us judges in sentencing, and I replied that nothing needs to be done as what we as judges do in sentencing works quite well. The real question is what happens when a defendant gets in the system. First of all I should tell you that no one wants anyone to go to jail or prison. As a society we would all be happy if everyone obeyed the rules and stayed out of trouble. But with some people that just isn't going to happen. Most people who do get in trouble with the law are essentially self correcting and once they have been in court and their cases have been resolved society will never have any real problem with them again. For some it takes a couple of experiences before they get control of their lives. And there are some who never get the message. You should know that first time offenders seldom go to jail or prison unless they really commit a really serious crime. We try to get their attention through a suspended sentence or a deferred imposition of sentence which for many defendants works very well. Basically a defendant has to work pretty hard to get sent to prison, but we will certainly allow them to go to prison as they continue to fail to follow the rules. I tell people that I don't sentence anyone to prison. People sentence themselves to the maximum time in prison allowed for the crime they have committed. All I do when they are convicted is limit the time they get to be in prison and sometimes I don't let them go to prison or jail at all and sometimes I let them go for the maximum time for their crime. We have all the authority we need to properly sentence defendants convicted of crimes.

All of us judges simply sentence a convicted defendant to the custody of the sheriff or the Department of Corrections. It's up to the sheriff or warden to decide how the prisoner is to be handled while doing the time to which the prisoner was sentenced. We frequently require evaluations or recommend treatment at the TRCC, but it is not our job to tell the warden or the sheriff how to do their jobs.

At the end of my one and only term as Attorney General on December 31, 1984, there were 434 inmates in the system. That was up from 326 when I took office. Today there are over 1200 inmates in the system which means the inmate population tripled in just over 22 years. The population of our state has stayed the same or decreased a little since 1984. I suspect most of that increase is due to drugs or crimes related to drugs. I have often thought that for the truly drug addicted prisoners we need a separate secure treatment facility, but that would take a substantial increase in treatment staff. You suggested that you were considering

a separate treatment unit within a new or remodeled prison. But whatever is done, the major cost in success will not be bricks and mortar, but treatment staff and appropriate treatment programs.

My perception of the reality of the situation right now is that effectively whenever I sentence someone to the custody of the NDDOC they have to parole some other prisoner. In other words it's sort of like pushing marbles into a pipe full of marbles. Every time one goes in one has to come out. I'm sure that an exaggeration, but I believe there is a lot of truth in that statement. Personally I believe that once a prisoner gets a good taste of prison and has settled down, that placing more prisoners on parole or probation in the first instance is a good idea. The only problem is the number of probation officers as you must have enough probation officers to successfully handle and monitor all of the prisoners on parole or probation. And I think it is cheaper to hire probation officers than it is to pay for more bricks and mortar, and additional prison staff. And in the long run I think it will be better for the prisoners and for society. I think these people should be working for a living, supporting their families and paying taxes. I think they need to know how society expects them to act and function. I believe more of them can get that message when they are more closely supervised or parole or probation. Having said that, I am amazed at the number of probationers who cannot follow the simplest rules such as don't use drugs, stay in touch with your probation officer, etc. But a lot of them successfully make it on probation or parole, and that success is ultimately better for society. There may be a few bumps along the way, but in the long run I believe more probation officers is cheaper and more effective.

I am going to share this with my colleagues as I know they also have many interesting insights and opinions on prison, jail, parole and probation. If you would like to do so, please fell free to share my comments with your colleagues in the Legislature.

It was great to visit with you!

Sincerely,

Bob Wefald

Krauter, Aaron J.

From: Krabbenhoft, Dave L.
Sent: Wednesday, April 11, 2007 2:30 PM
To: Krauter, Aaron J.
Cc: Bertsch, Leann K.
Subject: DOCR Training Officer

Senator Krauter,
Per our converstation yesterday regarding the FTE that we need to provide training to the NDSH for the civil sex offender unit - the total amount for the position is $118,500. The position would be a grade 12, training officer II position. The salary and fringe amounts to $111,650 ($3,162 per month) and operating of $6,850. The position would be in the prisons division line.

If you need additional information please let me know.

Dave
328-6135

Reduction in Recidivism
April 2007

Transitional Jobs Program (TJP)

- Is a practical workforce strategy that uses *time-limited, wage-paying jobs that combine real work, skill development, and supportive services,* to transition participants rapidly and successfully in the labor market; and
- This strategy offers a model of employment where participants learn through experience the customs and routines of work, acquire work-task skills, establish an employment record, and generate employer references to enhance their competitiveness in private sector employment.

Population Served

- Populations served are typically limited to people with multiple employment obstacles or limited work experience. This includes individuals with criminal records.

Why do persons with criminal records benefit from Transitional Jobs?

- Increases stability during the immediate transition from incarceration into the community by providing cash income to help cover living expenses and by fostering a positive routine and realistic hope for moving into permanent employment;
- Allows time to get reestablished as productive members of the workforce while building a work history for their resumes;
- Provides an opportunity to prove key facets of employability such as reliability and trustworthiness, leading to strong references that are instrumental when seeking unsubsidized employment; and
- Offers linkages to community supports and help with managing time for competing demands, such as parole officer meetings and finding housing.

Recidivism in North Dakota

- ND has relatively the same rate of recidivism as the national average of 50%
- In 2006, **1071 individuals were released** from state and federal prisons within the state of ND
- It **costs approximately $29,000 per year** for an individual to be incarcerated in the ND prison system
- Statistically, 535 of the 1071 released will re-offend and **cost ND approximately $15.5 million per year** to be re-incarcerated

Based on the above statistics, if the released individuals had access to a Transitional Jobs Program in ND the following would occur based on statistics of other Transitional Jobs Programs across the country:

- Enrolled in TJP for 3 months – of the 535 people who will statistically re-offend that number will decrease to 428 **(20% decrease)**.
- Enrolled in TJP for 6 months – of the 535 people who will statistically re-offend that number will decrease to 69 **(87% decrease).**

Savings to North Dakota

- Example:

  If the 535 people released from the ND prison system were enrolled for 6 months into a Transitional Jobs Program that would mean 466 of those people would be employed. This would **save ND approximately $13.5 million by assuring that re-incarceration does not occur.** This statistic does not include the cost of court fees.

- The economic impact of these individuals working and contributing to the ND economy is in the millions of dollars.

Transitional Jobs Programs Work and Reduce the Rate of Recidivism!

TJPs provide an opportunity for employment, income for individuals transitioned from the prison system, stability, a positive economic impact to ND and safer communities.

If you would like any additional information please feel free to contact me.

Tom Alexander
701-858-3436
tom.alexander@minotstateu.edu

Page 3 show's all the Transitional Jobs Programs now in operation across the country.

- Advancement Plus - St. Paul, Minnesota
- Alamo Workforce Development, Inc. - San Antonio, Texas
- ASCEND, City of San Antonio - San Antonio, Texas
- Youth Opportunity Program, City of San Antonio - San Antonio, Texas
- Blue Jacket, Inc. - Fort Wayne, Indiana
- Career Advancement Network - Chicago, Illinois
- Career Insight - Raleigh, North Carolina
- Clean Corners - Boston, Massachusetts
- Center for Employment Opportunities - New York, New York
- Chrysalis - Los Angeles, California
- City of Boston - Boston, Massachusetts
- City of Las Vegas, Neighborhood Services Department (EVOLVE Program) - Las Vegas Nevada
- City of Oakland - Oakland, California
- Community Assistance Programs - Chicago, Illinois
- Community Jobs - Olympia, Washington
- Community Jobs Program - San Francisco, California
- Community Service Employment Opportunities - Fresno, California
- Community Services and Workforce Development - Hollister, California
- Community Work Services - Boston, Massachusetts
- Cuyahoga County Work and Training - Cleveland, Ohio
- Department of Administration - Milwaukee, Wisconsin
- Department of Human and Cultural Services - Jackson, Mississippi
- The Doe Fund, Inc. - New York, New York
- Employment Trust, Inc. - Portland, Maine
- Empowerment Program (HU-CARE) - Hampton, Virginia
- The Enterprising Kitchen - Chicago, Illinois
- The Garden Project - San Francisco, California
- Glacier Manor - Juneau, Alaska
- GOALS - Orange Park, Florida
- Goodwill Industries of Greater Detroit (New Start Employment Project) - Detroit, Michigan
- Goodwill Industries of San Francisco - San Francisco, California
- GoodWORKS - Augusta, Georgia
- Greencorps Chicago - Chicago, Illinois
- Growing Home - Chicago, Illinois
- Harborquest - Chicago, Illinois
- Heartland Alliance for Human Needs & Human Rights - Chicago, Illinois
- Housing Authority, City of Los Angeles - Los Angeles, California
- Jewish Vocational Services, Refugee Employment - Kansas City, Missouri
- Larkin Street Youth Services - San Francisco, California
- Midlands Workforce Development Board - Columbia, South Carolina
- My Sistah's House - Chicago, Illinois
- Nashville Career Advancement Center - Nashville, Tennessee
- National Association of Service and Conservation Corps - Washington, DC
- Nehemiah Gateway - Community Development Corporation - Wilmington, Delaware
- The New Hope Project - Milwaukee, Wisconsin
- New Jersey Institute for Social Justice - Newark, New Jersey
- Opportunity for Work and Learning - Lexington, Kentucky
- Pave: Career Training Program - Portland, Oregon
- PREP (People Realizing Employment Possibilities) Program - Forrest City, Arkansas
- Project Bridge - Baltimore, Maryland
- Project Empowerment - Washington, D.C.
- Project One - Louisville, Kentucky
- Reliable Choices - Oakland, California
- Roca, Inc. - Chelsea, MA
- Rock River Training Corporation - Rockford, Illinois
- Rocky Mountain SER/Jobs for Progress - Denver, Colorado
- Rubicon Programs, Inc. - Richmond, California
- Rural Cap - Anchorage, Alaska
- San Francisco Dept. of Children, Youth, and Families - San Francisco, California
- S.A.V.I.P (Save a Very Important Person) Program - Ohio
- The Skills Training - Brandywine, Maryland
- St. Lawrence County One Stop Career Center - Canton, New York
- Suburban Job-Link Corporation - Chicago, Illinois
- Supported Employment Program - Anchorage, Alaska
- Sweet Beginnings - Chicago, Illinois
- Tacoma-Pierce County Employment & Training - Tacoma, Washington
- TAP This Valley Works Training Program - Roanoke, Virginia
- Training and Employment Council of South Florida - Miami, Florida
- Transitional Community Service Jobs - Chicago, Illinois
- Transitional Employment Program - Johnstown, Pennsylvania
- Transitional Work Corporation - Philadelphia, Pennsylvania
- The Unity Council / CIRCLEs Project - Oakland, California
- Vocational Guidance Services - Cleveland, Ohio
- Wildcat Service Corporation - New York, New York
- Women Arise - Detroit, Michigan
- Work Experience Program - Youngstown, Ohio
- Workforce Development Joblink Career Center - Raleigh, North Carolina
- Workforce, Inc. - Indianapolis, Indiana
- WorkHawaii/O'ahu Work Links - Honolulu, Hawaii
- Workforce Development Board - Port Arthur, Texas
- YouthBuild USA - Somerville, Massachusetts
- Youth Opportunities Office - Virginia Beach, Virginia

PAROLE/PROBATION

OFFICER

TESTIMONIALS

Bertsch, Leann K.

From: Weigel, Brian L.
Sent: Friday, November 03, 2006 1:01 PM
To: Bertsch, Leann K.
Cc: Tomanek, Leslie D.
Subject: FW: Request from Leann Bertsch

Leann in my 8 years of experience Meth cases carry a much higher level of personal danger then any other case. I can think of two cases right off top of my head that my life was in imminent danger. The first was as a police officer and I was attacked by a subject with a knife while he was under the influence and the second was with P and P and I was in the Sherman house just a couple days prior to the shoot out. These things don't typically happen with other cases.

I have been with Parole and Probation for 4 years. The first two I supervised mostly Meth cases. There was always a sense of danger and I had to draw my weapon several times. Over the last two years I have not been supervising meth cases and I feel much safer during my home visits and my day to day operations.

In summery, meth is dangerous.

-----Original Message-----
From: Tomanek, Leslie D.
Sent: Friday, November 03, 2006 12:45 PM
To: -Grp-DOCR Parole & Probation
Subject: Request from Leann Bertsch

Hello Everyone,

Director Leann Bertsch is asking everyone's assistance in getting some information. She would like to know how the emergence of meth has changed our jobs. Focus on how the offenders have changed, and how our jobs have changed as a result. It is especially important that our more tenured staff (that's a nice way of saying old-timers) respond as you [redacted]n offer good insight into the changes that you've seen over the years. Even if you are fairly new to parole/probation, I [redacted]nt to encourage you to respond as it is important to hear from everyone.

If you could respond by to Leann by next Monday it would be greatly appreciated.

Thanks for your help!

Barney

Bertsch, Leann K.

From: Hoornaert, Chad M.
Sent: Friday, November 03, 2006 1:45 PM
To: Bertsch, Leann K.
Subject: FW: Request from Leann Bertsch

Obviously now that I am working in the TRCC program I am seeing it in the treatment aspect of things, and am starting to see the effects it has on the "system" ie, medical, financial etc. But my thoughts return to the field. I think that in this line of work we should obviously always be prepared for the unexpected, but I think with the meth, the rules change. It makes for acitivities in the field that should be "everyday" type of bussiness, something where you never know what you will encounter. Mothers leaving there kids in cars for hours in the middle of winter while they are in someone's residence or bar getting high; cooking meth in the house with the kids right there. I've witnessed social services taking screaming kids from a meth home, I knew it was the best thing for them but it's still hard to see especially when I knew the mother loved them, but was letting meth control her life. One case that I always think of regarding meth is, I supervised a young gal who lived on her grandparents farm near Ardoch, ND. Grandparents were not around anymore, her parents lived on the neighboring farm. We were able to take down a meth lab at this residence; numerous arrests from that residence, siezed property, etc. Days later this gals father stopped at the house to check on things while his daughter was in jail. He encountered 3 young males in their 20's, who were strung out on meth, and destroying the inside of the house looking for either their meth or money that was given for it. When he tried to stop them they nearly beat him to death. That man knew that his daughters meth addiction would affect his family, but not in that way.

Chad

-----Original Message-----
From: Tomanek, Leslie D.
Sent: Friday, November 03, 2006 12:45 PM
To: -Grp-DOCR Parole & Probation
Subject: Request from Leann Bertsch

Hello Everyone,

Director Leann Bertsch is asking everyone's assistance in getting some information. She would like to know how the emergence of meth has changed our jobs. Focus on how the offenders have changed, and how our jobs have changed as a result. It is especially important that our more tenured staff (that's a nice way of saying old-timers) respond as you can offer good insight into the changes that you've seen over the years. Even if you are fairly new to parole/probation, I want to encourage you to respond as it is important to hear from everyone.

If you could respond by to Leann by next Monday it would be greatly appreciated.

Thanks for your help!

Barney

Bertsch, Leann K.

From: Heidbreder, Daniel S.
Sent: Friday, November 03, 2006 2:23 PM
To: Bertsch, Leann K.
Subject: FW: Request from Leann Bertsch

I guess I would not be the best to describe how meth has changed my job, since I am fairly new. Meth has been around longer than I have. I can provide insight on how it impacts my job.

To sum it up, issues related to meth are my job. I supervise a diverse range of cases from drug cases, property crime cases, bad checks, violent offense, and driving offenses. It seems no matter what the offense someone is on probation for, meth seems to play a part in many of the underlying offenses. Meth also plays a part in violations or new offenses while on probation. Of all the violations I see, those related to meth are always the most severe. It seems those who are involved in the use of meth lose control so quickly, by the time I catch up with them it is too late (most have been charged with new felony offenses). Meth takes over their lives and it does not take long for things to fall apart. It is odd to watch someone's life fall apart in any and all ways possible and they are oblivious to it. Due to how quickly this happens, treatment is difficult. If I can catch someone using early on, it is still difficult, as it takes around a month or two just to get someone in for a Chemical Dependency Evaluation, and probably a few weeks longer to get into treatment. Many find their way into further trouble prior to making it to treatment. I realize we have taken steps to remedy this, and the Assessment Center is working well to address the time it takes to get someone into treatment. The next issue is if treatment is working. I have only been around for two years and see the same people involved in meth over and over. I am not discounting the efforts or methods of treatment programs, but I do see a terribly high rate of relapse. In my short time here, meth seems to be the most difficult addiction to treat.

Meth is something that is on my mind every time I go into an offenders home, confront an offender on the street, conduct a probation search, or even see an offender in my office. I have never been involved in a situation where I have had to use physical force as a Parole Officer, but am convinced it is just a matter of time. I have witnessed numerous offenders under the influence of meth and although now immune, was initially shocked at the erratic behavior. The unpredictability of those [redacted]nder the influence definitely shapes how I conduct myself as a Parole Officer. Violence and unpredictability seem to be a [redacted]y-product of meth use. In my short tenure as a Parole Officer, I have seized many weapons ranging from knives to loaded handguns. Most of these were seized from meth users.

Another concern is the impact I see meth having on children or others in the home. Recently during a probation search of one of my offenders, I arrested a 21 year old female who was about 4 months pregnant that admitted to using meth within the past two days. She had visible infected track marks on her arms. Seized were several syringes and other meth paraphernalia. She also had a 2 year old child in the home. It is astounding to see someone do something so horrible for a drug!

Another concern is with the effectiveness of recent legislation on stopping local manufacture of meth, it has opened the market to larger out of state traffickers and dealers. I have personally seen an influx of out of state traffickers/dealers coming into the area to fill the void in supply. Many are gang members trying to corner the market. This is done by intimidation and violence. This is evident by recent arrests and seizures of large amounts of meth or money. My concern as a Parole Officer is the people trafficking meth are often very dangerous. Unfortunately, many of the traffickers recruit our local offenders to distribute meth for them. This puts me, as a Parole Officer, in direct contact with these people.

If I do have a case that does not involve meth, the above concerns are lessened greatly. Relapses are not a severe, officer safety is not as heightened, and violence is not as prominent. Of course there are exceptions, but meth seems to be the least common denominator in all of these concerns.

I could probably go on for many more paragraphs, but won't. It seems no matter what the underlying crime, meth is involved in a large majority. Any cases involving meth usually result in the most serious violations (normally new felony convictions). Any case involving meth poses the greatest risk for officer safety. Any case involving meth also poses the greatest risk to those around the person involved with meth, specifically children.

[redacted]an Heidbreder
[redacted]arole Officer II
210 2nd Ave NW, Suite 260
Mandan, ND 58554

Bertsch, Leann K.

From: Tomanek, Leslie D.
Sent: Friday, November 03, 2006 2:41 PM
To: Bertsch, Leann K.
Subject: Information on meth cases

Hello Leann,

In the 25 years that I have been in this business, I have never seen anything that has impacted our work like meth has. Not only has it lead to a significant increase in the number of offenders that we supervise, but it has changed the profile of the offender. Meth has proven itself to be highly addictive and very difficult to treat. Treatment programs have had to increase in length and intensity, and the success has decreased. It has put a tremendous burden on the treatment programs throughout the state, and the available services are lacking. I have seen meth tear apart good people and good families. It's impact isn't just with our department, but with society in general.

As far as the offenders, we have seen more severe addictions, and often at a much earlier age. The offenders have little respect for authority and are often difficult people to deal with. We see more mental health problems than in the past, and I attribute at least part of that to the meth. My greatest concern is that our offenders are becoming increasingly violent and dangerous. I worry about our staff doing home visits much more than I had in the past. Our staff spend countless hours trying to get help and services for the meth addicted offender, but far too often they continue to violate and get involved in the court system. Meth has strained resources statewide like nothing else I have ever seen!

I wish there was a quick fix for the problem, but I know there isn't. It's scary looking at what the drug can do, and that it can affect almost any family. I worry about staff every day as we do our work in the field, as we never know for sure what we will walk into.

If you would like anything else, please feel free to give me a call.

Barney

Bertsch, Leann K.

From: Haagenson, Lloyd B.
Sent: Friday, November 03, 2006 3:08 PM
To: Bertsch, Leann K.
Subject: Meth use/supervision of probation

Leann,

I have been working for DOC R for past 6 years in the Williston office. I think you know the Meth problem is prevelent all over the state but in Williams Co /AG office has had some programs to assist w/the Meth production with one being placing locks on Andyrous Ammonia tanks. I feel that this has deterred on thefts of Ammonia but what varous LE has stated that some dealers go to Montana to steal their ammonia. In addition the legislature passing laws to deter the buying the sudafed in large quanities. But when I first started, the Meth labs were plentiful. Currently, the info that our office has heard from LE and offenders that the meth is being imported from larger metropolitan areas such as Billings/Denver.

The changes in our duties would be:

1). Spending more time in the field monitoring conditions, ie drug searches, uas, checking offenders associations

2). We spend time following up w/families/looking at alternative methods to cope with their addiction such as treatment, daily reporting and varoius counseling. Many times we spend unlimtited time with high-risk addicts to meth. We as officers feel that some other offenders are not getting the same focus/supervision.

3). Family issues are often affected. Mothers are using drugs resulting in their children placed in foster care/ alternative housing for the kids. This is the sadest effect that Meth has done which I can see.

. With the higher case loads we just can not monitor every offender effectively. Our case loads have dramatically ncreased as you know /you have allowed for more staff but it seems that we still have issues w/proper supervision.

It has been very challenging working with the meth addiction.

Lloyd B Haagenson
Probation Officer II
ND Dept of Corrections
Williston Office
(701)774-4340

Bertsch, Leann K.

From: Johnsrud, Jan M.
Sent: Friday, November 03, 2006 3:19 PM
To: Bertsch, Leann K.
Subject: Meth

Afternoon --

The largest change is to our caseload --

In October of 04 -- the total caseload was 159 probationers for 2 PO's and 1 CCA.

Today, I collected some statistics for probationers:

63 on probation for Methamphetamine Possession/Manufacturing charges;
67 on probation for Possession of Drug Paraphernalia (Both Meth and Mari)
24 on for Marijuana Possession or other Drug Charges
21 on Probation for Non-Drug Related Charges, but have used Meth since being on probation

243 Total probationers for 3 PO's and 1 CCA on November 1, 2006.

And workload has gone up accordingly, with active meth users coming in to the office more often (some every day, some three times a week) and needing to be UA'ed and monitored.

When I first started in 2001, it didn't seem like we had so many families or couples on probation, but now it has changed --

7 Married Couples
5 Parent & 1 Child
4 Siblings
4 Family with 3 or more members on probation -- 1 family has 5 members on probation.

Jan J.

Bertsch, Leann K.

From: Kemmet, Mark H.
Sent: Friday, November 03, 2006 3:23 PM
To: Bertsch, Leann K.
Subject: FW: Request from Leann Bertsch

People on meth are not the same person as they were before they started using it. It simply changes their brain functioning and personality, once used habitually, for a period of weeks or months. And not simply on the "high" as with alcohol or marijuana, but all the time.

It used to be fairly simple to catch a marijuana user. The drug stays in their system for such a long period of time and usage can be caught 3 to 4 weeks down the road. Another reason it's easier to catch a pot head than a meth head is that pot users are pretty stationary when they are using. Get high and kick back and relax

Meth users have been known to travel over a several county area to get their product or materials needs to produce the product. Instead of staying in one place and "vegging out" like a pot smoker, meth users may be literally awake for several days, even weeks, at a time and doing God-knows-what all hours of the day and night. They will do steal from anybody and lie to anyone to make sure they get to their next high. Also, meth will only show up in a urine test 2-3 days, maybe 4, after usage. Often times, a person can clean up their act for a few days before seeing their PO and pass their UA. This can only go on until their addiction is so out of control that community resources (i.e. probation, community treatment) is no longer a viable option. Or usually, the person knows they are in trouble and absconds so they can continue feeding their addiction, and in the process commit more crimes while on the run.

I'd highly recommend reviewing the Prisoner's of Meth interviews that aired on Community Access TV.

Mark

-----Original Message-----
From: Tomanek, Leslie D.
Sent: Friday, November 03, 2006 12:45 PM
To: -Grp-DOCR Parole & Probation
Subject: Request from Leann Bertsch

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Director Leann Bertsch is asking everyone's assistance in getting some information. She would like to know how the emergence of meth has changed our jobs. Focus on how the offenders have changed, and how our jobs have changed as a result. It is especially important that our more tenured staff (that's a nice way of saying old-timers) respond as you can offer good insight into the changes that you've seen over the years. Even if you are fairly new to parole/probation, I want to encourage you to respond as it is important to hear from everyone.

If you could respond by to Leann by next Monday it would be greatly appreciated.

Thanks for your help!

Barney

Bertsch, Leann K.

From: Erhardt, Thomas E.
Sent: Friday, November 03, 2006 3:54 PM
To: Bertsch, Leann K.
Subject: Response to request for meth information

Hi Leann:
I have a few things in mind about the meth issue. First, offenders using meth puts the probation officers safety in jeopardy more than prior. What I mean by that is that offenders under the influence of meth are volatile, hostile, and you don't know what they are going to do from one second to the next. Searching many residences of offenders on meth has shown me that they can live in an environment absolutely repulsive to the average person (and many times their children are living in that same environment). Garbage, food, "stuff" all over the house, dirty needles, weapons (due to the paranoia they can experience) all adds to that "meth environment". I think PO's are dealing more and more with social services when they find these environments with children in them. Then take into account the danger of mobile meth labs and that whole issue. Officers never know what they are walking into when doing these home visits, especially the unscheduled home visits.

Meth use also has social implications. I think the meth use has severe implications on the mental health of the users, which in turn the PO has to become educated on mental health issues. Attaching crime to substance abuse at the felony level makes some people ineligible for certain government programs. That affects the PO's ability to manage and help the person meet basic life needs, such as housing.

Meth use has also clogged the court system. Felony level offenses mean more presentence investigations, which means more work for PO's (though, I think more "tenured" probation officers will say they had just as many PSI's "back then" than we do now). I think the biggest impact regarding the legal system is when meth possession and meth paraphernalia became a felony. All of those cases are put on probation if they are not sentenced to prison, which has increased the caseloads of officers and requires more POs.

Finally, we've seen that traditional treatment may not be as effective for meth users as it has been for other substance abuse. I think this is due to the chemical effects the drug has on the brain, making it harder to "kick". Ineffectiveness of treatment, in turn, produces more relapse, more searches, more felony charges, more revocations, more weight on the system (you get the picture).

Good luck with the TV interview. If you need any more information/help, let me know.

Tom Erhardt
Field Services Program Manager
3100 Railroad Ave.
Bismarck, ND 58506
701-328-6144
terhardt@nd.gov

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Bertsch, Leann K.

From: Schuchard, Rick A.
Sent: Monday, November 06, 2006 2:40 PM
To: Bertsch, Leann K.
Subject: FW:

-----Original Message-----
From: Tomanek, Leslie D.
Sent: Monday, November 06, 2006 9:52 AM
To: Schuchard, Rick A.
Subject:

-----Original Message-----
From: Schuchard, Rick A.
Sent: Monday, November 06, 2006 8:46 AM
To: Tomanek, Leslie D.
Subject: Are you collecting these?

Meth offenders are unpredictable and display episodes of paranoia. We run into more offenders that are hiding in residences, are non cooperative, and there appears to be more weapons out there. This makes it necessary to use more law enforcement oriented techniques when entering residences, doing P&P searches and serving warrants...something I think some of the "old timers" struggle with.

Meth officers do not repsond well to intermediate measures. They will agree to anything as long as they can stay out and continue using.

Outpatient treatment programs are not effective with meth users. Many times the use of intermediate measures and outpatient treatment is just leading to more criminal offenses being committed. Its an uphill battle leaving meth users on the streets with their drug associates and expect them to get clean. Frankly, we all know how difficult it is to successfully treat meth addiction in an inpatient setting let alone outpatient.

There is much more concern about officers coming in contact with needles....Hep C, HIV issues etc.

Meth offenders as we all know have overloaded the criminal justice system making population control in the Prison's system one of our biggest concerns....that has dramatically changed how Parole and Probation does business.

That's the main issues I see....I am sure there are almost countless others. It makes you long for the days when marijuana was almost every offender's drug of choice.

rs

-----Original Message-----
From: Tomanek, Leslie D.
Sent: Friday, November 03, 2006 12:45 PM
To: -Grp-DOCR Parole & Probation
Subject: Request from Leann Bertsch

Hello Everyone,

Bertsch, Leann K.

From: Waltz, Loralyn E.
Sent: Monday, November 06, 2006 2:06 PM
To: Bertsch, Leann K.
Subject: Meth and the fall out

Hi Ms. Bertsch!

I am a parole officer in the Grand Forks District Office. I have been working as a parole officer for ND DOCR since 1991.

I need apologize ahead of time for the format of this letter, I have just a few minutes, but hope this helps.

I feel meth has had an enormous impact on our jobs and on our communities. The problem does not just lie with the meth user/addict...the fall out continues to effect/alter the lives of their children, marriages, employers, communities...

The fallout effects us by filing many more child abuse/neglect reports, attending Perm Plan mtgs with the offenders, now continually working with social services because of the offender and their children, learning and working the matrix of the meth offenders (they all seem to interact at some level), working even more with the narcotics task forces, and of course working even more with treatment staff of not just the human service centers, but also various half way houses, treatment centers, and assessment centers. Because meth addicts need to get the money from somewhere to buy their meth (and they do not care to work or are mentally unable to work due to meth), it seems they are out much more at night...gaining the attention of law enforcement...which means more law enforcement contacts. The work we do now with psychological/psychiatric staff is inevitable and rising. The psychological damage meth offenders are doing to themselves is unbelievable...even knowing mental health damage is possible with meth use, the offenders still continue to try meth or go right back to meth. I have never seen so much change in the mental health of offenders since meth has been on the forefront. Anti-depressants, mood stabilizers, schizophrenic meds...it is phenomenal

I think the meth users are a very intensive part of my caseload. They use, eventually get caught, do treatment, they use, eventually get caught, do treatment, use...some just ask to do straight jail time, they don't want any more treatment. It seems offenders have a better opportunity of staying clean if they have cannot access the drugs for long periods of time (year or more). Some offenders have come out of the penitentiary after a year or so and say that was the best thing for them. Some even express gratitude toward the judges for locking them up more than a few months. Meth users seem unwilling, but tolerate treatment programs rather than go back to jail. They do many treatment programs.

When I ask offenders what they miss about meth...various comments such as "I miss the party life," "I miss the people I hung out with," I miss the life" seem fairly common. According to offender's I talk with, meth use is a big party. I hear very few statements such as "I miss getting high." It seems the meth lifestyle...aka: no cares lifestyle is a big proponent for going back to using. Offenders have told me that after a few uses they lose the ability to care. They don't care what happens to them, their children, their job, their homes, cars and etc.

In essence...meth has greatly increased our workload due to the contacts with the treatment staff, half way houses, assessment centers, employers, psychological/psychiatric/counseling staff, social services, task forces, law enforcement, and the state attorney's office/clerks office/courts.

Meth offenders have greatly impacted our caseloads/case work, and not in a productive manner, they are very labor intensive.

Please let me know if you have any questions or concerns,

Loralyn Waltz
PO
Grand Forks District Office

Bertsch, Leann K.

From: Carr, Kara E.
Sent: Monday, November 06, 2006 1:05 PM
To: Bertsch, Leann K.
Subject: Meth

With the increase in meth use, it appears to have minimized the concern of the usage of marijuana. Courts, prosecutors seem to take a harder/firmer approach when there is meth use while on supervision. Also, offenders are more adamant in denying meth use, even when you have the lab report verifying the drug.

Kara Carr

Bertsch, Leann K.

From: Sanders, Stacy K.
Sent: Monday, November 06, 2006 11:45 AM
To: Bertsch, Leann K.
Subject: methamphetamine

When I first started working with the DOCR in February 1991, it was alcohol and marijuana that was prevalent. Of course, we still see the use of those drugs causing issues in a person's life but not to the extent that meth. does. A person on meth. can't think clearly, they act irrational and exhibit bizarre behavior, often violent behavior. It seems that the only thing they think of is the next time they can get high. When a person uses or relapses on meth. we more often than not, have already "lost" them. It is hard to get them to successfully do treatment in the community as they benefit more from having some "clean time" prior to benefiting from treatment. I am seeing more mental health issues in our offenders. I believe this is a severe side effect of meth. Mental Health professionals (at least Southeast) will not medicate someone experiencing problems until they can be clean from meth. for two-three weeks. I understand that reasoning but yet at the same time, the depression that comes from meth. use also leads them back to meth. so they can "feel normal" again. Hope this helps some. This was just off the top of my head. If I think of more I will send you another email. Have a great day.

Stacy Sanders
ND Probation/Parole Officer III
115 N. University
Fargo, ND 58102
239-7272 ext. 222
799-6153

Bertsch, Leann K.

From: Gourde, John M.
Sent: Monday, November 06, 2006 11:26 AM
To: Bertsch, Leann K.
Subject: Meth Offenders

Leann,

One of the issues that I see that has emerged with the increase of meth is mental health issues. Now whether this is a direct result of an offender's meth usage is probably still up for debate, but I think it plays a significant role . Treating these mental health issues has been a struggle in our rural areas. Officers have had to do there best in finding resources in areas that are lacking services.

Due to the limited time meth can be detected in a UA, more frequent testing has been done by officers (compared with a marijuana user). Offenders know this as well, and some try their best to coordinate their visits with officers around their usage. We have seen an increase in offenders attempting to adulterate their UA as well.

Also, more of an officers time is being spent coordinating treatment/services (chemical addiction, anger management, domestic violence, mental health, social services, employment services) in the community and within the division.

John

-----Original Message-----
From: Tomanek, Leslie D.
Sent: Friday, November 03, 2006 12:45 PM
To: -Grp-DOCR Parole & Probation
Subject: Request from Leann Bertsch

Hello Everyone,

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If you could respond by to Leann by next Monday it would be greatly appreciated.

Thanks for your help!

Barney

Bertsch, Leann K.

From: Sackman, Nikki J.
Sent: Monday, November 06, 2006 10:02 AM
To: Bertsch, Leann K.
Subject: FW: Request from Leann Bertsch

Dear Leann,

Although I am not a tenured staff, I thought I should send a response about meth use and how it affects my job. I have been with the department full-time for over 2 years now and was part-time as a contract PSI writer for over 2 years prior to that. I am currently handling an all female case load that is pushing close to 90 offenders.

For me, meth use makes every situation more dangerous whether it be my safety or my offenders safety. We need to be more cautious than ever when doing home visits or confronting individuals under the influence of meth. For my caseload, it also appears that meth and other drugs, have increased the chances of violence/abuse in their relationships with significant others. There are also concerns with female offenders using meth while pregnant making it dangerous for the unborn child. The state's attorney's office has been good about pursing charges in these cases. Sentencing for probation revocations seems to be more lenient if meth is not involved and if meth is involved, incarceration seems more likely.

Hopefully this information is helpful for you.

Nikki Sackman, Parole/Probation Officer II - Bismarck

-----Original Message-----
From: Tomanek, Leslie D.
Sent: Friday, November 03, 2006 12:45 PM
To: -Grp-DOCR Parole & Probation
Subject: Request from Leann Bertsch

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If you could respond by to Leann by next Monday it would be greatly appreciated.

Thanks for your help!

Barney

Bertsch, Leann K.

From: Placek, Charles R.
Sent: Monday, November 06, 2006 9:02 AM
To: Bertsch, Leann K.
Subject: FW: Request from Leann Bertsch

Some observation from the "old Dog" of the division. I started my career with the Parole Department in 1973. At that time I don't believe I had but one offender or as we used to call them clients on probation for drugs. I would go years without ever having a parolee on my caseload. The majority of the offenders were burglars. Burglary or Criminal Trespass were the crimes of the day. Drugs were almost viewed as a moral crime. Very few sex offenders also. There appeared to be two ages of offenders, 18 to 22 were the majority and a subset of older over 40 year old burglars.

Alcohol was the drug of choice when I started. It quickly turned to marijuana and alcohol. Overall, there was little treatment provided to offenders unless we sent them to the State Hospital. Offenders rarely left the supervising district in which they were sentenced. As compared to today there appears to be more movement of offenders.

The total caseload statewide was approximately 600 offenders supervised in the community and I believe around 250 in the pen. I feel the entire rise in the caseload both in and out of the Pen can be attributed in one way or another in the explosion of the use of different drugs. The latest and most destructive drug, Meth, has created the explosion in caseloads and violence.

Another big change has been the arming of Parole Officers and training them to protect themselves and others. Today, I believe Parole Officers are at greater safety risk than in the past when I started work. Believe it or not many of the Sheriffs I worked with never carried a gun. Today that would be unheard off within the law enforcement community. Violence and drug usage have grown together with staff needing to protect themselves and others.

I have spoken often of the need to profile our offenders. I feel that if the DOCR had profiled offenders we could explain some of the reasons why our job has become harder of the last few decades. People understand differences once they are explained.

From: Tomanek, Leslie D.
Sent: Friday, November 03, 2006 12:45 PM
To: -Grp-DOCR Parole & Probation
Subject: Request from Leann Bertsch

Hello Everyone,

Director Leann Bertsch is asking everyone's assistance in getting some information. She would like to know how the emergence of meth has changed our jobs. Focus on how the offenders have changed, and how our jobs have changed as a result. It is especially important that our more tenured staff (that's a nice way of saying old-timers) respond as you can offer good insight into the changes that you've seen over the years. Even if you are fairly new to parole/probation, I want to encourage you to respond as it is important to hear from everyone.

If you could respond by to Leann by next Monday it would be greatly appreciated.

Thanks for your help!

Barney

Bertsch, Leann K.

From: Morrell, Trisha A.
Sent: Monday, November 06, 2006 8:28 AM
To: Bertsch, Leann K.
Subject: FW: Request from Leann Bertsch

Hi Leann,
Since I don't get out in the field a lot and I do all the intakes, the main thing that I have noticed is how many people that come in after Court or out of the NDSP for their intakes that are positive for meth right away. The other thing I can say is that with the diversion caseload that I supervise that I have a lot of violations due to meth use. I would say overall, that meth has made our jobs more difficult and dangerous due to the fact that when using meth, these people can be very unpredictable.

-----Original Message-----
From: Tomanek, Leslie D.
Sent: Friday, November 03, 2006 12:45 PM
To: -Grp-DOCR Parole & Probation
Subject: Request from Leann Bertsch

Hello Everyone,

Director Leann Bertsch is asking everyone's assistance in getting some information. She would like to know how the emergence of meth has changed our jobs. Focus on how the offenders have changed, and how our jobs have changed as a result. It is especially important that our more tenured staff (that's a nice way of saying old-timers) respond as you can offer good insight into the changes that you've seen over the years. Even if you are fairly new to parole/probation, I want to encourage you to respond as it is important to hear from everyone.

If you could respond by to Leann by next Monday it would be greatly appreciated.

Thanks for your help!

Darney

Bertsch, Leann K.

From: Thomas, Lila A.
Sent: Sunday, November 05, 2006 9:48 PM
To: Bertsch, Leann K.
Subject: Meth

Due to meth, I have encountered the following:

- more women sent to treatment as a result of their meth use; especially due to using during pregnancy
- I have to be especially careful during my home visits as individuals on meth appear to be a lot more paranoid
- more revocations, treatment is not as successful with this drug
- increased caseload as a result of meth cases
- having to utilize child protection services more, parents that use meth are unable to provide adequate care to their children

Due to drugs, I expect my caseload to increase by 180 within the next year. We had a pawn shop in Dunseith, ND that was run by an undercover agent. Over 180 individuals are on camera making drug deals, etc. Arrests for these individuals have just begun.

When I first started with the department in 1998, most of my offenders were on parole/probation for thefts, etc. The majority of my caseload is now drug-related.

Lila Thomas
Parole/Probation Officer
Rolla, North Dakota
701-477-3318.

Bertsch, Leann K.

From: Birrenkott, Dave W.
Sent: Friday, November 03, 2006 5:54 PM
To: Bertsch, Leann K.
Subject: Meth's effects on Probation Officer's

I have been employed with the Department for 14 years. Over those years our department has gone through several changes, both internally and externally influenced. Externally we have been effected largely by current events (ie. sex offenders in the news) and the methamphetamine epidemic. When I started working for the department we had one officer in Fargo who supervised all the drug cases. That changed over time and the drug cases where spread out between all of the officers. Today, the majority of the cases are drug cases, namely meth, irregardless of the charge they are on probation for. My job, and how I do my job, have changed along with this upsurge in meth related cases and with my increased experience with meth addicts. Because meth is highly addictive I have had to change my approach to referring offenders for treatment because the majority of those abusing the drug won't/can't quit on their own. I also find that despite the fact that their entire lives may be in complete chaos, they don't see their usage as a problem and often choose to continue using. Inpatient treatment appears to be their best hope of getting and staying clean. There are three agencies that offer inpatient in Fargo but when they are no longer an option, or have no room, incarceration is the best alternative, and preferably through the DOCR so that treatment is available to them. Complicating the problem was the fact that we probation officers weren't aware of the extent of the problem until it had become this monster, effecting a large number of the people we supervise. It has changed the way we drug test offenders. Today we need to be more vigilant to ensure we are getting an unadulterated, non-dilute sample for testing. Because of the short time that meth is in someone's system we also need to see offenders more often for testing purposes. Officer safety has become a bigger concern because of the violent, unpredictable nature of the meth addict. I know that it has changed the way I approach or enter a residence because of the fear of what I might walk into. I have run into more offenders unwilling to answer the door when I knock, hiding or trying to flee when/if I do gain entrance, and situations where there are several people in the residence and all of them are under the influence of meth. I rarely go to a residence alone if there is any suspicion of meth use by the offender.

I also noticed an increase in the caseload numbers with the upswing in meth use. Whenever someone asks me about my job and what I do the conversation ultimately leads to the meth epidemic because of the incredible impact it has had on my [redacted] and the way I perform it. Dave Birrenkott, Probation Officer Fargo, ND.

Bertsch, Leann K.

From: Masching, Gary O.
Sent: Friday, November 03, 2006 4:44 PM
To: Bertsch, Leann K.
Subject: How Meth has changed our jobs.

Leann: I understand you wanted some info on this topic from all. Briefly, Meth has made the job more dangerous and unpredictable. Violent behavior has increased. I have been in DOCR for 23 years now and a Police Officer for 5 years before that. I have seen more broken lives than ever because of Meth and the jails and treatment centers have become overcrowded. It is a tough battle, because in spite of the consequences, people use it -abuse it - deal it, and the cost is high. Other substances and alcohol tie in with it though. I have had offenders tell me we, DOCR, need to be tougher and not be given so many chances. There are more drug searches, way more UAs, and dealing with people that destroy themselves with Meth, or any drug for that matter than years ago. Offenders are more unpredictable-crime and violence have increased. I have seen children be subjected to poor care by parents because of Meth. I have always believed Leann if we were tougher on the front end with offenders, we would have less crime-less amended petitions to revoke-and offenders would know the 1st violation or 2 are not as they say-free. The job is just overall tougher because of what is required to deal with these types of offenders, whether you go to revoke or get them into a treatment program-Paperwork! Finally, more offenders are in violation of their Probation at Intake by using Meth or any drug for that matter, than ever before. Thank you for taking the time to listen.

Gary Masching
ND Field Service Division
316 N 5th St. #104
Bismarck, ND 58501

DEPARTMENT OF CORRECTIONS & REHABILITATION
DIVISION OF FIELD SERVICES

SEX OFFENDER PROGRAM

Since the abduction and murder of Grand Forks college student Dru Sjodin in November of 2003, ND DOCR, Division of Field Services has been on the fast track in providing appropriate supervision and services to sex offenders and safety to the community and their victims.

A grant from the National Institute of Corrections enabled Field Services to hire consultants from the Center for Sex Offender Management (CSOM) to evaluate our resources and current practices. Recommendations were straight forward and direct: 1) hire specialists to supervise and monitor sex offender-specific caseloads, 2) have sex offender specialists write all sex offender presentence investigations, and 3) implement additional assessment tools to more appropriately assess sex offender risk. Recommendations in the report are now evidenced by our current practices.

Seven Sex Offender Specialists were promoted and trained to provide intensive and structured supervision and management for sex offenders located in Bismarck, Mandan, Minot, Jamestown, Grand Forks, and Fargo. As a rural state, Field Services has District Offices located in areas where the population does not allow for sex offender specific caseloads. In those locales--Wahpeton, Dickinson, Williston, Rolla, Grafton, and Devils Lake-- Sex Offender Specific Liaisons have also been trained to supervise and monitor sex offenders.

Presentence investigation reports are now written by Sex Offender Specialists whose training and expertise allows them to write thorough and comprehensive reports for the Court. Criminal, family, and personal histories as well as statements from the victims assist judges in ordering informed and appropriate sentences and treatment.

Field Services uses the LSI-R (Level of Service Inventory-Revised), MnSOST-R (Minnesota Sex Offender Screening Tool-Revised), Static 99, Stable, and the Acute to assess sex offender risk. When an offender scores in the high risk range on either the MnSOST-R or Static 99, officers are required to inform local prosecutors and request that a referral be made to review those offenders for the civil commitment process.

To increase awareness and to provide for a strong community base of support, Sex Offender Task Forces were established in Grand Forks, Fargo, Jamestown, Bismarck and Minot. Task Forces in Dickinson, Williston, and Devils Lake are planned for the next year. Task Forces are comprised of local law enforcement, prosecutors, victims' advocates, treatment providers, and parole/probation officers. Cases are staffed by their supervising officer and the Task Force makes the decision to place offenders on GPS (Global Position Satellite System) and the duration of that placement. GPS is an effective tool in assisting the parole/probation officer to supervise offenders in the community and to monitor their whereabouts. It is important to understand that placement on a GPS unit does not prevent an offender from committing crimes. GPS can provide information in "real time" or in daily reports to the officer.

Field Services is a strong proponent of the Containment Model of supervising sex offenders. Only through the close affiliation and joint partnership of other agencies in the community can we adequately supervise and monitor sex offenders and provide for a more secure and safe community.

U.S. Department of Justice
Office of Justice Programs
National Institute of Justice

National Institute of Justice

Research in Brief

Jeremy Travis, Director

January 1997

Issues and Findings

Discussed in this Brief: Results of a national telephone survey identifying how probation and parole agencies managed adult sex offenders and a description of a model management process for containing sex offenders serving community sentences. The model process evolved from insights gleaned from field research in six States.

Key issues: In 1994, State prisons held 88,100 sex offenders compared to 20,500 in 1980. Most will return to the community, many supervised by parole officers. Many persons convicted of sexual assault felonies are sentenced to probation. The distinctive characteristics of sex offenders and the unique trauma they inflict require use of more than routine, one-size-fits-all methods of supervision. How can sex offenders be managed in community settings in ways that enhance public safety and victim protection?

Key findings: The survey and field research yielded the following results and suggestions:

- The most commonly reported special conditions for sex offenders on probation or parole were court- or officer-ordered treatment requirements and no-contact-with-victim provisions.

continued . . .

Managing Adult Sex Offenders in the Community—A Containment Approach

by Kim English, Suzanne Pullen, and Linda Jones

Of the many factors that underscore the critical importance of effectively managing sex offenders on probation, parole, or under other forms of community supervision, none is more compelling than the devastating trauma[1] visited on victims of sexual assault.

Such trauma falls disproportionately on children under age 18 if data obtained in 1991 from sex offenders in State prisons are any indication: about two-thirds of them committed their crimes against children under age 18, with about 58 percent being under age 13.[2] Less than 10 percent of the inmates incarcerated for sexual assault of children reported that victims had been strangers to them.[3]

Components of the trauma associated with sexual assault include shame, self-blame, fear, developmental crises, post-traumatic stress disorder, and the threat or actuality of physical violence, terror, and injury. Most profound in its traumatic implications is the violation of trust that occurs if, as in most sexual assault victimizations,[4] offenders are known to victims. Trauma and the length and level of recovery seem linked to trust violation more than to many other factors.[5] Thus, what might be regarded by some as a relatively minor type of sexual assault (e.g., "just fondling") can be extremely traumatic to a victim who trusted the perpetrator.

The accelerating influx of sex offenders into the criminal justice system further heightens the need for effective sex offender supervision and management practices, both in and out of prisons. The number of adults convicted annually of rape, child molestation, or other forms of sexual assault and sentenced to State prisons more than doubled between 1980 (8,000) and 1992 (19,100, almost 5 percent of all State prison admissions that year).[6]

State prisons held 20,500 sex offenders in 1980, 75,900 in 1992, 81,100 in 1993, and 88,100 in 1994.[7] The majority will return to the community, many under supervision by parole officers. In 1992, States paroled 7,382 prisoners convicted of sex offenses.[8]

In addition, many—more in some States than others—of those convicted of sexual assault felonies are sentenced to probation or to other forms of community

Issues and Findings

continued:

- Probation and parole agencies with specialized caseloads were more likely to report use of such community-safety approaches as emphasis on after-hours monitoring of offenders and an orientation focusing on victim protection.
- More than 80 percent of probation and parole respondents stated that mental health treatment is mandated for sex offenders under community supervision.
- The model process for managing and containing sex offenders on probation or parole values public safety, victim protection, and reparation for victims as paramount.
- The model process seeks to contain offenders in a triangle of supervision: treatment to teach sex offenders to develop internal control over deviant thoughts; supervision and surveillance to control offenders' external behaviors; and polygraph examinations to help design, and to monitor conformance to, treatment plans and supervision conditions.
- Other aspects of the process are (1) collaborative strategies relying on intra-agency, interagency, and interdisciplinary teams to develop a unified approach to sex offender management; (2) consistent public policies supportive of sex offender-specific containment practices; and (3) quality control measures that include monitoring and evaluation to guide continuous improvement in sex offender management.

Target audience: Probation and parole officers and supervisors, treatment providers, victim services personnel, law enforcement officials, prosecutors, judges, social services personnel, State and local policymakers.

supervision.[9] For example, in Colorado in 1990, of those convicted of sexual assault (5 percent of all felony convictions), courts sentenced 60 percent to probation, 4 percent to halfway houses, and 36 percent to prison.[10] In one notable area, Maricopa County, Arizona, about 500 of the 1,300 sex offenders on probation are serving lifetime probation sentences.[11]

Clinical practice and research, and data obtained from probation and parole officers nationwide, indicate that adults who commit sex crimes should be managed, treated, and supervised differently from other criminals.

Although community safety is the central purpose of sex offender management, characteristics of the sex offenders themselves dictate the form and style of treatment that will be most effective. Not all sex offenders share all the following characteristics, and the absence of a particular characteristic does not mean the individual is not a sex offender.

- Sex crimes flourish in secrecy. Sex offenders have secretive and manipulative lifestyles, and many of their sexual assaults are so well planned that they appear to occur without forethought.[12] The skills used to manipulate victims have also been employed to manipulate criminal justice officials.[13]
- Many sex offenders are otherwise highly functioning people who use their social skills to commit their crimes.[14]
- Sex offenders typically have developed complicated and persistent psychological and social systems constructed to assist them in denying and minimizing the harm they inflict on others, and often they are very accomplished at presenting to others a facade designed to hide the truth about themselves.[15]
- Many sex offenders commit a wide range and large number of sexually deviant acts during their lives and show a continued propensity to reoffend.[16] In a study of 561 compulsive adult subjects, rapists reported a lifetime average of 7 incidents and exhibitionists more than 500. In this sample of 561 voluntary subjects, about 54 percent reported having at least two paraphilias; 20 percent participated in deviant behavior without regard to victim gender; and 23.3 percent reported offending against both family and nonfamily victims.[17]

Knowledge of the actual dynamics of sex offending is not widespread, but the public's awareness of sex offenders is increasing and is often manifested as outrage at particularly heinous sexual assaults, especially those committed by offenders under community supervision. In many States, victim and family outrage is fueling legislation requiring registration of convicted sex offenders with law enforcement agencies, and enactment of community notification and sexual predator laws.

What is being done to manage sex offenders in the community to contain them and thereby protect victims and the public? Research sponsored by the National Institute of Justice (NIJ) and conducted by the Colorado Division of Criminal Justice addressed those questions through (1) a national telephone survey of 732 probation and parole supervisors and (2) field research in six States (see "Research Methods").

The telephone survey focused on identifying how probation and parole agencies managed adult sex offenders (see "Telephone Survey: Selected Findings"). Field research uncovered specific, targeted methods for managing sex offenders and led to insights that culminated in a detailed proposal—a model containment process—for the management of adult sex offenders serving community sentences.

Five-part model containment process

The model process for managing adult sex offenders in the community is a containment approach that seeks to hold offenders accountable through the combined use of both offenders' internal controls and external control measures (such as the use of the polygraph and relapse prevention plans). A containment approach requires the integration of a collection of attitudes, expectations, laws, policies, procedures, and practices that have clearly been designed to work together. This approach is implemented through interagency and interdisciplinary teamwork.

Consistent with the clinical treatment literature and with dozens of local protocols developed for managing cases of sexual assault, the model process consists of five components, discussed below: an overall philosophy and goal of community and victim safety, sex offender-specific containment strategies, interagency and interdisciplinary collaboration, consistent public policies, and quality control.

1. Overall philosophy and goal: community and victim safety. At the heart of the model process is a philosophy that values public safety, victim protection, and reparation for victims as the paramount objectives of sex offender management. Protection and recovery of the victim and the well-being of the community are concerns that guide policy development, program implementation, and actions of professionals working with sexual assault victims and perpetrators.

In this approach to sex offender management, the client is the community. Under this philosophy, treatment and supervision modalities give priority to community protection and victim safety. Orders for no contact with the victim are sought at the earliest opportunity. Whenever possible, the perpetrator rather than the victim is removed from the home in cases of incest. Confidentiality is limited, and information is shared freely among the management team. And the importance of employment for sex offenders yields to public safety considerations when prospective jobs are high-risk because of the access they give offenders to potential victims—as would employment as a school bus driver or as apartment-complex superintendent with keys to each unit. The energy and commitment of the probation and parole officer is thereby devoted to assisting the sex offender to remain safely in the community.

2. Sex offender-specific containment: individualized case management system. This component of the model process focuses on a containment approach to case processing and case management that can be tailored to the individual sex offender and his or her deviant sexual history. This approach rests on the dual premise that sex offenders are 100 percent responsible for the damage they inflict and that they must constantly and consistently be held accountable for the inappropriate thoughts and feelings that precede their crimes as well as for their illegal actions. Three elements work together to contain the sex offender:

- Sex offender-specific treatment to help offenders learn to develop internal control. Trained and skilled therapists treat sex offenders in cognitive-behavioral group therapy to help them achieve personal control of their deviant sexual impulses, thoughts, feelings, and behaviors. Sex offenders are expected to understand and learn

Research Methods

The research question: How are the Nation's probation and parole agencies managing adult sex offenders? Field research and a national telephone survey were the primary research approaches used to address that question.

Encompassing 49 States (South Dakota was not included) and the District of Columbia, the telephone survey sample was stratified by population density and geography. During June-October 1994, interviewers contacted 758 probation and parole supervisors, of whom 732 (96.6 percent) agreed to hour-long interviews. The survey obtained basic information about policies and procedures related to sex offender case management; treatment and other court orders; staff training, and interagency collaboration.

Conducted in 1994, field research involved more than 100 interviews in 13 jurisdictions located in Arizona, Colorado, Louisiana, Ohio, Oregon, and Texas. Researchers interviewed probation and parole officers, defense and prosecuting attorneys, law enforcement personnel, social service workers, sex offender treatment providers, sexual assault victim treatment providers, polygraph examiners, judges, correctional administrators, parole authorities, victim advocates, and sex offenders.

Other research included a review of the research and theoretical literature on victim trauma and sex offender management and treatment, a content analysis of sex offense statutes in 50 States, and a systematic document review (manuals, protocols, policies, etc.).

to interrupt their individual offense cycles. The effort to promote and monitor internal control with an approach that overtly identifies dangerous thoughts, fantasies, and feelings as critical treatment and management issues is an important departure from traditional criminal justice intervention with sex offenders.

• Official supervision and monitoring to exert external control over offenders. Probation and parole agencies apply pressure—through clear expectations and through use or threatened use of sanctions—to ensure that the offender complies with specialized treatment and supervision conditions. This pressure to participate in sex offender-specific treatment for purposes of public safety inextricably links the mental health community and criminal justice system.

• Polygraph examinations to obtain complete sexual history information and to monitor the offender's deviant fantasies and external behaviors—particularly access to victims. Data obtained during the polygraph examination provide vital management and compliance feedback to the treatment provider and probation/parole officer.

Maintaining close communication and acting as a team, the treatment provider, probation/parole officer, and polygraph examiner form a triangle of supervision, with the offender contained in the middle (see "Containing the Sex Offender in the Supervision Triangle"). Sex offenders must waive confidentiality of the information they divulge because containment depends on the constant sharing of information by and among team members, other criminal justice professionals, family members, and others, such as employers and church officials.

Telephone Survey: Selected Findings

Findings based on the responses of 732 probation and parole supervisors to a nationwide telephone survey are presented in terms of seven supervision issues that field research identified as vital components of an effective sex offender containment strategy.

1. Specialized units or caseloads. Almost one-third of the probation and parole agencies had specialized caseloads. Those agencies were more likely to report the use of such community safety-related approaches as imposition of special supervision conditions on sex offenders, emphasis on after-hours monitoring of offenders, and an orientation focusing on victim safety.

2. Availability of victim information for case management purposes. Seventy-eight percent of probation agencies and 63 percent of parole agencies represented in the survey included a victim impact statement in the sex offender's case file, and about 30 percent had procedures for informing victims of significant changes in the status of the sex offender's case.

3. Sex offender management practices and special conditions. The most commonly reported special conditions of probation and parole were court- or officer-ordered treatment requirements and no-contact-with-victim provisions. About 10 percent of the probation and parole agencies reported electronic monitoring of sex offenders; the same percent reported use of the polygraph for treatment or supervision purposes. Supervision contacts with sex offenders were more frequent than with nonsex offenders in most of the probation and parole agencies surveyed.

4. Sanctioning and revocation practices. Respondents indicated that supervising officers required a range of sanctions to "tighten the reins" on adult sex offenders when they began to exhibit high-risk behavior patterns or to fail to comply with supervision or treatment conditions. Agencies following a specialized approach to managing sex offenders were more likely to use short-term confinement (jails or halfway houses) as a prerevocation sanction than to use electronic monitoring or to increase supervision contacts. Sanctions that could be imposed in less than 24 hours were the ones most likely used, suggesting the need for methods of immediate intervention.

5. Sex offender treatment. Treatment is commonly required of sex offenders under community supervision. More than 80 percent of probation and parole respondents reported that mental health treatment is mandated. Sixty percent of respondents used an approved list of treatment providers; 26 percent stated that sex offender treatment services were in short supply.

6. Training. About two-thirds of the probation and parole supervisors reported they had received training in sex offender management, but less than half had received it within the last year.

7. Interagency collaboration. One-third of the respondents reported that an interagency group meets regularly to discuss sex offender issues. Most frequently named as participants in interagency teams were law enforcement officers and treatment providers.

See English, K., S. Colling-Chadwick, S. Pullen, and L. Jones, *How Are Adult Felony Sex Offenders Managed on Probation and Parole?* Denver: Colorado Division of Criminal Justice, Department of Public Safety, 1996.

In pursuing safe and effective **treatment** of sex offenders in the community, therapists must obtain full disclosure of offenders' sexual histories. Sex offenders must examine carefully their lives and recognize as dysfunctional the situations, relationships, emotional states, attitudes, and behaviors that they may be considering as "normal." Use of the polygraph helps ensure that offenders fully reveal their sexual histories—information that is essential to the development of effective treatment programs.[18] To the observation that polygraph results may not always be accurate, the rejoinder is that they have been found to be significantly more reliable, on average, than offenders' self-reported histories.

In jurisdictions identified by field research as employing the containment approach, the treatment intervention was group therapy, for which offenders were nearly always required to pay at least a portion of the cost. Individual therapy may occur for specific issues and in limited contexts but provides too much opportunity for image management. Only in group therapy are offenders exposed to the type of valuable, perceptive, and corroborating confrontation that occurs with fellow sex offenders.

A "cure" for sex offending is no more available than is a cure for epilepsy or high blood pressure. But use of a variety of interventions can help manage these disorders. A realistic objective of treatment is to provide sex offenders with the tools to manage their inappropriate sexual arousal and behavior. A therapist can, in many cases, teach offenders self-management by developing skills for avoiding high-risk situations through identification of decisions and events that precede them and through correction of their thought distortions. Treatment focuses on recognizing and managing deviant sexual behavior and offenders' thoughts and attitudes that promote it.

Research reveals that deviant thoughts and fantasies by sex offenders are precursors to sexual assault and, therefore, are an integral part of the assault pattern.[19]

By instilling in offenders the dictum that deviant attitudes and fantasies reinforce deviant behavior and are not acceptable, treatment providers and supervising officers are prepared to intervene—set limits—at the incipient stages of reoffending patterns. Although such thoughts and feelings are not crimes, they are signals that constitute good reasons—based on empirical research and clinical experience—to increase supervision and "tighten the reins" on an offender.[20] This increased surveillance often results in detecting preassault behaviors that can be interrupted or, conversely, lead to revocation.

Using thoughts and feelings—the stuff of therapy—as a starting point for risk management is a marked departure from traditional criminal justice supervision. Once a sex offender reveals thoughts and feelings that are part of the assault pattern, criminal justice officials can use that information to develop and, if necessary, continuously update an individualized treatment, **supervision, and surveillance** plan. The top priority of such a plan is to eliminate opportunities for reoffense—to protect victims and the general public. In that regard, sex offender-specific probation or parole conditions, such as those that follow, play a crucial role:

- Your employment must be approved by the probation/parole agency.
- You shall participate in treatment with a therapist approved by the probation/parole department.
- You shall participate in periodic polygraph examinations.
- You shall not have contact with children under age 18.
- You shall not frequent places where children congregate, such as schoolyards, parks, playgrounds, and arcades.
- You shall maintain a driving log (mileage; time of departure, arrival, return; routes traveled and with whom; etc.).
- You shall not drive a motor vehicle alone without prior permission of your supervising officer.
- You shall not possess any pornographic, sexually oriented, or sexually stimulating visual, auditory, telephonic, or electronic media and computer programs or services that are relevant to your deviant behavior pattern.
- You shall reside at a place approved by the supervising officer, including supervised living quarters.
- You shall abide by a curfew imposed by the supervising officer and comply with electronic monitoring, if so ordered.
- You shall not have contact, directly or through third parties, with your victims.
- You shall abstain from alcoholic beverages and participate in periodic drug testing.

• You shall not have a post office box number without the approval of your supervising officer.

• You shall not use fictitious names.

Specialized surveillance officers can also help determine compliance with conditions by monitoring offenders through intensive field work. Duties of surveillance officers may include searching the residences and vehicles of offenders, monitoring their activities, making arrests, attending therapy groups, and discussing high-risk issues with offenders and assessing their mental states.[20]

The goal of the **polygraph examination** is to obtain information necessary for risk management and treatment, and to reduce the sex offender's denial mechanisms. The examiner evaluates answers to carefully developed questions as truthful, deceptive, or inconclusive. Deceptive results flag areas of concern that the treatment provider and supervising officer need to investigate further. Every effort is made to assist the offender in obtaining a positive evaluation so that treatment can be informed and relevant. To this end, polygraph data should be used in conjunction with other information when making decisions about case management of sex offenders.[21]

Use of the polygraph raises questions about granting limited immunity from prosecution to offenders who disclose new crimes. Jurisdictions vary regarding immunity policies. Some jurisdictions, like Colorado, do not offer limited immunity, but prosecutors make thoughtful decisions about further prosecution on a case-by-case basis. Decisionmakers in one jurisdiction visited during the field research concluded that to prosecute all reported offenses would infringe on Fifth Amendment rights and thus prohibit therapeutic use of the polygraph.[22] Another study site grants limited immunity for similar past offenses if the offender meets several containment conditions, including actively participating in an approved treatment program, pleading guilty, and gaining employment that meets the approval of the probation or parole officer.[23]

Ultimately, success of the containment system depends on the caliber of the last three elements of the model process: collaborative implementation strategies, consistent public policies, and quality control.

3. Collaboration: a multidisciplinary approach. The creation of intra-agency, interagency, and interdisciplinary teams to develop, implement, and monitor policies, procedures, and protocols forges a unified and comprehensive approach to sex offender management. Examples of such teams include the following:

• Interagency policy and protocol committees.

• Law enforcement/child protection partnerships.

• Case management supervision teams of probation/parole officers, treatment providers, and polygraph examiners, among others.

• Intra-agency networks of specialized probation and parole officers.

Members of interagency teams, for example, may include law enforcement officers, child protection personnel, rape crisis center counselors, prosecuting attorneys, probation and parole officers, medical doctors, treatment providers, polygraph operators, and prison officials. In some cases, members may also include school counselors, crime victim advocates, and medical staff specializing in child sex abuse.

Through systematic cooperation and collaboration, such teams are an antidote to traditionally fragmented intervention efforts. Teams improve interagency communication, facilitate case-specific information sharing, promote the exchange of expertise and ideas, help break down traditional turf barriers, minimize duplication of effort, maximize resources, and often reduce staff burnout.

Some intra-agency teams consist of probation and parole officers who specialize in the management of sex offenders. Teams such as these are facilitated by job specialization—the assignment of one or more persons to deal solely with sex offender cases. Specialization may occur at the organizational level by formally creating a unit to manage sexual assault cases, at the line level by specializing work assignments of identified staff, or at both levels by a combination of those approaches. Specialization enhances skills, increases communication, and tends to improve consistency at all stages of sex offender management, and is a fundamental component of the collaboration process.

4. Consistent public policies. No matter how good the design and implementation of sex offender-specific containment practices, these cannot function at peak effectiveness without the support of informed, clear, and consistent public policies—the fourth element of the model process.

Ideally, local criminal justice practitioners should work with State legisla-

tures, governors, and officials from State judicial and corrections departments to develop policies reflecting the latest thinking about the management of sex offenders. Whenever possible, practitioners should help shape legislative mandates, executive orders, and agency policies and protocols that support and advance the public safety priority of sex offender management. Clear and consistent policies define agency responsibilities and reinforce practices that, when operating effectively, will interrupt any attempt by sex offenders to manipulate the management plan.

Particularly important is the development of policies that prohibit pleas or dispositions that reinforce sex offenders' frequent refusal to admit their crimes, to acknowledge the seriousness of their actions, or to take responsibility for the harm they have caused. The greater such denial, the more the offender resists (or even escapes) treatment and the more difficult the task of establishing appropriate external controls. Continued denial on the part of the offender is also uniquely disempowering to the victim. The following are pleas and dispositions that contribute to and reinforce a sex offender's denial or minimization of the sexual assault:

• Alford and no contest pleas. These pleas allow sex offenders to avoid a direct admission of guilt. An Alford plea is a guilty plea that permits a sex offender to verbally maintain his or her innocence at conviction. A no contest plea is a guilty plea in which an offender neither admits nor denies the charges. Such pleas grant sex offenders official justification to continue denying their offending behavior after conviction.

Containing the Sex Offender in the Supervision Triangle

Within the limits set by the supervision triangle of probation officer, therapist, and polygraph examiner, Jim was serving 4 years on probation for molesting the 7-year-old daughter of a woman he was dating. He had met the mother of the victim at church.

Although this was Jim's first conviction, he admitted he had long been attracted to young girls. Jim told his therapy group that over the years he attended church to "meet people." When pressed, he told the group that he had dated several women from the church and that all of them had young daughters. But he denied that this was a pattern that had preceded abuse.

The therapist called a team meeting with the probation officer and polygraph examiner to discuss Jim's pattern of accessing children. The probation officer petitioned the court to modify probation orders to prohibit Jim from attending church unsupervised. The polygraph examiner then added the question "Have you gone to any church or religious services unsupervised since the last polygraph exam?" to the next examination.

The therapist and therapy group continued to work with Jim until he understood that going to church alone was, for him, a high-risk activity that placed him dangerously close to children.*

*See Strate, D.C., L. Jones, S. Pullen, and K. English, "Criminal Justice Policies and Sex Offender Denial," in English, K., S. Pullen, and L. Jones (eds.), *Managing Adult Sex Offenders: A Containment Approach*, Lexington, Kentucky: American Probation and Parole Association, 1996:4.9.

• Pleas that change sex offenses to nonsex offenses. Pleas to nonsex offenses minimize what the offender did and reinforce denial. Further, if the official record does not reflect that the original charge was a sex offense, this critical information is lost to those who subsequently make public safety decisions about the offender.

• Deferred judgments and sentences. Such dispositions are important options but are inappropriate for most sex offenders. Such dispositions imply that the offense was not that important, a one-time mistake, and if the offender behaves for a couple of years, the court will forget about it and dismiss the case, leaving an incomplete official record. Also, public safety may be jeopardized: in some jurisdictions, deferred judgments for sex offenses are not counted as convictions for the statewide sex offender registry.

• Referrals to diversion programs. Applied to sex offenders, this alternative to filing a criminal charge further dilutes the seriousness of the crime, reinforces offender denial, and may distort the criminal history record.

Development of consistent interagency policies on family reunification is also very important—especially between probation/parole agencies and agencies whose mission is generally keeping the family intact or reunifying it at the earliest opportunity. For example, family reunification in incest cases should not occur prior to the disposition of the criminal case. Subsequent decisions on family reunification should be made only after consultation

with the victim's therapist, the offender's therapist, and the supervising officer.

The well-being of the victim—and the potential for other children and adults to become victimized—should be the fundamental criterion applied by all agencies to family unification decisions. The rigorous use of clear protocols for family reunification—protocols that fully explore the offender's risk to other children in the household—may be the most important way the criminal justice system can intervene to protect children from sexual assaults by known sex offenders.

Additional critical policies on which to obtain jurisdictionwide agreement are, among others: selection criteria for treatment providers; prevention of offenders from changing therapists without permission of supervising officers (i.e., "treatment shopping"); third-party liability (e.g., the duty to warn potential victims); use of polygraph data; prerevocation sanctions; revocation criteria; and sex offender community notification.

5. Quality control. As the final component of the model containment process, quality control encompasses (1) monitoring to determine whether the prescribed implementation strategies and interagency policies and practices are in place and functioning as intended and (2) evaluating to assess whether what is in place is producing an impact and, if so, its magnitude. Quality control, therefore, can provide an objective means of documenting program success, identifying implementation and operational problems, and guiding program refinements.

Because the sex offender containment approach requires a long-term, consistent, systemwide response to sexual assault, a model process for managing sex offenders is one that continuously improves. Such improvement is highly unlikely to occur without implementation of quality control measures. When systematic monitoring and evaluation are accorded appropriate priority, program staff and administrators are continuously prepared with objective data to demonstrate the value of their work and to modify the program, when necessary, according to empirical feedback.

Secondary trauma

Management of adult sex offenders in community settings often exacts a significant toll on those charged with managing cases, including probation and parole officers and their supervisors. Secondary trauma refers to the emotional and psychological experience of professionals who expose themselves to a world of unthinkable acts. Effective case management requires that these professionals understand each victim's trauma and the specific types of sex offender manipulation leading to that trauma. They also generally experience a variety of manipulative behavior during interactions with offenders.

To offset the experience of secondary trauma, sex offender management must be conducted in an environment where the dynamics of sex offending and secondary trauma are understood by coworkers and managers. That understanding will provide vital professional support.

Managers and staff must create an emotionally safe environment for personal discussion of all aspects of sexual assault and offender management. Specifically, working together and discussing feelings and problems as a team can provide the empathy and validation so vital to reducing isolation and burnout among sex offender practitioners. Agencies should make every effort to provide counseling and other resources to help relieve officer stress. Data from field interviews suggest that interagency collaboration and networking may help prevent burnout.

Part of the remedy for burnout is training. According to a Texas parole supervisor interviewed, "Being pulled into an offender's manipulation is the biggest problem. Because offenders are so manipulative, officers need constant training."[24]

Training

The complex nature of sex-offending behavior and the potential dangerousness of offenders mandate frequent training (such as annually) for probation and parole officers—both specialized and nonspecialized—and their supervisors. Training topics should include, among others, the following:

- Dynamics of victimization—trauma, shame, self-blame, and fear.
- Dynamics of sexual offending—psychopathy, blame, impulsiveness, and denial.
- Risk assessment—secrets, manipulation, grooming, and conscious and unconscious assault planning.
- Issues about family reunification.
- Offender lifestyle issues, such as leisure time and access to victims.
- Relevant laws.
- Safety of field officers.

- Sex offense-specific therapy and medical assessments.

- Surveillance and use of the polygraph.

- Characteristics of sex offenders.

- Investigative methods, including sexual assault crime scene investigation.

- Management of secondary trauma and professional burnout.

In addition to direct training, cross-training among criminal justice practitioners, child protection workers, victim advocates, private treatment providers, and other professionals is important. "Cross-training allows physicians to learn the evidentiary issues prosecutors face, law enforcement officers and prosecutors to learn about common reactions to trauma from rape crisis counselors, and victim advocates to learn more about the criminal justice system, so they can better help victims prepare for court."[25]

Operational and research suggestions and needs

Besides the model process itself, a number of operational suggestions for consideration flow from a comparison of findings from the national telephone survey with data obtained from the field research and from extensive reviews of the research and theoretical literature on sex offender management, treatment, and victim trauma. Among them are the following:

- Make training, including cross-training, in sex offender management a priority at the Federal[26] and local levels.

- Design individualized supervision plans for adult sex offenders according to their particular risk factors.

- Implement special supervision conditions for adult sex offenders that restrict specified activities, including barring employment that facilitates access to victims.

- Develop a variety of immediate, short-term, prerevocation sanctions for adult sex offenders who place themselves in high-risk situations. Those sanctions include 72-hour mental health holds, short-term jail confinement, additional counseling sessions, day fines, and halfway-house confinement.

- Create within criminal justice agencies specialized sex offender crime units.

- Facilitate collaboration across disciplines and across agencies, including victim advocate agencies.

- Require sex offenders under supervision of the criminal justice system to participate fully in treatment programs that are approved by probation and parole agencies and that include cognitive-behavioral therapy, group therapy, polygraph monitoring, and waiver of confidentiality.

- Consider imposition of long-term, even lifetime, supervision sentences.

Research needs also are apparent, including the need to conduct process and outcome evaluations of containment strategies implemented in a variety of communities. Not only should the model process and its constituent parts be evaluated but research questions such as the following should be addressed as well:

What types of sex offenders are best suited to the containment approach?

Do different subgroups of sex offenders respond differently to different aftercare programs?

How can community notification procedures be designed to enhance public safety?

What are the best assessment tools to classify sex offenders into categories that are meaningful for supervision purposes?

What jurisdiction-specific actuarial risk assessment tools can predict sex offender dangerousness?

What would a carefully conducted cost-benefit analysis of a containment approach tell us?

Conclusion

The five-part model process to contain adult sex offenders establishes a framework within which agencies and communities can develop specific practices to better promote public safety and victim protection and assistance. Just as the stringency of the supervision triangle should be tailored to the individual characteristics of each sex offender, so should the method of implementing the model process vary according to the needs of each community.

Incremental improvement in the model process and in underlying case management practices will flow from new research findings and feedback from the field. But the bottom line of sex offender management in community settings should not change: public and victim safety first.

Notes

1. Wyatt, G.E., and G.J. Powell (eds.), *The Lasting Effects of Child Sexual Abuse*, Newbury Park, California: Sage Publications, 1988.

2. Greenfeld, L.A., *Child Victimizers: Violent Offenders and Their Victims*, Washington, D.C.: Bureau of Justice Statistics and Office of Juvenile Justice and Delinquency Prevention, March 1996:1-2.

3. Ibid, 11.

4. Two-thirds of victims (age 12 or older) of rape or other sexual assault in 1994 knew their assailants. Sexual assault victimizations totaled 433,000 in 1994. Differences in victimization rates by age were large: 4.4 sexual assaults per 1,000 persons under age 25, 2.1 for those ages 25 to 49, and 0.1 for those age 50 or older. Perkins, C., and P. Klaus, *Criminal Victimization 1994*, Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, April 1996:1-2, 6-7.

5. Hindman, J., *Just Before Dawn*, Boise, Idaho: Northwest Printing, 1989:96-97.

6. Brown, J.M, D.K. Gilliard, T.L. Snell, J.J. Stephan, and D.J. Wilson, *Correctional Populations in the United States, 1994*, Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, June 1996:18. See also Perkins, C., *National Corrections Reporting Program, 1992*, Washington, D.C., U.S. Department of Justice, Bureau of Justice Statistics, October 1994:86.

7. Brown, J.M., et al., op. cit., 10.

8. Perkins, C., op. cit., 58.

9. A content analysis of State statutes as of 1992 found that first-time offenders convicted of incest or other sexual assault on a child were eligible to serve sentences of probation and parole in 47 States. First-time offenders convicted of first-degree sexual assault were eligible for probation in 28 States.

10. Colorado Division of Criminal Justice, *1990 Court Data Analysis Summary*, Denver: Colorado Department of Public Safety, April 1992.

11. Arizona law (A.R.S. 13-604.01 [I]) authorizes lifetime probation for certain sex offenders subsequent to their serving prison terms and for offenders whose sex crimes were uncompleted (attempts). According to a spokesperson for the Maricopa County Probation Department, about 500 sex offenders currently in prison are scheduled for eventual release to the county to serve sentences of lifetime probation; approximately two-thirds of the State's offenders are based in Maricopa County, Arizona's largest county.

12. Pithers, W.D., "Relapse Prevention with Sexual Aggressors: A Method for Maintaining Therapeutic Gain and Enhancing External Supervision," in Marshall, W.L., D.R. Laws, and H.E. Barbaree (eds.), *Handbook of Sexual Assault: Issues, Theories, and Treatment of the Offender*, New York City: Plenum Press, 1990.

13. English, K., S. Pullen, and L. Jones (eds.), *Managing Adult Sex Offenders: A Containment Approach*, Lexington, Kentucky: American Probation and Parole Association, January 1996.

14. Ibid.

15. Strate, D.C., L. Jones, S. Pullen, and K. English, "Criminal Justice Policies and Sex Offender Denial," in English, K., S. Pullen, and L. Jones (eds.), op. cit.

16. Knapp, M., "Treatment of Sex Offenders," in English, K., S. Pullen, and L. Jones (eds.), op. cit.

17. Abel, G., and J.L. Rouleau, "The Nature and Extent of Sexual Assault," in Marshall, W.L., D.R. Laws, and H.E. Barbaree (eds.), op. cit.

18. The Association for the Treatment of Sexual Abusers has stated that therapists should not rely on offender self-report to determine treatment compliance and that treatment providers should use the polygraph to encourage sex offenders to disclose prior sexual history. Association for the Treatment of Sexual Abusers, *The ATSA Practitioner's Handbook*, Lake Oswego, Oregon: ATSA, 1993:4-5.

19. Amir, M., *Patterns of Forcible Rape*, Chicago: University of Chicago Press, 1971.

20. See Pettett, J., and D. Weirman, "Monitoring with Surveillance Officers," in English, K., S. Pullen, and L. Jones (eds.), op. cit.

21. Pullen, S., S. Olsen, G. Brown, and D. Amich, "Using the Polygraph," in English, K, S. Pullen, and L. Jones (eds.), op. cit., 15.11.

22. Knapp, M., op. cit., 13.9.

23. English, K., S. Pullen, L. Jones, and B. Krauth, "A Model Process: A Containment Approach," in English K., S. Pullen, and L. Jones, (eds.), op. cit., 2.25.

24. Texas parole supervisor, telephone interview, July 25, 1994. Jones, L., S. Pullen, K. English, J. Crouch, S. Colling-Chadwick, and J. Patzman, "Summary of the National Telephone Survey of Probation and Parole Supervisors," in English, K., S. Pullen, and L. Jones (eds.), op. cit., 3.10.

25. Epstein, J., and S. Langenbahn, *The Criminal Justice System and Community Response to Rape*, Washington, D.C.: National Institute of Justice, U.S. Department of Justice, 1994:850. Cited in English K., S. Pullen, and L. Jones (eds.), op. cit., 2.10.

26. The Office of Justice Programs, U.S. Department of Justice, has initiated steps to help shape and promote training in sex offender management.

Quick Access to NIJ Publication News

For news about NIJ's most recent publications, including solicitations for grant applications, subscribe to JUSTINFO, the bimonthly newsletter sent to you via e-mail. Here's how:

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Kim English presented an NIJ-sponsored seminar on the results of her and her colleagues' research before an audience of researchers and criminal justice practitioners. A 60-minute videotape of her presentation, *Managing Adult Sex Offenders in Community Settings: A Containment Approach*, is available from NCJRS for $19 ($24 in Canada and other foreign countries). Ask for NCJ 159740.

Related Reading

Listed below are selected Office of Justice Programs publications related to the subject addressed by this Research in Brief. They may be obtained free from the National Criminal Justice Reference Service (NCJRS): phone 800-851-3420, e-mail askncjrs@ncjrs.org, or write NCJRS, Box 6000, Rockville, MD 20849-6000. When free publications are out of stock, photocopies are available for a minimal fee or through interlibrary loan. Publications may also be available electronically; contact NCJRS for more information.

Epstein, J., Esq., and S. Langenbahn. *The Criminal Justice and Community Response to Rape*. Issues and Practices. National Institute of Justice. 1994. 142 pp. NCJ 148064. Describes organizational and procedural changes in several urban jurisdictions that have assisted criminal justice and victim service agencies in combating rape.

Greenfeld, L.A. *Child Victimizers: Violent Offenders and Their Victims*. Bureau of Justice Statistics and Office of Juvenile Justice and Delinquency Prevention. 1996. 28 pp. NCJ 153258. Presents national statistics that throw new light on the most serious types of child abuse and victimization, including sexual assault.

Prentky, R., R.A. Knight, and A.F.S. Lee, *Child Sexual Molestation: Research Issues*. Research Report. National Institute of Justice. Forthcoming (January 1997). NCJ 163390.

Whitcomb, D. *When the Victim Is a Child*. Second Edition. Issues and Practices. National Institute of Justice. 1992. 176 pp. NCJ 136080. Overview of the state of the art in the investigation and adjudication of child sexual abuse cases.

Widom, C.S. *Victims of Childhood Sexual Abuse—Later Criminal Consequences*. Research in Brief. National Institute of Justice. 1995. 8 pp. NCJ 151525. Summary of a research study examining childhood sexual abuse and its possible association with criminal behavior later in life.

Study Reports

This Research in Brief is based on the study supported by award 92-IJ-CX-K021 from the National Institute of Justice. The study resulted in two reports.

Managing Adult Sex Offenders: A Containment Approach (1996) is available for a fee from the American Probation and Parole Association. Call 606-244-8207 for cost information.

How Are Adult Felony Sex Offenders Managed on Probation and Parole? (1996) presents findings of the researchers' national telephone survey of probation and parole supervisors.

While supplies last, the publication is available for $10 from the Colorado Division of Criminal Justice (Attn.: Office of Research), 700 Kipling Street, Suite 3000, Denver, Colorado 80215. Alternatively, a photocopy of the publication is available, for a fee, from the National Criminal Justice Reference Service (NCJRS). Call 800-851-3420 for cost information. Ask for NCJ 163388.

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Points of view expressed in this report are those of the authors and do not necessarily represent the official position or policies of the Colorado Division of Criminal Justice, Department of Public Safety, or of the U.S. Department of Justice.

The National Institute of Justice is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, Bureau of Justice Statistics, Office of Juvenile Justice Delinquency Prevention, and the Office of Victims of Crime.

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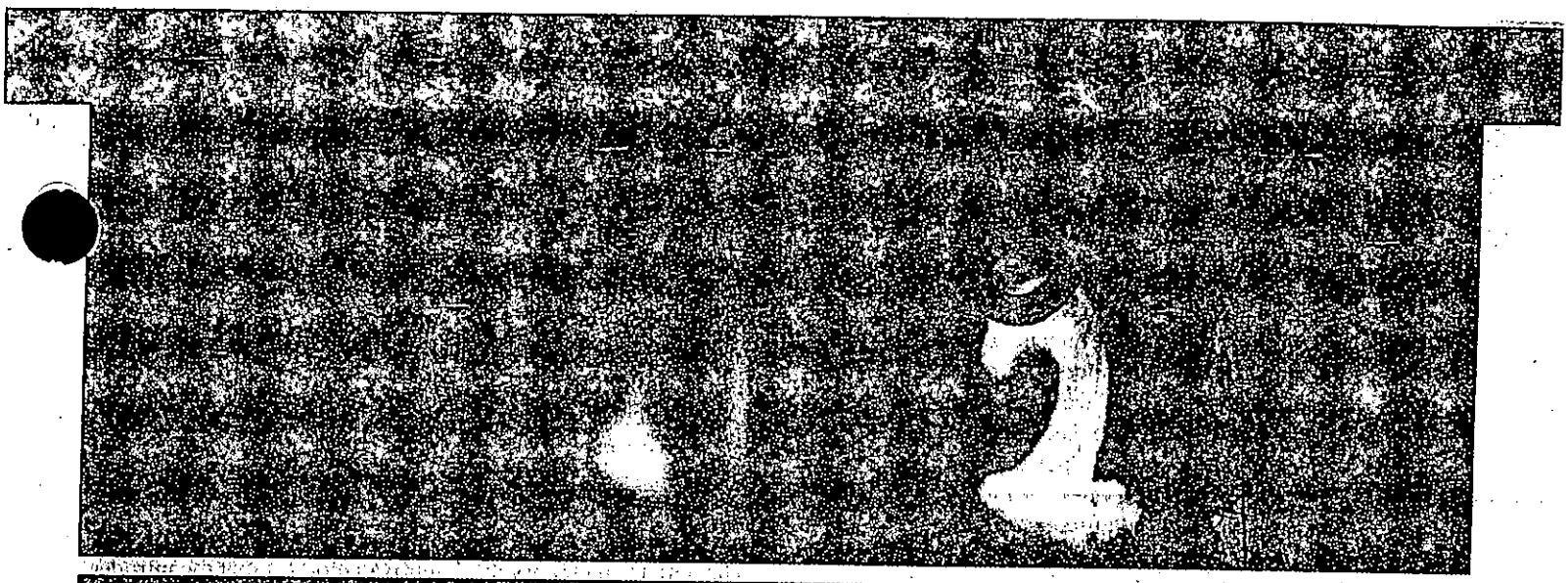

A Call for Evidence-Based Policy

Sex Offender Electronic Monitoring Has Advantages, Problems

Electronic monitoring devices come with certain advantages, but are also accompanied by a host of problems, such as increasing officer workload, agency liability and large financial costs. Sex offender policies must avoid knee-jerk reactions and move toward rational evidence-based practices to most effectively protect our communities against sex-related crimes.

By Matthew DeMichele, Brian Payne and Deeanna Button

Sex offenders have some of the lowest recidivism rates among all felons, according to 2003 figures from the Bureau of Justice Statistics. But government officials at all levels are arguing for increased sentences, longer parole and probation periods, additional supervision conditions, civil commitment and numerous other strategies to punish sex offenders.

There has been a recent flood of legislation targeting sex offenders, the most significant of which is the federal Adam Walsh Act. This act, and several at the state level, require community corrections agencies to develop and evaluate electronic monitoring devices for sex offenders. While 28 states have provisions stipulating that electronic monitoring can be used for sex offenders—following the lead of the Adam Walsh Act—several states have passed or are proposing legislation calling for sex offenders to wear electronic monitoring bracelets or anklets for the rest of their lives. Missing from this legislative push to expand electronic monitoring for sex offenders is discussion about potential unintended policy consequences and costs.

Sex Offender Supervision: An Emotional Environment

Crime control policies often have unintended negative consequences. Few policy areas are generating more excitement, media coverage and political concern than those related to crime and justice. Whether it is newscasters displaying images of brutal homicides or discussing chemical castration for sex offenders, it seems the old journalistic adage of "if it bleeds it leads" holds true. This media attention fosters a sensationalized perception of sex offender issues, which potentially fosters an emotionally laden policymaking environment.

There are few who will argue on behalf of sex offenders. To be sure, these crimes violate social and cultural sensibilities—especially when perpetrated upon the young—and cause long-term pain and harm to their victims. This moral outrage against sex offenders necessitates cautious policy development and thoughtful, not knee-jerk, reactions. Just as one would not advocate fighting fires with untested and unproven liquids or devices, one should not wholeheartedly endorse untested strategies to control sex offenders.

Sex Offenders: Put on This Bracelet

Although labeled a registration and notification bill, the Adam Walsh Act contains several provisions that shift expectations for probation, parole and pretrial agencies that supervise offenders and defendants convicted or charged with a sex crime.

Cumulatively, this legislation may fail to consider the circumstances surrounding behaviors that constitute sexual offenses and realistic expectations for electronic monitoring. Sex offending is not something that takes place solely among strangers. Estimates from the Office of Juvenile Justice and Delinquency Prevention in 2000 suggest that 96 percent of all sex crimes targeting children are committed by someone the victim knows. Half the offenders are family members who presumably commit the offense in their home. If this is the case, what can electronic monitoring do to protect potential victims? Before instituting such sweeping mandates for electronic monitoring—or other interventions—research is needed to determine if such an expensive and time-consuming intervention is effective at reducing sex offenses.

Experts estimate that the recently passed Proposition 83 would cost Californians up to $160,000 a day. This translates into an annual cost of more than $57 million, with the annual cost expected to grow to $100 million within 10 years. The cost of monitoring sex offenders in Wisconsin is estimated at up to a half billion dollars over a 20-year timeframe. The high cost stems partly from fees for the technology, but primarily from workload increases assigned to probation officers. Federal guidelines suggest probation officers supervising sex offenders maintain caseloads of about 25 offenders, though their caseloads are often around 40 sex offenders. Probation departments expected to monitor sex offenders around the clock would see their workloads escalate but would need to reduce each officer's caseload substantially.

Electronic monitoring began in the U.S. in 1984 when Judge Jack Love of New Mexico was inspired by a Spiderman comic to utilize radio frequency and landline telephone technology on offender populations. Initial electronic monitoring devices required an offender to wear a bracelet or anklet emitting a radio signal that is detected by a receiver connected to a landline telephone. The transmitter and receiver are to remain within a certain distance of one another, and the telephone connection allows for sending messages to a central monitoring agency or community corrections officer. These systems are commonly known as home detention or house arrest programs, and provide information on the times when an offender is away from home. They do not provide any information about what offenders are doing while at home or where they are when they leave.

The technological community responded to the limitations of first generation devices and began incorporating cellular telephone technologies and global positioning satellites. Now, offenders are fitted with GPS devices—as mandated in the Adam Walsh Act—that can provide near real-time information regarding an offender's location. Knowing where a sex offender travels throughout the day provides several advantages for community supervision. It is possible to reduce offending by preventing sex offenders from entering areas (exclusion zones) with heightened criminal opportunities, such as schools and playgrounds. Through analyzing the daily movements of an offender, a community supervision officer may uncover a pattern to an offender's behavior and discern times at which the likelihood for re-offending escalates, and make case management adjustments.

There is no doubt that we live in an increasingly technological society, but we must avoid urges to hop on the latest technological bandwagon. Technological gadgetry should not lead the development of programs using electronic monitoring devices. Instituting any electronic monitoring conditions comes with numerous costs, considerations and potential pitfalls. There are equipment failures, damaged equipment, equipment maintenance, false alerts, dead zones (areas which a signal cannot be located), and several other everyday considerations

Mark Renzema and Evan Mayo-Wilson in 2005 conducted the most thorough review of research literature on electronic monitoring effectiveness. They found that "applications of electronic monitoring as a tool for reducing crime are not supported by existing data," according to their report in the *Journal of Experimental Criminology*.

that policymakers must calculate into any electronic monitoring policy.

Electronic Monitoring: Can It Reduce Crime?

Contemporary crime control policies need to move away from mythical perspectives on sex offenders and electronic monitoring and toward the evidence. The correctional field has followed the medical and professional fields by institutionalizing processes rooted in effective interventions. The National Institute of Corrections and its partners in 2004 developed a set of principles known as evidence-based practices. The underlying philosophy is simple: Correctional practices and programs must be supported by rigorous applied research and evaluations; no longer can correctional administrators and policy-makers defend practices by simply claiming that is "the way things have always been done." There are no more excuses for failing to locate and implement effective correctional practices and policies, and programs using electronic monitoring devices are no different.

Before determining whether something works, we must define the expectations. Is electronic monitoring for sex offenders being passed to punish, to track, to rehabilitate or for some other purpose? According to evidence-based practices, the community corrections field should utilize a balanced approach between treatment, surveillance and accountability to prevent further abuse, hold offenders accountable and work toward long-term behavior change. The ultimate outcome for these agencies is measured through recidivism—the number of offenders re-arrested, reconvicted or revoked for a non-crime technical violation. What does the research community say about electronic monitoring? Do electronic monitoring devices improve case management and public safety? Do these devices bring about long-term behavior change?

There is little scientific research documenting the effectiveness of electronic monitoring devices with sex offenders or other offenders. Mark Renzema and Evan Mayo-Wilson in 2005 conducted the most thorough review thus far of research literature on electronic monitoring effectiveness. They found only three research reports met all their inclusion criteria as methodologically rigorous; one was from the United Kingdom. The overall assessment is that "applications of electronic monitoring as a tool for reducing crime are not supported by existing data," according to their report in the *Journal of Experimental Criminology*.

A 2000 investigation—by James Bonta, Suzanne Wallace-Capretta and Jennifer Rooney—found slightly lower recidivism for high-risk offenders in a program using electronic monitoring devices. Most interesting about these findings is that the electronic monitoring component was not what reduced re-offending. Rather, high-risk offenders supervised with an electronic monitoring device seem to have a greater likelihood of completing treatment, with those who completed treatment performing better overall. Therefore, the offenders in the electronic monitoring program were more likely to complete treatment, and the interaction between these two interventions—cognitive-behavioral treatment and electronic monitoring—reduced recidivism.

The 2000 study tells us nothing, however, about how electronic monitoring affects the behavior of violent or sex-related offenders because these groups were excluded from the study. A 2002 study by Mary Finn and Suzanne Muirhead-Steves, however, compared the likelihood a violent offender would return to prison within four years of release. These researchers determined that electronic monitoring had little direct impact on reducing reincarceration or extension of offenders' time in the community. Sex offenders supervised with electronic monitoring devices performed better than similar (based on criminal history) sex offenders not in the program. The authors, however, do not call for increased use of electronic monitoring for sex offenders. Instead, they call for more research on this topic—their sample was limited to 35 monitored sex offenders—to understand how this group experiences the monitoring sanction and conclude that electronic monitoring "does not appear to ensure greater community protection."

A recent evaluation of more than 75,000 offenders supervised with electronic monitoring devices in Florida uncovered reduced revocations for new crimes, technical violations and absconding for sex offenders supervised with electronic monitoring devices. The findings need to be carefully accepted as the authors—Kathy Padgett, William Bales and Thomas Blomberg—acknowledge that sex offenders, regardless of being supervised with an electronic monitoring device, were the least likely of all types of offenders to have their supervision revoked due to a new crime or to abscond. Implicitly this calls into question the need to aggressively monitor all sex offenders in the same way.

Crime control policy must originate from scientific, not political, procedures. Science, although not infallible, has the potential to implement methodologically rigorous research to test criminological and criminal justice theories to understand the causes of crime and the most effective strategies to combat criminality. This is not to say that the public should not be outraged or that policymakers should not demand serious punishments for individuals committing sex crimes—especially those against society's most vulnerable citizens. Nor are we arguing that electronic monitoring and the legislative push to developing such devices to supervise sex offenders is inherently erroneous. This article is intended to convey to the policymaking community a glimpse of what the research community has uncovered on sex offenders and electronic monitoring—to offer evidence for evidence-based sex offender policy.

Electronic monitoring technologies are only one possible supervision tool for sex offenders. These devices are not a panacea to sex offending or any other form of criminal behavior. They come with certain advantages, but are also accompanied by a host of problems such as increasing officer workload, agency liability and large financial costs. Sex offender policies must avoid knee-jerk reactions and move toward rational evidence-based practices to most effectively protect our communities against sex-related crimes.

—Matthew DeMichele is a research associate with the American Probation & Parole Association; Brian Payne is a professor at Old Dominion University; and Deeanna Button is a graduate student at Old Dominion University.

Conclusion: Electronic Monitoring A Tool, Not The Solution

What is reasonable to expect from community corrections? Community corrections, institutional corrections, the police and the entire justice system are not capable of ending all sex offending. This is not to say that nothing works with sex offenders. Rather, simply to point out that ending all of any type of offense may not be a realistic (or fair) goal for the justice system. If we consider one of the most powerful social institutions, the medical field, success is not measured by the eradication of all diseases or ending all cancer or diabetes. Instead, more incremental goals—such as uncovering new explanations for causes of diseases and continual research, development and implementation of new procedures, tools and strategies to lead to a more healthy society—are established.

The technological community responded to the limitations of first generation devices and began incorporating cellular telephone technologies and global positioning satellites. Now, offenders are fitted with GPS devices—as mandated in the Adam Walsh Act—that can provide near real-time information regarding an offender's location.

DEPARTMENT OF CORRECTIONS & REHABILITATION
DIVISION OF FIELD SERVICES

NORTH DAKOTA TEEN CHALLENGE

North Dakota Teen Challenge is a non-profit 13-19 month residential inpatient recovery program for adult men and women struggling with life controlling problems such as drug addictions and violence.

Currently the men's program, located in Mandan, ND, has 44 students. Twenty-five of those students are on supervision with the ND Department of Corrections. The men's program has had 20 graduates since arriving in September of 2005 to Mandan. Fourteen of those graduates were, and still are, under our supervision. Of those 14 graduates, six are employed in the community, two are interning with Teen Challenge, two are employed by Teen Challenge, two are attending college and two are incarcerated due to new charges and probation violations. The men's program can house up to 150 men.

Four students are currently involved in the six-month Re-Entry Program where they are allowed to work outside of Teen Challenge. They do have a curfew and are required to pay $300 per month rent. The rent money is returned to them upon completion of the program to assist them in their re-entry into the community. The Teen Challenge can house 25 students in the Re-Entry Program.

The women's program, located in Bismarck, ND, opened in June of 2006. Currently the women's program has 15 female students, nine of which are under the supervision of the ND Department of Corrections. The women's program has a daycare component and there are currently seven children in the daycare. Four of those children are enrolled at Shiloh Christian School. The women's program expects their first female to graduate in July 2007. The women's program can house up to 80 students.

In the fall of 2006, Teen Challenge did hire a Licensed Addiction Counselor and now has a Licensed Addiction Program in their facility. This program offers four beds for women and four beds for men. This program is only available to those who are able to self-pay or have insurance. This is a 90-day residential program offering the same curriculum as the Teen Challenge Program. Those completing the treatment program could enter into the 13-19 month program with approximately ten months of the program remaining. Currently there is one female in the Licensed Addiction Program.

Teen Challenge is in the process of starting a Restoration Program. This program is designed for graduates who are struggling in the community. Students would return to the program for approximately 90 days in an attempt to get their life back on track.

North Dakota Teen Challenge relies mainly on private funding for all of their programming.

North Dakota Teen Challenge January 29, 2007

- The current contract between Teen Challenge and DOCR calls for $16 per day to cover room & board

- The current biennium's $150,000 appropriation was only sufficient to cover about 16 months of the biennium

- Even at the Gov.'s proposed budget of $300,000 the $16 per day is not enough to cover the current number of residents that are there as a result of court orders

- Based on current residents and an average of 70% being court ordered it would take $490,000 to meet $16 per day for a whole biennium.

- (Based on actual count today, per DOCR it would take $468,000)

- While the $300,000 in the Governor's recommendation is double what was funded last session, the number of court ordered residents is four times what it was two years ago.

- DOCR officials have told me, if not for Teen Challenge these people would be in one of 3 prison facilities with an average per day cost of $76

Thus, my sales pitch is, more funding for TC will save the State money.

Rod Backman 400-2076

MEMO UPDATE 4-12-07

DOCR resident counts monthly average

8-06	27.5	12-06	36.9
9-06	29.4	1-07	33.2
10-06	33.1	2-07	34.2
11-06	35.9	3-07	38.6

38.6 @ $16 per day = $450,848 (Does not provide a growth factor or for inflation)

House Appropriations Committee January 11, 2007
Human Resources Division
Chairman Pollert

HB 1015 Department of Corrections

By Rod Backman, Lobbyist representing North Dakota Teen Challenge (NDTC).

Mr. Chairman & members of the committee. My name is Rod Backman; I am appearing before you today on behalf of ND Teen Challenge. NDTC is a faith based residential recovery program for drug and alcohol addictions, the vast majority of the residents are being treated for methamphetamine addiction.

I have assembled some general statistics on the Teen Challenge program to give you an idea of the cost and success of the program in North Dakota.

In the 2005 Legislative session an appropriation of $150,000 was made for just such faith based programs. NDTC submitted a proposal to the Department of Corrections (DOCR) to provide room and board based on approximately $16 per day. At that time the facility was located in Williston and had a maximum capacity of 16 beds. The $150,000 of funding was sufficient to cover the $16 per day for about 16 months of the biennium.

Based on the need and demand for such services the Williston facility was quickly outgrown. NDTC relocated to Mandan's former Heartview facility in September of 2005. This facility can accommodate approximately 200 residents. The current resident count in Mandan is 45. NDTC has also recently opened a women's facility in Bismarck which can accommodate approximately 100 residents and 16 children. Current actual resident count is 15 women and 6 children. The Bismarck facility

also operates a day care for the children and a benefactor is paying tuition for the school age children at a private Christian school.

The program is a 13 month recovery with a 6 month transitional extended care program. They also operate a 90 day licensed treatment program.

Approximately 70% of the residents are there as an alternative to incarceration. I have been told by DOCR officials, if not for Teen Challenge these residents would be in one of three DOCR facilities that have an average per day cost of $76. NDTC is providing a service to the state and the community at a substantial savings to the taxpaying public. In the three years of existence in North Dakota private donations of $3.5 million, a large portion from out of state, have contributed to that taxpayer savings.

We recognize that NDTC may not be for every offender, however based on ongoing tracking of the graduates, a success rate in excess of 80%, with only 2 back in prison, makes the program not only a bargain financially but also a benefit to society as a whole.

We are grateful to the Department of Corrections, the Legislature's recommendations from the Commission on Alternatives to Incarceration and to the Governor for the increased recommended appropriation. However, in light of the increase in number of residents and the anticipated further increases in residents, we would like to see the appropriation sufficient enough to fully fund the $16 per day contract.

Mr. Chairman, I would be happy to attempt to answer any questions you or the committee may have.

Thank You.

Rod Backman

Written Testimony
House Appropriations Committee: Human Resources Division
House Bill 1015
Representative Chet Pollert – Chair

Submitted by:
Anna M. (Andi) Johnson, LAC
Director of Operations
ShareHouse/Sister's Path/Robinson Recovery Center
Fargo, N.D.

Chairman Pollert and members of the House Appropriations Committee, my name is Andi Johnson and I am currently the Director of Operations for ShareHouse and all subsidiaries. I was able to provide brief verbal comments regarding the budget for DOCR Field Services but would like to follow up with written testimony.

ShareHouse stands in support of House Bill 1015 secondary to its increase in funding for expansion of drug courts across the state of North Dakota. ShareHouse is privileged to provide treatment for the Cass County Drug Court. The success identified in the drug court experience is unequalled secondary to the amount of time within the treatment experience, ongoing drug testing, and cohesive relationship between the treatment provider and the court system including the probation officer. The expansion of drug court across the state of North Dakota would improve outcomes for treatment offenders and offer a true alternative to incarceration.

ShareHouse also supports this bill to increase the number of probation officers in the field. We have relied on the expertise of several probation officers across the state of

North Dakota and have found that with this partnership, the benefit to the clients served at the Robinson Recovery Center increases exponentially.

ShareHouse also recognizes the use of best practice in the field of addiction counseling utilized by the Tompkins Rehabilitative and Corrections Unit (TRCU). Under the leadership of Kerry Wicks, Director, the TRCU program has proven effectiveness with the clients they have served. ShareHouse is in support of a continuation of services at the Tompkins Rehabilitative and Corrections Unit.

Thank you for considering this written testimony on behalf of ShareHouse.

Sincerely,

Anna M. (Andi) Johnson, LAC
Director of Operations – ShareHouse
4227 9th Ave. S
Fargo, N.D. 58103
701-282-6561
701-388-7423 (work cell)
Johnsonam@sharehouse.org
www.sharehouse.org

Sha

GO TO Sh

Programs

Since 1975, ShareHouse has proudly provided a continuum of chemical dependency treatment, prevention and educational services to those affected by the disease of addiction, their families and communities. Through the ShareHouse programs and commitment, we support recovery as a creative journey providing a spirit of personal well-being and inner peace.

The multi-levels of care within ShareHouse programming efforts are based on the 12 step recovery program of Alcoholics Anonymous. Our efforts are designed to foster recovery through the whole-person approach to emotional, mental, physical, and spiritual healing. ShareHouse programming focuses on the development of individualized treatment services tailored to meet the needs of each person.

ShareHouse programming includes a variety of therapeutic groups. Emphasis is placed on personal recovery issues, vocational counseling, job training assistance, living skills, gender focused groups, and relapse groups to name a few. Consistency of effort and clarity of expectations are the underpinning of the case management effort. Staff members are qualified on the educational, personal, and employment levels in their programming efforts. It is our expertise that we draw from to make your prograr successful effort.

Following is a listing of the programs offered:

ShareHouse Primary Care Treatment Programs

ShareHouse Outpatient Addiction Treatment Program

ShareHouse Residential Program Services

ShareHouse Community Support Programs

ShareHouse Family Program and Continuing Care

The Methamphetamine Matrix Treatment Program

Pre-admission to ShareHouse ShareHouse

ShareHouse, 4227 9th Ave SW, Fargo, ND 58103
Toll Free 1-877-294-6561, Phone (701) 282-6561, Fax (701) 277-0306

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ShareHouse Pre-admission to ShareHouse

Sha

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About ShareHouse

Located in Fargo, North Dakota, ShareHouse has been providing chemical dependency treatment services to and women since 1975. ShareHouse offers intensive primary treatment (Spirit Program) and outpatient leve individuals afflicted with the disease of alcohol/drug addictions. A knowledgeable and caring staff are ready and family members toward a life of healthy recovery. Visit our programs to learn more about levels of care offered by ShareHouse. We are ShareHouse.

ADMISSION CRITERIA

All ShareHouse services are provided with regard to quality of care for each individual.

Prospective residents should:

- Be sober.
- Be at least 18 years of age.
- Be motivated for continuing recovery and willing to follow ShareHouse program policies.
- Be motivated to participate with an individualized treatment plan.
- Not been convicted of a sex offense.

INSURANCE INFORMATION

ShareHouse is approved by most major insurance companies. Please contact our insurance department/accounts to validate your coverage.

ShareHouse accepts both Visa and MasterCard.

CONFIDENTIALITY

Confidentiality of client records will be maintained as stipulated by applicable local, state, and federal statut regulations.

It is the policy of ShareHouse, Inc. to protect its clients in accordance with the Federal Confidentiality Regul same time, ShareHouse, Inc. staff must gather all relevant data in order to help in developing effective treat for clients.

ShareHouse, 4227 9th Ave SW, Fargo, ND 58103
Toll Free 1-877-294-6561, Phone (701) 282-6561, Fax (701) 277-0306

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Bob Wilmot, Chairman
Elaine Little, Administrator

NORTH CENTRAL CORRECTIONAL & REHABILITATION CENTER
110 INDUSTRIAL ROAD, RUGBY, ND 58368
(701) 776-2221

Testimony on HB 1015
Senate Appropriations Committee
Senator Ray Holmberg, Chairman
March 5, 2007

Good morning Chairman Holmberg and members of the Senate Appropriations Committee. My name is Elaine Little, Administrator of the North Central Correctional and Rehabilitation Center (NCCRC) in Rugby, ND. I am here to testify in support of Section 6 of HB 1015.

The NCCRC is a new 129 bed combined jail/treatment center that began operations in September 2006. The facility operates on the generation of revenue from housing of inmates for various entities, including the North Dakota Department of Corrections and Rehabilitation (DOCR). The DOCR houses inmates at the NCCRC in both the jail and treatment unit. The treatment unit can house 30-35 inmates of which most are sent by the DOCR. The number of DOCR offenders in the treatment unit has ranged from 19 to 30 offenders.

Since the NCCRC operates on its own revenues, monthly cash flow becomes very important to the facility. Section 6 of HB 1015 would assure equal monthly payments from the DOCR for the inmates housed in the Treatment Unit. This would help the NCCRC to stabilize its monthly cash flow.

The NCCRC greatly appreciates the DOCR's support and urges the Senate Appropriations Committee to support Section 6 of HB 1015.

Thank you.

Submitted by Elaine Little
Administrator, NCCRC
March 5, 2007

LEGISLATIVE TESTIMONY
HUMAN RESOURCES SUBCOMMITTEE
Chairman – Representative Pollert

January 11, 2007

Mr. Chairman, members of the committee, my name is Kerry Wicks and I am the clinical director of residential services at the North Dakota State Hospital. I have been asked to comment on the partnership of the Department of Human Services (DHS) with the Department of Corrections and Rehabilitation (DOCR) in developing and operating the Tompkins Rehabilitation and Corrections Center. I'll also be available to answer questions you may have.

The Tompkins program has now been in operation since 1999. From the start, the leadership from both state departments have kept a vision of creating a program that does the best job possible to keep offenders from returning to prison. When Alex Schweitzer and I first met with Warren Emmer, Rick Hoekstra and Tracy Stein, it didn't take long to realize the unmet needs of the corrections populations and how the two organizations could combine resources and expertise. Alex gave immediate support and elicited the support from the Department of Human Services.

It was this same willingness, flexibility and support from the Directors of both Departments, Carol Olson and Elaine Little, that allowed the Tompkins Center to go forward. That same commitment and support continues now with DOCR Director Leann Bertsch.

The strength of the program has been in the linking of resources from two of the largest departments in North Dakota to provide efficient and very effective treatment.

The process is the key. From the initial evaluation of all inmates to the referral to appropriate interventions to the follow through in the community, both agencies have extensive expertise. The Tompkins program also has staff from the DOCR on sight as part of the every day operation of the program.

The Tompkins program has been developed and is operated on the best practice research available. It is a structured therapeutic community with cognitive behavioral treatment approaches. The program is a residential facility with 24-hour a day, seven days a week service. Cognitive restructuring is used to reduce risks to re-offend and to support the management of the milieu. The program ties all components of treatment together in a unified approach. The Joint Commission on Accreditation of Hospital Organizations (JCAHO) accredits the program and the Department of Human Services, Division of Mental Health and Substance Abuse, licenses the program through deemed status.

This concludes my testimony, I would be happy to answer any questions you may have.

Attach. A

TRCC

	DOCR Assumed Program Capacity			NDSH Actual Program Capacity		
	Inmate Status	Community Status	Total	Inmate Status	Community Status	Total
Male Capacity	72	18	90	48	12	60
Female Capacity	24	6	30	24	6	30
Total	96	24	120	72	18	90

During the 2007-09 budget preparation, an incorrect budget assumption regarding TRCC capacity was made by the DOCR.

As a result of the NDSH action of moving the male TRCC program from the GM Building to the Nurse's Building, the DOCR incorrectly assumed that **male capacity** could be increased from 60 beds to 90 beds without additional programmatic or financial resources.

After submission of the DOCR budget and prior to the start of the 2007 legislative session, the NDSH made the DOCR aware that the amount budgeted for the operation of the TRCC program ($4.5 million) was based on a **total capacity** of 90 and that a capacity increase of 30 additional male beds would not be feasible, financially or programmatically.

As a result of not being able to increase the capacity of the TRCC program, the difference (24) between the male capacity inmate status numbers under the **"DOCR Assumed Program Capacity"** (72) and the **"NDSH Actual Program Capacity"** (48) must be accounted for under a different category in the "2007-09 DOCR Inmate Management Plan". Due to the fact all inmate housing options under the control of the DOCR are projected to be at 100% capacity for the entire 2007-09 biennium, the only remaining housing option for 24 male inmates is contract housing (county jails).

LEGISLATIVE TESTIMONY
HUMAN RESOURCES SUBCOMMITTEE
Chairman – Representative Pollert

January 26, 2007

Mr. Chairman, members of the committee, my name is Kerry Wicks and I am the clinical director of the Tompkins Rehabilitation and Corrections Center at the North State Hospital. I have been asked to present program evaluation data from the Tompkins Rehabilitation and Corrections Center that includes three longitudinal studies:

1. Perception of Care Survey – describes perception of the resident about the care received. 31 variables are measured. The report available is a 4- year study. See graphs attached.

2. Criminogenic Risk study – this study measures improvement in the reduction of criminogenic risk (those risks known to increase the likelihood of an offender returning to prison). The study measures improvement from the beginning of treatment to discharge from treatment. The study measures 15 variables that are known criminogenic risks. The report available is a 4-year study. See graphs attached.

3. Program evaluation – this study is an 18-24 month program evaluation post discharge from treatment at the Tompkins Rehabilitation and Corrections Center. The outcome scores are compared with severity scores at admission. The instrument used to measure results is the Addiction Severity Index; a nationally recognized, valid, reliable instrument used in the evaluation of addiction treatment programs. The Addiction Severity Index measures seven domains that are descriptive of life functioning.
This study includes:

- 119 cases followed from discharge to 18-24 months post discharge
- 70% methamphetamine abuse in the women's sample
- 40% methamphetamine abuse in the men's sample
- All cases are high risk offenders (risk to re-offend) as measured on the Level of Services Inventory – Revised (LSI-R)
- Domains measured are:
    - Medical
    - Employment
    - Alcohol
    - Drug
    - Legal
    - Family/social
    - Psychiatric

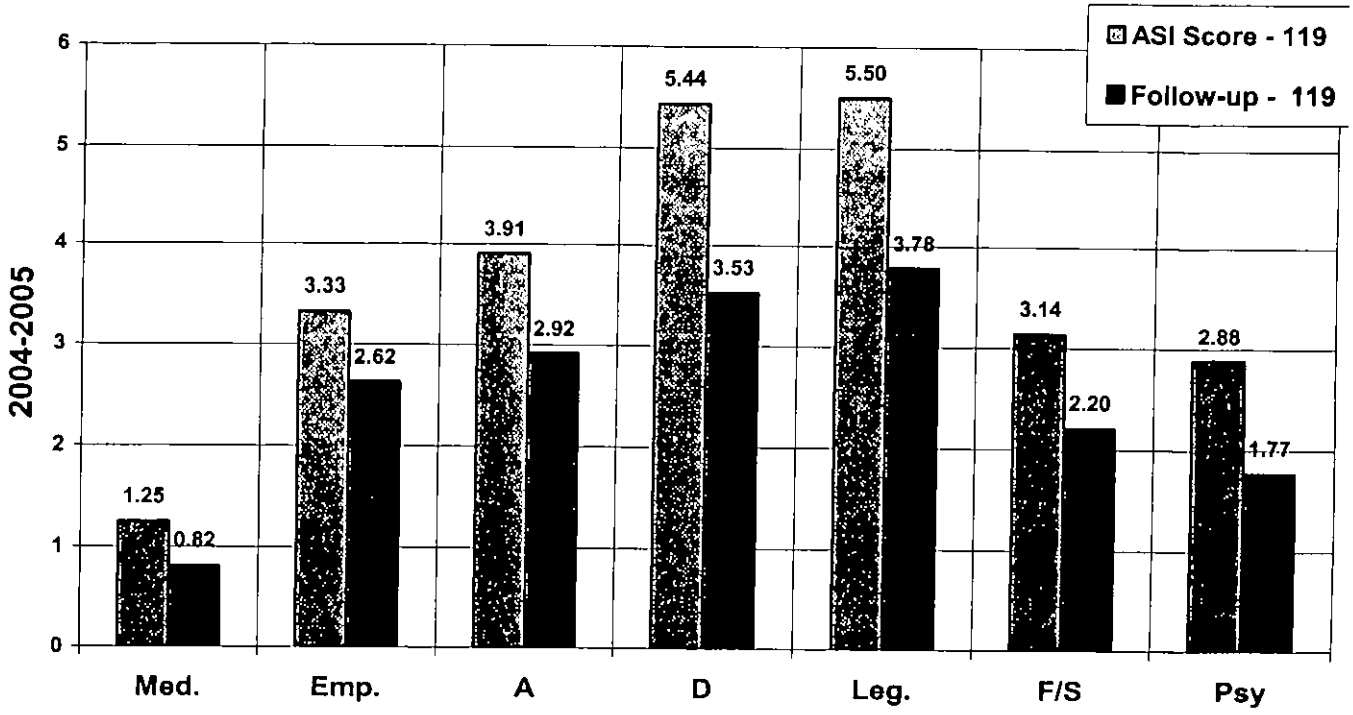
See graphs attached.

There are three points I would like to make regarding outcome data and what are reported as success rates.

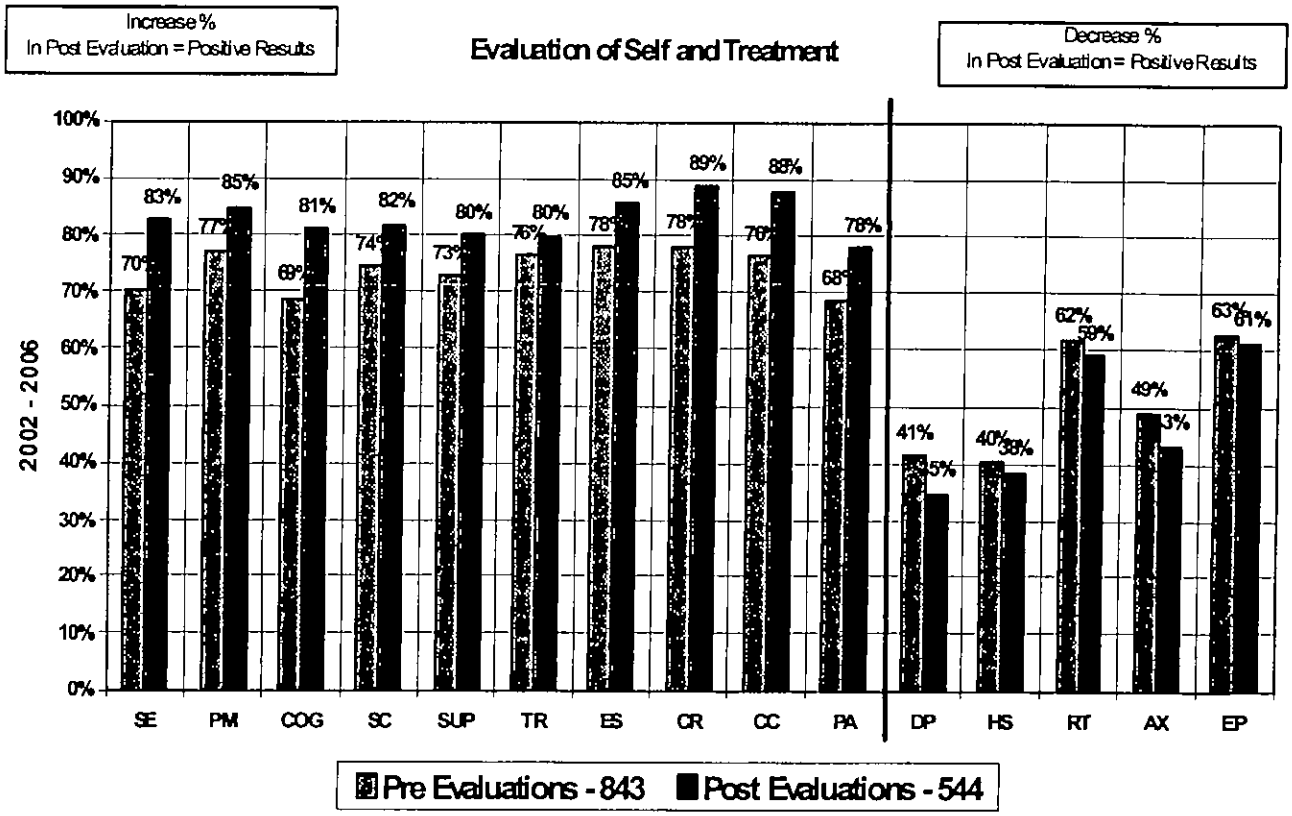
- The questions asked in determining outcome are extremely important. Using an instrument that has been validated and tested for reliability is a necessity for dependable information.
- Success needs to be measured in 'real life' ways such as improvement in Job, Family, etc.
- Methods used must include an adequate sample size, consistency in the process of gathering data, and the use of methodology that obtains accurate results.

This concludes my testimony, I would be happy to answer any questions.

TOMPKINS REHABILITATION AND CORRECTIONS CENTER
PROGRAM EVALUATION
18 – 24 MONTHS POST DISCHARGE



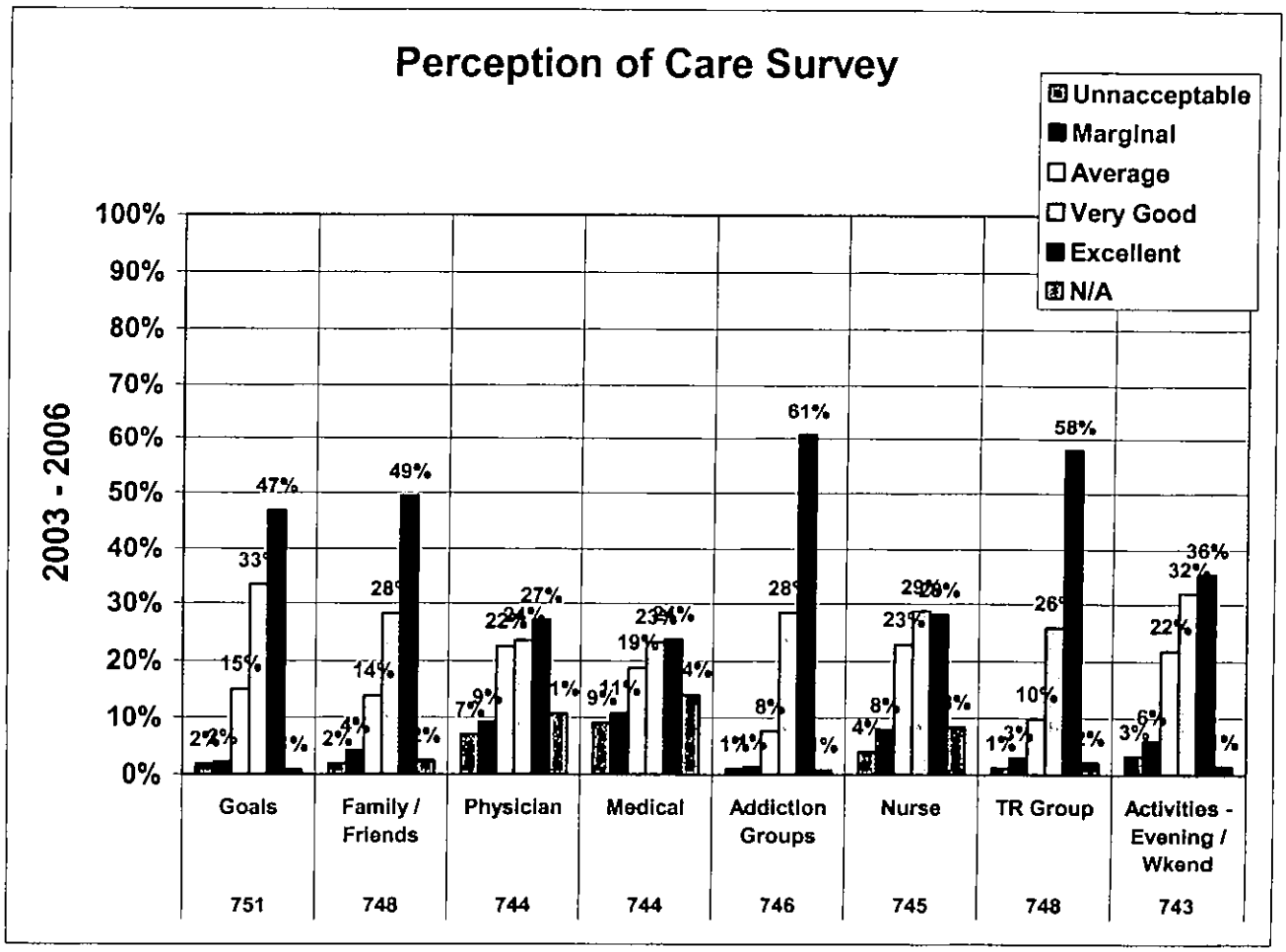
EVALUATION OF SELF AND TREATMENT
CRIMINOGENIC RISK STUDY
2002-2006

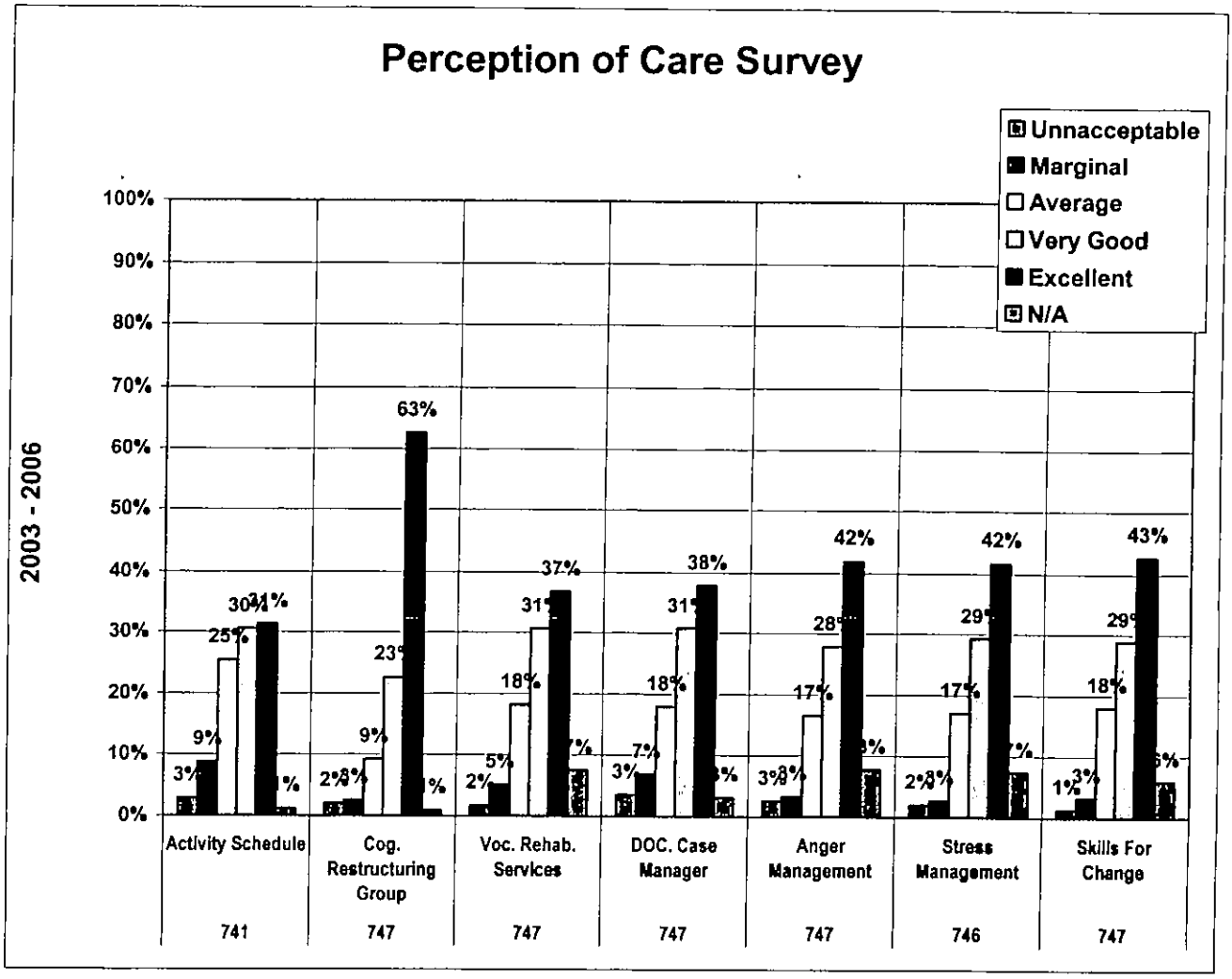


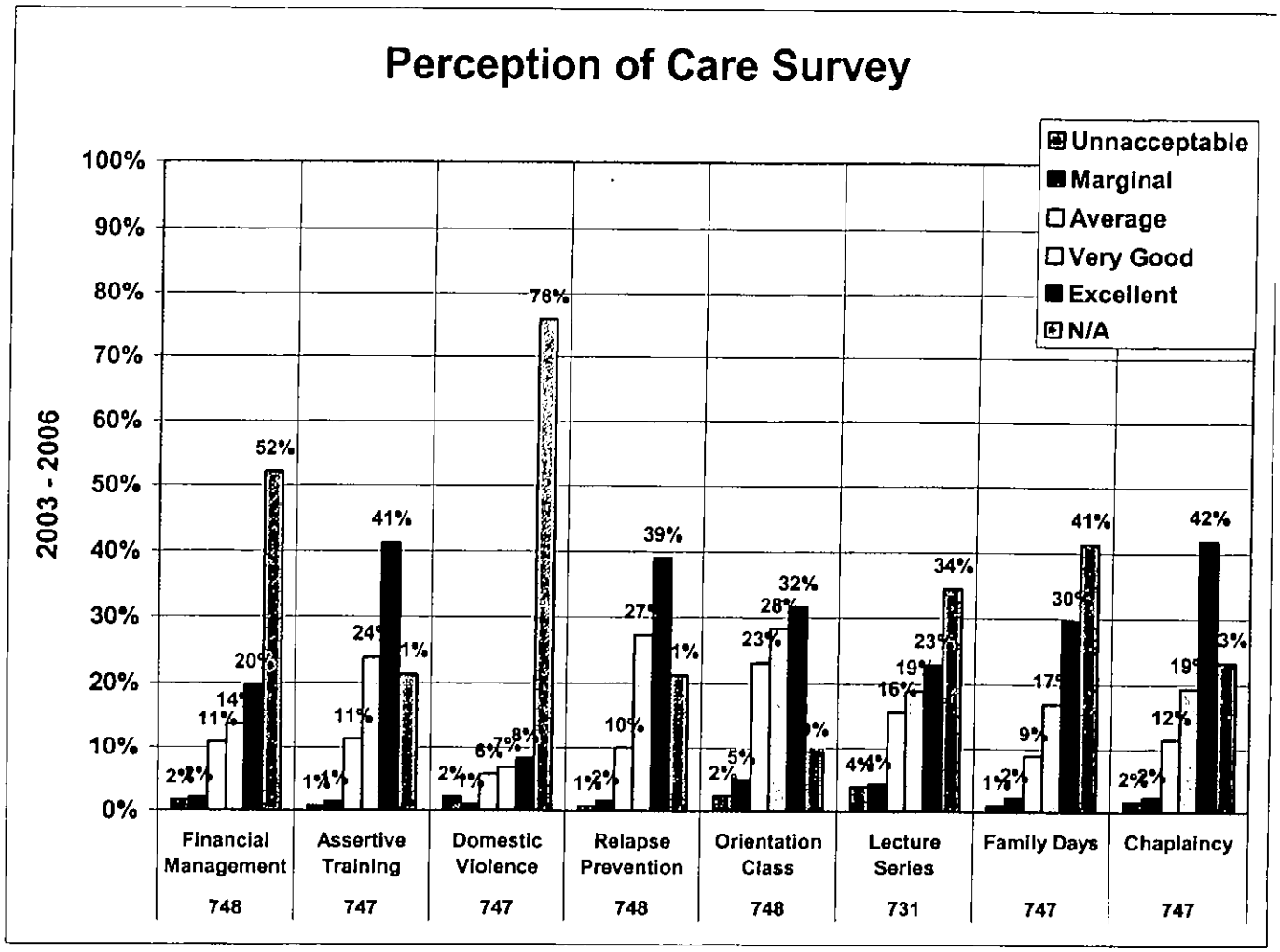
SE = Self Esteem
PM = Self Efficacy
COG = Cognitive/Problem Solving
SC = Social Conformity
SUP = Peer Support
TR = Treatment Readiness
ES = External Support
CR = Counselor Rapport
CC = Counselor competence
DP = Depression
AX = Anxiety
PA = Program Assessment

DP = Depression
HS = Hostility
RT = Risk Taking
AX = Anxiety
EP = External Pressures

PERCEPTION OF CARE SURVEY
2003-2006




Perception of Care Survey
2003 - 2006
Unnacceptable
Marginal
Average
Very Good
Excellent
N/A
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
63%
42%
42%
43%
38%
37%
Activity Schedule
Cog. Restructuring Group
Voc. Rehab. Services
DOC. Case Manager
Anger Management
Stress Management
Skills For Change
741
747
747
747
747
746
747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N/A
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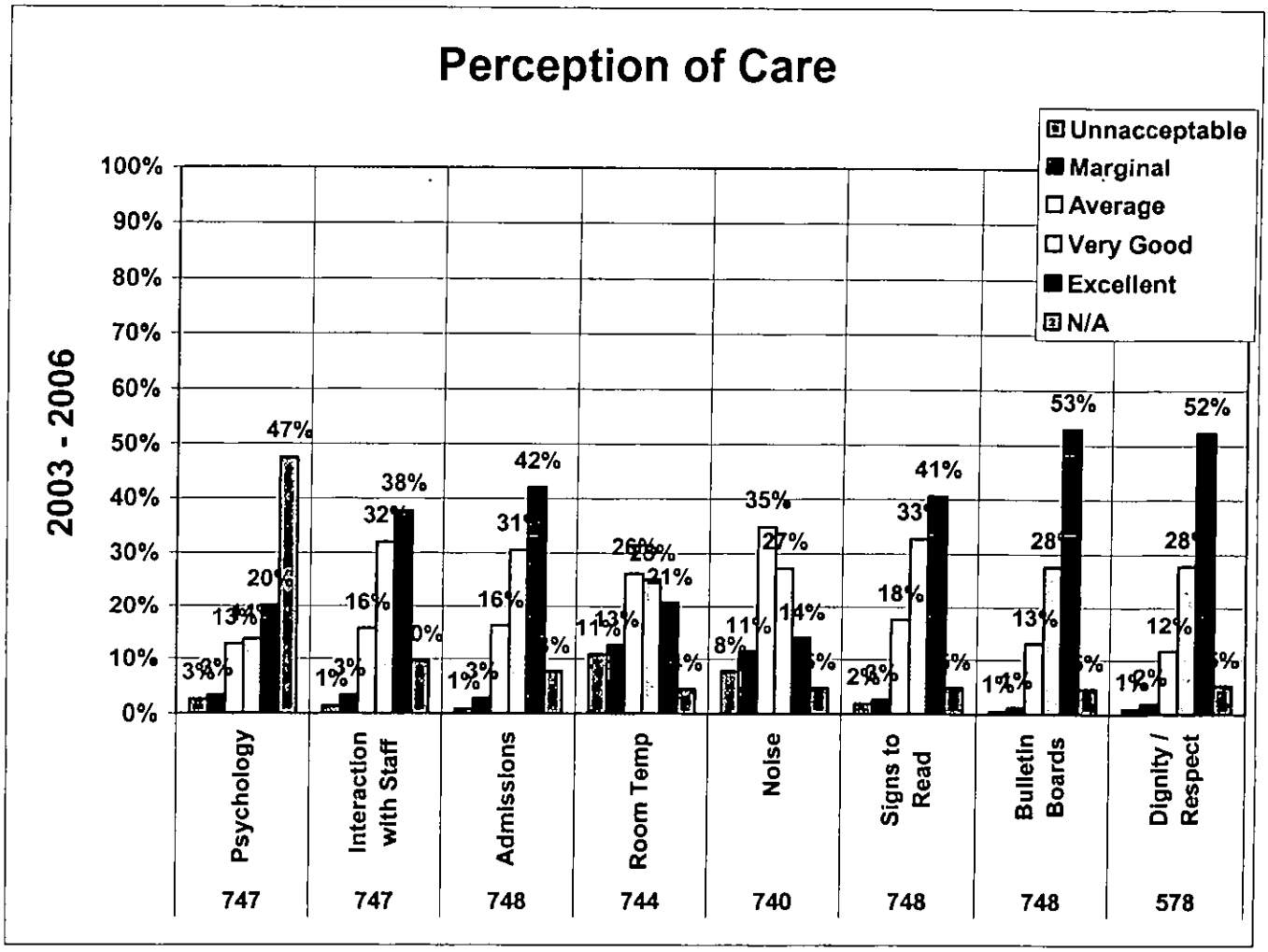
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
Financial Management
748
Assertive Training
747
Domestic Violence
747
Relapse Prevention
748
Orientation Class
748
Lecture Series
731
Family Days
747
Chaplaincy
747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Average
Very Good
Excellent
N/A
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
Psychology
747
Interaction with Staff
747
Admissions
748
Room Temp
744
Noise
740
Signs to Read
748
Bulletin Boards
748
Dignity / Respect
578

House Bill 1015
Department of Corrections and Rehabilitation Appropriation Request
Testimony on Prisons Division Funding
House Appropriation Committee
Human Resources Division
1/10/2007

JRCC HISTORY

Mr. Chairman and members of the committee, for the record my name is Don Redmann and I am the Warden of the James River Correctional Center (JRCC) located on the campus of the North Dakota State Hospital in Jamestown, ND.

The JRCC opened in June of 1998 housing both male and female inmates. In November of 2003 the majority of the female inmates (minimum custody) were transferred to New England with the remaining being transferred in August of 2004 when the New England facility met the requirements for holding higher custody women.

The JRCC has experienced significant growth and operational changes to help meet the demands created by the increase in our inmate population. In July of 2001, the fifth and sixth floors were remodeled and 112 beds were added to our facility capacity. We opened a much needed mental health unit for inmates called the Special Assistance Unit in November of 2002. This 25-bed unit provides special treatment and programming for the growing number of inmates identified with serious mental health or special needs that are sentenced to prison. Unfortunately we lost our Psychologist to the VA hospital in Fargo two years ago and despite a nationwide job posting to include a personal letter that was sent to every licensed Psychologist in the State of North Dakota, we have not been able to fill the position.

I feel it is important to note that the DOC&R has a unique partnership with the North Dakota State Hospital that has generated significant cost benefits and a spirit of cooperation that we can be proud of. We work cooperatively with the State Hospital in the sharing of resources to minimize the need for additional staff and to reduce costs. The NDSH provides Psychiatric, lab, X-Ray, Pharmacy, and other needed services to the James River Correctional Center.

We in turn provide emergency security services, and since July of 2003, when the food service and laundry operation was transferred from the NDSH, we have been providing laundry and food services for the Hospital.

By utilizing inmate labor in the laundry and food services operations, we create meaningful work opportunities for the inmates as well as generating significant cost savings. I must recognize Alex Schweitzer for his efforts in working with us in making this process work effectively.

CAPITAL IMPROVEMENTS AND REPAIRS

The main housing unit of the James River Correctional Center is often referred to as the ET building. It was built in 1936 and was not being used to its full capability at the time we took possession. Many repairs and improvements have been required due to the age of the building and the need to change its purpose from a hospital to a prison. This legislature has been very supportive by investing in these buildings to correct problems and extend their operational life.

In 2005 we were able to remodel the first floor of what is known as the Day Care building and move the administrative offices from inside the fence to provide more space needed inside. A visiting room was added as part of the project so members of the public are no longer forced to walk through Special Assistance Unit to visit in the facility gymnasium. This change has improved the quality of family visits and improved the safety to the public.

During this past biennium we received $584,000 in funding to add an elevator and fire suppression to the 18A building to bring it into compliance with ADA and State Fire Codes. This work was completed this summer and the space is used for educational, treatment, and religious programming. An additional $980,000 was allocated for repairs to the ET building and included the remodeling of the old kitchenettes into additional beds. The remaining funds will be use for the addition of storm windows on floors one through four to stop the water damage currently being caused by water leaking through the existing windows. We hope to be able to replace the old drop ceiling with security ceiling panels with any funds remaining. Drop ceilings create a huge area for inmates to hide contraband and are often damaged. The security panels will solve both concerns. This work is scheduled to start this spring and continue through the summer.

An additional $200,000 was approved for extraordinary repairs allowing us to repair the leaking roofs of the laundry and administration building and retrofit the elevator of the ET building. With the increasing number of inmates with disabilities, the elevators are critical to ensure compliance with the ADA.

The new dorm project added 20 beds to the facility capacity bringing the total to 359 usable beds. The additional beds were completed in July of this year without adding staff and are generating significant savings by reducing the need to contract for those beds. Our average daily inmate count has

been approximately 385 inmates. During this biennium we experienced significant growth in the number of inmates entering the system at the same time BTC was under construction and the Rugby facility was not ready to accept inmates. We added bunk beds to the dorms in an effort to manage the growth. The staff put forth a great effort in managing the additional workload during this period.

STAFFING

Our budget includes the addition of five lieutenant positions for JRCC. These positions are greatly needed to increase staff and inmate supervision and provide a trained supervisor in relief of the shift captain. Currently the captain is the only supervisor in charge of the facility on weekends and after normal business hours. Without a designated subordinate, we are forced to use line officers to fill in when the captain is on leave. Using less experienced staff who are unaccustomed to the position, increases liability and the risk to the security of the facility. Additionally the duties of this position have grown past the abilities of one person to perform them effectively. The captain not only runs the facility, but also must be able to respond to emergencies, conduct staff and inmate investigations, complete performance reviews of staff, and many other duties too legion to list. The expansion of JRCC has generated significant improvements but has also increased the workloads for the staff. We currently have 175 staff supervising an average of 385 inmates. This may not seem like a poor ratio but our physical plant is very staff intensive. The housing unit was a six-floor hospital not designed to be a prison. The facility is connected to the State Hospital by tunnels and the buildings are filled with blind spots demanding additional security. The industry standard is to have not more than two entrances through a secure perimeter but we have six. We make it work and it is functional, but the working conditions are more difficult and demanding to ensure the safety of the public.

The stress levels are reflected in our staff sick leave and turnover. In 2006 we have used 4058 hours of overtime and 1705 hours of comp time to meet the staffing requirements of the facility. We often operate with as few as 21 officers during the day shifts and 11 officers at night. It is important to note that the facility is made up of mostly six man dorms that staff must enter at least hourly to perform security checks. As Warden Schuetzle stated in his testimony, we have had difficulty retaining temporary staff needed to fill the schedule.

I respectfully ask that you support our request for the five lieutenant positions to provide some much needed relief for this position and improve the security of the facility.

10 million dollars has been placed in the budget to help address inequities

of pay within state government and I ask that you support this effort along with the proposed salary increases and fully funded health care. This funding is essential if we are going to have any chance in recruiting and retaining staff. It is difficult to recruit people to work in a prison setting. We have been advertising for a psychologist to supervise the Special Assistance Unit for over two years and have not been able to fill the position. We also have two RN positions open but anyone with experience is required to take a reduction in pay. It is almost impossible to recruit and retain staff to work in an environment that demands more stress, asks that you risk your personal safety on a daily basis, and to do so for less money than the public sector is offering. We are now seeing staff with five and six years of experience leave for better paying jobs and sign on bonuses. The loss of any employee is difficult and expensive but the loss of veteran officers creates a significant void in our operations. JRCC has lost three shift commanders in the past two years alone.

NEXT BIENNIUM

Next biennium JRCC has requested $596,075 for additional extraordinary repairs. Some of the larger expenses are for projects such as asbestos abatement, electrical and plumbing repairs, fire suppression in the kitchen and laundry buildings, as well as heating and cooling repairs. I hope that you will continue to protect the investment you have made in these buildings and approve this needed funding.

EQUIPMENT

We are requesting $75,000 for the replacement of our X-Ray machine. The current unit is old and we can no longer get parts. If it should break down we would be forced to transport inmates to the community hospital for this service. This would increase medical costs and increase the risk to public safety. We are also requesting $15,000 to replace essential security cameras that have surpassed their life expectancy, $20,000 for a Line scan unit that will detect weapons and contraband in our incoming mail, $45,000 for a GE ion Track unit used for drug detection on persons and property entering the facility, $32,000 for recording equipment used with the security cameras, $10,000 for the addition of a video conferencing system and 59,000 for an articulating boom vehicle. The total equipment request is $256,000

I will close this testimony by thanking you for the support you have given and to say that the staff understands the importance of their role in protecting the public and providing inmates with the opportunity to change. I know you understand that role as well and will do what you can to demonstrate that support in our budget requests. I would be glad to answer any questions this committee may have.

TESTIMONY ON HB 1015
HOUSE APPROPRIATIONS SUB-COMMITTEE
REPRESENTATIVE CHET POLLERT, CHAIRMAN

SOUTHWEST MULTI-COUNTY CORRECTION CENTER
SUSAN A. RITTER, FINANCIAL ADMINISTRATOR
JANUARY 26, 2007

For the record my name is Susan Ritter. I am the Financial Administrator for the SW Multi-County Correction Center located at Dickinson and New England, ND.

The SW Multi-County Correction Center (SWMCCC) has been in operation for approximately 25 years. It provides correction services for the six owner counties of the SWMCCC as well as providing contractual correction services for the ND DOCR, federal agencies, and Bureau of Indian Affairs. The Dakota Women's Correction and Rehabilitation Center (DWCRC), a division of SWMCCC, at New England, ND has been operating for approximately two and one-half years. Contracts with the ND Dept. of Corrections (DOCR) are the only contracts that the facility has had during its existence.

As we developed our estimates for operating DWCRC we approached the task with a complete team effort. Each department head has had input in the development of what we estimate to be the cost of operation for the next biennium. We believe strongly in the need to work as a team. DWCRC's successes are unlimited when all employees work together toward a common goal.

The DWCRC budget is based primarily on providing services for inmate orientation (assessment, testing, treatment needs, etc.), case planning (targets needs in areas such as chemical addiction, education, mental health, and medical, etc.), risk reduction (treatment and programming including cognitive restructuring, sex offender treatment, chemical addiction treatment, mental health treatment, anger management, religious programs, educational programs, vocational programs, parole planning, Industries, etc.), risk management (administrative segregation, drug testing, etc.), and transition (work release).

The staff of DWCRC commits to provide rehabilitative environments that are physically and emotionally safe, being mindful of the obligation to the victims and public. DWCRC's primary responsibilities are public safety and the supervision of individuals placed in its care, custody and control. Costs associated with these responsibilities and commitments include:

- Payroll, Administrative Expenses, Debt Services, and Information Technology
  $5,516,266.00

- Inmate Expenses, Security, and Food
  $982,650.00

- Treatment, Education, Case Mgmt., Medical, and Industries
  $706,893.00

- Buildings (utilities, insurance, supplies, renovation, etc.)
  $750,068.00

- Total estimated 2007-2009 budget
  $7,955,877.00

In closing, we ask for your continued support of our contractual agreement between SWMCCC and DOCR by granting this budget request. DWCRC is committed to doing "what is right" and in the best interest of the people we serve. Our standard for operation is to provide the highest quality services and products within available resources.

DAKOTA WOMEN'S CORRECTIONAL REHAB CENTER

A DIVISION OF THE SOUTHWEST MULTI-COUNTY CORRECTION CENTER

440 McKenzie Avenue
New England, ND 58647

Telephone: 701-579-5100
Fax: 701-579-5101

SWMCCC – Southwest Multi-County Correction Center
DWCRC – Dakota Women's Correctional Rehab Center
DOCR – Department of Corrections and Rehabilitation

January 26, 2007

Appropriations – Human Resources Division
Chet Pollert, Chairman

Southwest Multi-County Correction Center

The Southwest Multi-County Correction Center (SWMCCC) was established in 1982. It is owned and operated by six counties including Billings, Bowman, Dunn, Hettinger, Slope and Stark. The SWMCCC Board is comprised of six county commissioners representing their respective county. Mr. Duane Wolf, Stark County Commissioner, is the Board Chairman.

The Dakota Women's Correctional Rehab Center (DWCRC) was established in 2003. The DWCRC is one of three divisions of the SWMCCC. The Dakota Horizon Youth Center and the Dickinson Adult Detention Center are located in Dickinson. Ken Rooks is the Operations Administrator of the Dickinson facility and Susan Ritter is the Financial Administrator for the SWMCCC.

DWCRC currently employs approximately 60 employees. Some of these employees are in a shared position with the Dickinson facility.

Population and Capacity Statistics for DWCRC

DWCRC's current capacity is 126 beds broken down as follows:

Haven Hall – DWCRC has a 70 bed minimum security housing unit consisting of 5 dorm rooms with 10 bed cubicles and 4 dorm rooms with 5 bed cubicles.

Horizon Hall – DWCRC has a 40 bed higher custody housing unit consisting of 4 dorm rooms with 10 bed cubicles.

Orientation – DWCRC constructed an orientation unit for female new arrivals in May 2006. This is a dormitory with 2 single bed cubicles and 7 double-bunked cubicles for a total capacity of 16 inmates. This dormitory is attached to Horizon Hall.

Special Management Unit: DWCRC completed construction of the Special Management Unit in May 2006. This unit consists of 5 cells with a dayroom, shower and outside rec area. This unit is primarily used for Segregation or Disciplinary Detention.

In 2006, DWCRC's average count was 120 inmates, with a low average of 112 inmates in May and a high average in November and December of 125 inmates. The count today is 117.

Treatment Programming

DWCRC is committed to provide a gender specific treatment program to the inmates in the facility. Our current programming list includes:

Primary Addiction Group

Cognitive Restructuring

Healthy Relationships 'Codependency' Group

Beyond Trauma

Recovery and Healing 'women's mental health' Group

Women's Empowerment 'survivors of violence' Group

Anger Management Group

Lecture

Self Help Meetings 'AA, NA, SA, GA, ALANON, CoDA etc.'

Houses of Healing 'trauma and loss' Group

Sex Offender Counseling is offered on an individual and/or group basis to those inmates who are either required or show a need through an assessment with a qualified counselor.

Education Programming:

GED/ABE: In 2006, 44 women tested in 67 areas and seven women received their GED certificates. Some of these women did not test in any areas because of low ability.

Parenting: A volunteer from Partners in Parenting leads the Turning Points program, which is designed for incarcerated parents.

Welding: A partnership with New England Public School was developed to enhance the programming at DWCRC with the welding program.

Social Skills: Is a weekly personal development group that meets to discuss subjects like self control, self concepts, communication skills, critical thinking skills, risk taking, and values clarification to name just a few. There are four phases of this program that inmates complete over a five month period.

Computers: DWCRC currently has 10 computers in our computer lab. Classes are held once per week for two hours. Classes teach basic keyboarding and Microsoft Word. Inmates work at their own pace in a classroom supervised by a trained computer teacher.

Pre-Release: The Pre-Release program has been enjoying great success this year and there is usually a waiting list to get into this three phase program. Inmates in Phase I learn about themselves and discover their strengths and weaknesses. They use this knowledge to compile an employment portfolio that they can take with them when they leave the facility. Phase II helps inmates develop a personal resume, cover letters and many job seeking skills. Inmates in Phase III work on uniting with their families, community resources, and finances.

Healthy Lifestyles: A new ten week class will be starting in February that will address health, fitness, weight loss, and exercise. Participants in this group will receive a journal that will track their daily food intake, exercise patterns, weekly weights, a weekly diet recommendation, and a journaling section for psychological change as well as physical change. Currently there are 15 higher custody inmates and 12 minimum security inmates signed up for this class.

College Correspondence: A partnership with Dickinson State University was developed in the Fall of 2006. Our first college class was held last semester using the ITV system with all 3 inmates enrolled completing the class. This spring term a new course entitled Cultural Communication has started. There are currently two participants in this three credit college course.

Recycling: We developed a recycling program with assistance from the city of New England. We currently are only recycling cardboard, but hope to recycle cans, paper and etc.

Future Programming:

Animal Rescue: We are developing a contract with a local animal rescue program as a satellite center.

Spiritual Programming:

Baptism and Confirmation Class: Offered upon written request through the appropriate religious body

Grief Counseling: Offered through Houses of Healing class, therapy department and one-on-one counseling with the Chaplain.

Native American Ceremonies: Sweat Lodge, Smudge and Talking Circle (Indian 12-step)

Muslim and Wicca Practices

Bible Study

Catholic Worship Services

Protestant Worship Services

Women's Spirituality

Volunteers from the Community

Over 140 community volunteers completed orientation training since 2004. We have quarterly trainings for all SWMCCC volunteers.

8 volunteers for Prairie Industries Advisory Committee

20 volunteers that come every 6 months for a weekend retreat for the inmates

Technology

DWCRC has Interactive Television (ITV) capabilities thanks to a grant from Rural Economic Area Partnership. Most of the situations listed below would either mean that staff or inmates would have to transport to and

from a location. This creates less cost for staff and safer communities, because inmates stay on-site. The system has given DWCRC many opportunities. We utilize this system for NDSP training and DOCR medical quarterly meetings. During the Orientation phase DOCR Field Services conduct a class on the rules and regulations of probation and parole with each new arrival. Inmates can communicate directly with the field services staff utilizing the ITV. The DOCR Classification Chairman also holds a class on the classification system with all new arrivals utilizing this system. At the completion of the Orientation phase, approximately 28 days, the classification committee which consists of the DOCR Classification Chairman and the DWCRC multi-disciplinary committee, meet utilizing ITV to determine the custody level of all new arrivals. Inmates are present at the classification and communicate with the DOCR Classification Chairman via ITV. The ITV is also used for the Parole Board hearings.

SWMCCC's Computer Services Director has developed our web page at www.swmccc.com. It is a great sight to learn more about our organization.

Medical Department

Currently provides on-site nursing coverage 24 hours per day

Medical Services Director recently passed the Correctional Nursing exam, which has certified her as a Correctional Registered Nurse

Provides on-site Doctor call 3 days per week

Provides on-site Psychiatric services 6 days per month

Provides Orthopedic coverage with 2 Orthopedic Specialists

Provides vision care with an optometrist

Provides dental care with a dentist

Coordinates with Great Plains Clinic for OB and family practice visits

Provides pharmacy services through the North Dakota State Penitentiary

Provides chronic care clinics to inmates with qualifying health conditions once per month

Provides annual well woman exams, pap smears and mammograms according to national guidelines

Provides on-site laboratory services

Coordinates with the State Laboratory for reporting and treatment of infectious diseases

Provides full intake/health appraisals on all new arrivals

Provides Hepatitis C treatment to those inmates that meet the treatment guidelines

Provides full vaccination services including Hepatitis A and B, Influenza, Pneumovax and Tetanus boosters

Prairie Industries:

Prairie Industries is a member of the National Correctional Industries Association (NCIA), which provides great annual trainings for our industry staff.

Our sewing industry provides inmates with an opportunity to produce the following garments: tee shirts, two piece uniforms, coats, hospital scrubs, aprons, flat sheets, pillow cases, church purificators, amices, hunting vests, coveralls, robes, medical gowns, chiropractic gowns, dignity napkins, uniform pants and rain suits.

The industry program also offers assembly work on a small scale; yet, the inmates have the opportunity to exercise new skills while using various tools. They utilize these skills to assemble locks, electrical boxes and panels, reflector poles, warning signs and depth chains.

Prairie Industries currently employs 14 full time inmates and posts openings on a regular basis.

Quality Assurance Program

The Deputy Operations Administrator is responsible for revisions of policy and procedures, inmate handbooks and unit plans. The Deputy completes internal audits on policy/procedure and contract compliance plus monitors iTag compliance. The Deputy completes criminal backgrounds on all visitor applications and employee applications.

Colby Braun, Operations Administrator
Dakota Women's Correctional Rehab Center

House Bill 1015
House Appropriations Sub-Committee
Representative Chet Pollert, Chairman

DWCRC	Jul '05 - Jun 07	Budget	Remaining	Jul 07 to Jun 09	Difference
Expenditures					
Total Payroll Expenses	$ 3,005,549.76	$ 4,041,789.02	$ (1,036,239.26)	$ 4,844,681.14	$ 802,892.12
Administrative	$ 157,361.17	$ 199,014.46	$ (41,653.29)	$ 260,629.62	$ 61,615.16
Computer Services	$ 40,062.80	$ 51,149.96	$ (11,087.16)	$ 81,536.98	$ 30,387.02
Building/Grounds	$ 253,387.65	$ 318,550.00	$ (65,162.35)	$ 398,200.00	$ 79,650.00
Inmate Expenses	$ 190,816.78	$ 139,849.94	$ 50,966.84	$ 384,549.98	$ 244,700.04
Education	$ 56,375.17	$ 52,324.92	$ 4,050.25	$ 94,956.19	$ 42,631.27
Treatment/Vocation	$ 15,299.42	$ 43,012.48	$ (27,713.06)	$ 141,794.98	$ 98,782.50
Case Management	$ 4,658.80	$ 4,535.08	$ 123.72	$ 8,014.65	$ 3,479.57
Security	$ 72,876.36	$ 79,875.00	$ (6,998.64)	$ 170,800.02	$ 90,925.02
Vehicle	$ 33,657.76	$ 60,063.15	$ (26,405.39)	$ 66,868.48	$ 6,805.33
Food Services	$ 280,233.33	$ 456,802.52	$ (176,569.19)	$ 427,300.00	$ (29,502.52)
Facility Energy Eff. And Updates	$ 911,836.12	$ 941,500.02	$ (29,663.90)	$ 285,000.00	$ (656,500.02)
Medical	$ 336,756.31	$ 673,807.58	$ (337,051.27)	$ 358,214.49	$ (315,593.09)
Industry	$ 94,473.09	$ 132,060.90	$ (37,587.81)	$ 103,912.44	$ (28,148.46)
Debt Services	$ 175,259.59	$ 362,844.50	$ (187,584.91)	$ 329,418.46	$ (33,426.04)
Total Expenditures	$ 5,628,604.11	$ 7,557,179.53	$ (1,928,575.42)	$ 7,955,877.43	$ 398,697.90

Presented by:
Susan A. Ritter, SWMCCC
1-31-07

Division of Juvenile Services
Presentation on HB 1015

House Appropriations Committee
Representative Chet Pollert, Chairman

January 11, 2007

Same to Senate

By Lisa Bjergaard
Director

DIVISION OF JUVENILE SERVICES

"The mission of the Division of Juvenile Services is to provide a continuum of services to juvenile delinquent and unruly youth in North Dakota and to protect society from those juveniles who are a danger to themselves and others. This will be accomplished through the development of a Treatment and Rehabilitation plan for each juvenile and through the provision of an array of services by a dedicated staff who will insure that the juvenile receives these services in the least restrictive environment. " -DJS Mission Statement

The Division of Juvenile Services has two organizational structures. DJS Community Services (DJS) operates in each of eight regions across the state, and the Youth Correctional Center (YCC), which is located west of Mandan. The first attachment shows you a one-day count of our population as of January 1, 2007.

Our recidivism is rate has been calculated for both 2004 and 2005. The 2004 rate was 14.7%, and 2005 was 14.9%. The Division has consistently reported to you that North Dakota has one of the lowest, if not the lowest, recidivism rates in the country. That continues to be true, although it has become increasingly difficult to find the comparative data for other jurisdictions because there is not a commonly agreed upon definition of recidivism or method of measurement. The Division of Juvenile Services includes in the measure of recidivism all youth who

are recommitted to DJS, who are sentenced to prison or who are sentenced to probation with Field Services within one year of the end of their term of custody.

The Council of Juvenile Correctional Administrators has surveyed all 50 state juvenile corrections agencies for the past several years in an attempt to shed some light on definitions, data sources and rates across the country. Here are some noteworthy findings taken from the 2004 and 2005 surveys:

- Only 14 states reported recidivism data to their legislators in 2004. In 2005, the number of states reporting to legislators increased to 23.
- However, 75% of jurisdictions have some mechanism for tracking recidivism.
- No single figure which represents a national average of juvenile offender recidivism can be offered, but a range of between 24% and 37% percent seems to be in the ballpark.

COMMUNITY SERVICES

North Dakota's regionalized case management system provides the foundation for achieving consistent, quality outcomes. The intensive, highly individualized case management process begins with a focus on assessing risk and need, which in turn drives the treatment case plan. The Corrections Specialists utilize resources throughout the continuum of care in order to implement the plan. This efficient, effective method of service delivery costs about $12.00 per day to support a youth in the community. The third attachment

provides a graphic which illustrates the continuum of care, as well as gives you a visual representation of how the case management process works.

In addition to careful case management, achieving positive results requires effective programming. We only support a handful of programs, but they are proven interventions that have demonstrated excellent results with our population of youth and families.

A back-bone of our community based supervision model is statewide Tracking Services. Trackers provide positive role modeling, mentoring and skill development for youth. Intensive trackers can administer urinalysis and utilize electronic monitoring devices. These are all important aspects of the community supervision process. The service costs about $16 per hour, and has been a mainstay program since 1987.

Another important program is Intensive In-Home. We have been able to sustain Intensive In-Home family therapy services in four regions of the state, and all continue to demonstrate overwhelmingly positive outcomes. The additional advantage of in-home is that it benefits not only to the identified client, but also assists younger children since the entire family unit is addressed in the process. This is a key results program in our system.

Day treatment programs are funded in 7 sites around the state; sites operate in Grand Forks, Belcourt, Jamestown, Beach, Dickinson, Fort Yates, and Dunseith. This program is housed in the public school and is accessed as a prevention measure prior to out-of-home placement and as a transition program for students returning to their home district.

All three of these central programs can be accessed by other child serving agencies. Tracking, Intensive-In-Home and Day Treatment has been used by court probation staff and county social service workers. Schools use Day Treatment as measure of intervention with behaviorally troubled students who do not meet the criteria for Special Education. Collaboration serves to maximize the usage of existing resources.

There are two other programs that DJS supports with its share of Federal funds and grant dollars. These programs operate through contracts with Lutheran Social Services. The first program, Day Report, has been cut back to one site as a direct result of the cutbacks in Federal dollars that we continue to experience. The Day Report program is located in Grand Forks.

Contrary to popular wisdom, research shows that most juvenile crime takes place between 3:00 p.m. and 10:00 p.m. The Day Report program begins at the end of the school day and can last until 9:00 p.m. The program provides structure and accountability for at risk youth during this critical period of the day. Day Report is a versatile program that provides tutoring, teaches positive recreation skills, teaches pro-social community involvement skills, and addresses issues relevant to adolescents. It can be used either as a front-end diversion program or as a transition program following placement. The program is utilized by juvenile court probation staff as well as DJS case managers, and costs an economical $11.50 per day to operate.

Restorative Justice is the second "program" supported with Federal funds. Precisely stated, Restorative Justice can be described as a concept or

philosophy, rather a program. DJS youth are able to take part in three different components of Restorative Justice services. Accountability conferences, victim empathy seminars, and restorative councils all provide avenues for the youth to repair the harm done to individuals as well as their communities.

As you can see, we focus our dollars on providing intensive correctional case management and just a few key programs that are supported by data, have proven themselves in our system with our kids, and give us the results we demand.

CRITICAL ISSUE:

The Division continues to participate in a Medicaid program called Targeted Case Management. It's a complicated process, but essentially it has allowed DJS to access federal dollars for certain case management activities. Over the years, DJS has made every effort to maximize the amount of dollars claimed. Now, the federal Medicaid office has been very clear in their intent to eliminate this reimbursement. If this activity is disallowed at the federal level, this budget is projected to experience a short-fall of approximately $700,000 per year, or $1,400,000 over the course of the next biennium.

YOUTH CORRECTIONAL CENTER

The Youth Correctional Center (YCC) plays a critical role in the process of achieving positive outcomes for North Dakota's juvenile corrections system. YCC serves to protect our communities when delinquent youth cannot be safely

managed in a less restrictive environment. YCC assumes responsibility for the detention, rehabilitation, instruction and safekeeping of juveniles committed to the institution. In addition to individual and group therapy, the institution provides academic and vocational training. Professional staff counsel and supervise students in all education, therapeutic, work and recreational activities.

The operating philosophy within our system is that treatment efforts with youth are not effective until behavior is under control. So, our priority as an institution is to provide an environment that attends to safety while helping youth to develop behavioral control. This framework is pivotal to understanding how we make decisions.

In order to help us insure that YCC provides a positive environment for achieving correctional outcomes in delinquent youth, we have participated in Performance-based Standards (PbS) since 1997. Developed and directed by the Council of Juvenile Correctional Administrators (CJCA), PbS sets national standards which focus on self- improvement and accountability. This allows us to measure ourselves against 152 juvenile correctional facilities across 31 states. Performance-based Standards measure the areas of programming, justice, safety, order, security, health, mental health, and reintegration across the facility twice per year. This program gets at the heart of what a juvenile correctional facility should accomplish and has improved the quality of life for youth and staff at YCC.

RESIDENT CARE

Demographics: The youth who are placed for long term treatment at YCC are 23% female, 77% male, 54% white, 40% Native American, 3% Black and 3% Other. About 42% have a serious mental health disorder diagnosis at intake, and another 14% have a mental health issue. 71% have a substance abuse problem, of these, 16.5% are identified as meth users. About 37% of these youth are struggling with both serious mental health and substance abuse (co-existing or co-morbid disorders). 71% are identified as having experienced serious disruption or instability in their family life. Almost ¾ of them are identified has having academic problems.

Behavioral Health Programming:

It is the role of the Youth Correctional Center to develop behavioral control in youth so that they are able to safely step down to another level of care. We accomplish this through the use of our daily structure, a highly developed system of accountability, and our ability to establish relationships with youth. An important tool that becomes a common point of communication across our system is the cognitive restructuring program, EQUIP. The cognitive restructuring program (EQUIP) is delivered to all youth at the facility and is part of the counseling process in our community DJS offices as well. Staff continues to have great confidence in the effectiveness of the program.

Mental Health and Substance Abuse:

Many of the youth placed for long term treatment at the YCC have a mental health disorder diagnosis, substance abuse/dependency issues or both.

Mental health services are a critical part of accomplishing positive outcomes. In order to focus on their mental health treatment issues, youth must have their behavior under control. While we working toward getting their behavior under control, we must provide mental health services. Psychological counseling services and psychiatric consultation services are provided on a very limited basis through a contract with Medcenter One.

Addiction issues are present in a large percentage of the youth served. YCC is licensed to run three levels of programming to address this need, ranging in intensity from education to high intensity addiction treatment. Services are provided by two licensed addiction counselors to young offenders who have failed in less restrictive treatment environments. We approach these problems by combining competent addiction services with a good cognitive restructuring program, the EQUIP program mentioned previously.

Earlier in the demographics section, you saw the breakdown of youth placed at YCC for treatment that have a serious emotional disorder. These youth are critically troubled, both emotionally and behaviorally. Perhaps the most critical aspect of our overall mental health services is the attention we pay to risk of self harm posed by the youth in our care. We begin the ongoing process of assessing this risk prior to intake and this is an area all staff are expected to monitor at all times. Within the Suicide Prevention Program, there are formal protocols in place, but the bottom line is that any staff member can place a youth onto observation status at any time. Strict protocol requiring the direct

observation of a mental health professional governs any step-down in level of status.

In addition to the carefully monitored suicide prevention protocol, we continue to strive to make the sleeping rooms as safe as possible. We will be replacing the remainder of our existing beds with security beds this biennium. During the 05-07 budget cycle we were able to replace 15 beds.

Physical Health:

Medical services are provided on-site through a contract with Medcenter One. Off-site services as well as pharmacy are now submitted through the Medical Management Information Services billing process. Dental services are provided on-site, and optical services will move on-site within the next year.

EDUCATION

YCC provides educational programming, career preparation and vocational counseling through Marmot Schools, which is fully accredited by the North Central Association Commission on Accreditation and School Improvement, the State Department of Public Instruction, and approved by the State Board of Career and Technical Education. Marmot is the only school in North Dakota that has earned a Transitions Endorsement from the North Central Association Commission on Accreditation and School Improvement. This is the highest level of endorsement and translates into the school being prepared to receive students at their present functioning level and committed to assist students to be prepared to perform in their next placement. This achievement is in direct relation to the quality performance of the YCC teachers and administration.

In the effort to continue excellence in educational services to the youth who enter YCC, several studies that outline the needs of business and industry as well as the skills of ND workers have been considered. Students who enter YCC are likely to stay in ND as workers. With that said, identified deficiencies of in-coming workers for our state were the common communication skills of reading and writing. In an effort to meet these demands, we have implemented an intensive reading program, Read Right. The methodology of this program does not just "better" reading but eliminates reading symptoms that were causing the reading problems initially. To date, we have had 215 students enter the program with 100 of those students completing as excellent readers. Since inception, the program has shown an average gain of one grade level for every four hours of instruction. From our 100 graduates, 92% post-tested at a post high school range and 100% noted that they experienced an elevated image of themselves by going through the program. One student stated, "Now, I speak up and volunteer to read out loud. I read more often and comprehend much better."

The Teacher Composite Schedule for salaries/benefits has been built into the 2007-2009 biennial budget. This schedule was arrived at by comparisons with schools in Fargo, Devils Lake, Minot, Bismarck, and Mandan and was prepared by OMB.

PLANT SERVICES

The water and heating systems across the campus are in good shape. There are some concerns about the sewer system, but we are doing repairs on an "as needed" basis. We have some roofs that will be replaced this biennium.

We told you last session that we hoped the National Guard would be able to help us with the new south entrance project. Not only did they get the road built, but the Highway Department helped us put down black top. The construction of the new road is a good example of how North Dakota agencies cooperate, including the National Guard, Morton County, and the ND Highway Department. Our one capital improvements project will be to add lighting and security camera surveillance along the new road.

Juvenile Corrections Fact Sheet

North Dakota Division of Juvenile Services (DJS)

Community Services

January 2007

- On average, 248 kids are committed to the Division of Juvenile Services (DJS) on an annual basis (21% Female, 79% Male; 64% White, 31% Native American, 1% Black and 4% Other).
- The total number of juveniles committed to DJS over the last five years has decreased slightly; however, the number of juveniles committed per 1,000 of the youth population has remained fairly constant.
- The average length of commitment is 19 months. On any given day, approximately 385 kids are under DJS custody, in the following placement locations:

Home	28%	Therapeutic Family Foster Care	8%
Residential Child Care Facilities	27%	Residential Treatment Facilities	9%
ND Youth Correctional Center	20%	Other 1/	8%

1/ Includes in-patient facilities, relatives, independent living, job corps, detention and awol.

- DJS uses a comprehensive risk/needs assessment process for juveniles committed to their custody. It is a standardized, research-based approach to assessment and case planning for juvenile offenders, linking risk/needs factors to proven treatment intervention strategies.
- Juveniles in the corrections system tend to have multiple treatment issues including mental health, substance abuse, academic, and family disorganization. Of the caseload:
  - Approximately 59% have a mental health issue, of which 35% have a serious emotional disorder;
  - Approximately 66% have substance abuse issues;
  - Approximately 34% have a co-occurring mental health and substance abuse issue;
  - Approximately 74% have academic problems;
  - Approximately 66% have had serious disruption or instability in their family life.
- The average age of DJS commitment is 16 with 26% of kids being committed after the age of 17. For these older youth who will soon reach the age of majority it is difficult to access treatment and/or find transitional services. There is a serious and critical gap for those who are aging out of youth services but not equipped emotionally, developmentally or financially to live independently. Specifically, there is a lack of services in the areas of housing, employment, intensive independent living training and case management.
- Of increasing concern is the treatment and management of substance abusing and addicted youth whose issues tend to be chronic and long term. Providers have difficulty in case managing the crisis and relapses that often occur, or behavioral management techniques focus on sanctioning the behavior, which eventually drives the youth deeper into the juvenile justice system. The problem is compounded for youth who have co-occurring mental health and substance abuse issues and are less able to manage their behaviors, leading them into the corrections system more quickly. Although corrections may be an appropriate short term intervention, the complex issues these youth face need long term resources and support.
- DJS has had a series of recidivism rate studies that have repeatedly registered rates lower than most states in the nation. The most recent two-year period analyzed (7/1/03-6/30/05) shows a combined average recidivism rate of 15%.

Juvenile Corrections Fact Sheet

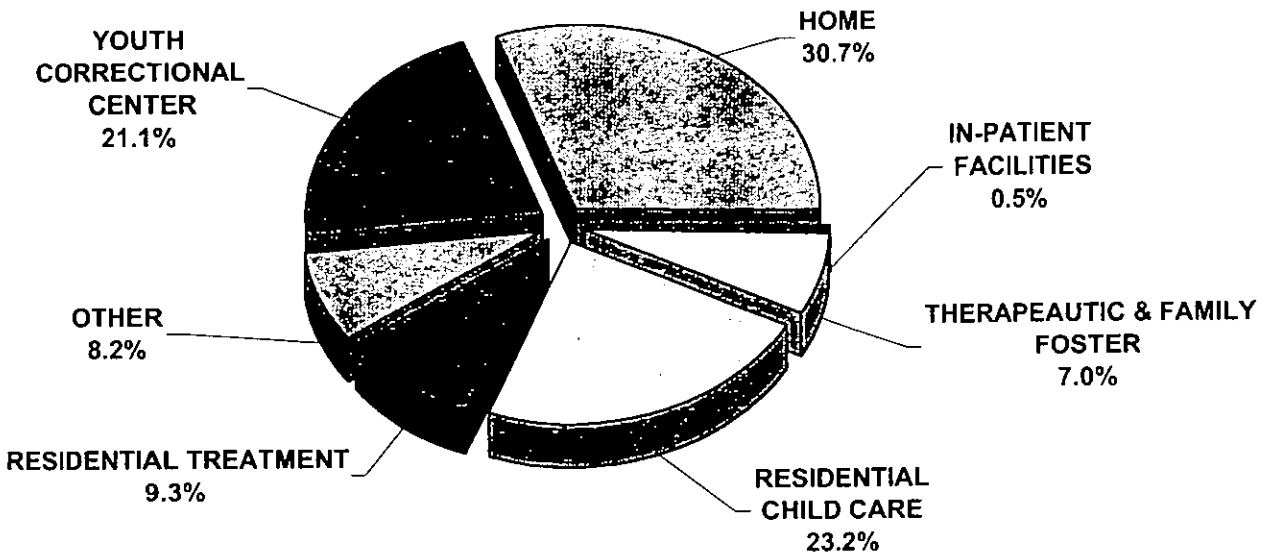
North Dakota Division of Juvenile Services (DJS)

North Dakota Youth Correctional Center

- Approximately 15% of the kids committed to DJS are placed for long-term treatment at the Youth Correctional Center (YCC), the state's secure juvenile correctional institution which operates within DJS, on an annual basis (23% Female, 77% Male; 54% White, 40% Native American, 3% Black and 3% Other).
- YCC operates specific treatment programs to assist youth that have been placed at the facility:
  - ***Educating for Quality by Understanding Interpersonal Potential (EQUIP)*** – a treatment approach focusing on cognitive restructuring, anger management, social skills, and social decision-making;
  - ***Drug and Alcohol Programming*** – licensed addiction counselors provide counseling through a drug and alcohol program that has been licensed by the State Division of Substance Abuse as an Intensive Outpatient and Low Intensive Outpatient Program;
  - ***Psychiatric and Psychological Services*** – the purchase of a service contract provides psychiatric evaluations, medication assessments, consultations, extensive individual therapy and staff training;
  - ***Pre-Treatment Program for Sex Offenders*** – juveniles identified as either sexual victims or perpetrators receive pre-treatment programming by a YCC counselor and qualified therapist from West Central Human Services to prepare them for more intensive therapy upon release;
  - ***Special Management Program (SMP)*** – a highly structured, therapeutic, secure living and education environment is provided for those juveniles who have been assessed as needing intensive behavioral programming, and for those high-risk juveniles who may be a danger to themselves or to others;
  - ***Security Intervention Group (SIG)*** – a zero-tolerance approach to gangs and gang activity is maintained at the facility and this program provides information, education and alternatives to gang activity and affiliation.
- On average, 42% of the kids at YCC for treatment have a serious emotional disorder which requires specialized mental health treatment services. Each youth is screened for potential mental health issues using a standardized, reliable youth screening instrument that is being used by over 400 facilities nationwide. YCC staff are committed to addressing and monitoring the mental health needs of all youth placed at the institution.
- YCC also provides educational programming, career preparation and vocational counseling through Marmot Schools, which is fully accredited by North Central Association of Colleges and Schools, the State Department of Public Instruction, and the State Board of Career and Technical Education. In 2003, the North Central Association Commission on Accreditation and School Improvement recognized Marmot Schools as a "Transitions School" for achieving exemplary capacity for school improvement. Marmot Schools operates a Read Right Program, which is an innovative methodology for teaching reading that integrates knowledge of brain research. Since inception, the program has shown an average gain of one grade level for every four hours of instruction.
- YCC participates in Performance-based Standards (PbS), a self-improvement and accountability system used in 26 states to better the quality of life for youths in custody. PbS sets national goals and provides the blueprint and technique to achieve improvement and success in treating confined youths. The PbS program is the 2004 winner of the prestigious Innovations in Government Award. That award is given by the Harvard University John F. Kennedy School of Government. YCC has continually exceeded the national average in a majority of the operational areas in which data is collected for PbS.

STATEWIDE CUSTODY ANALYSIS

ONE DAY COUNT STATEWIDE - 1/1/07



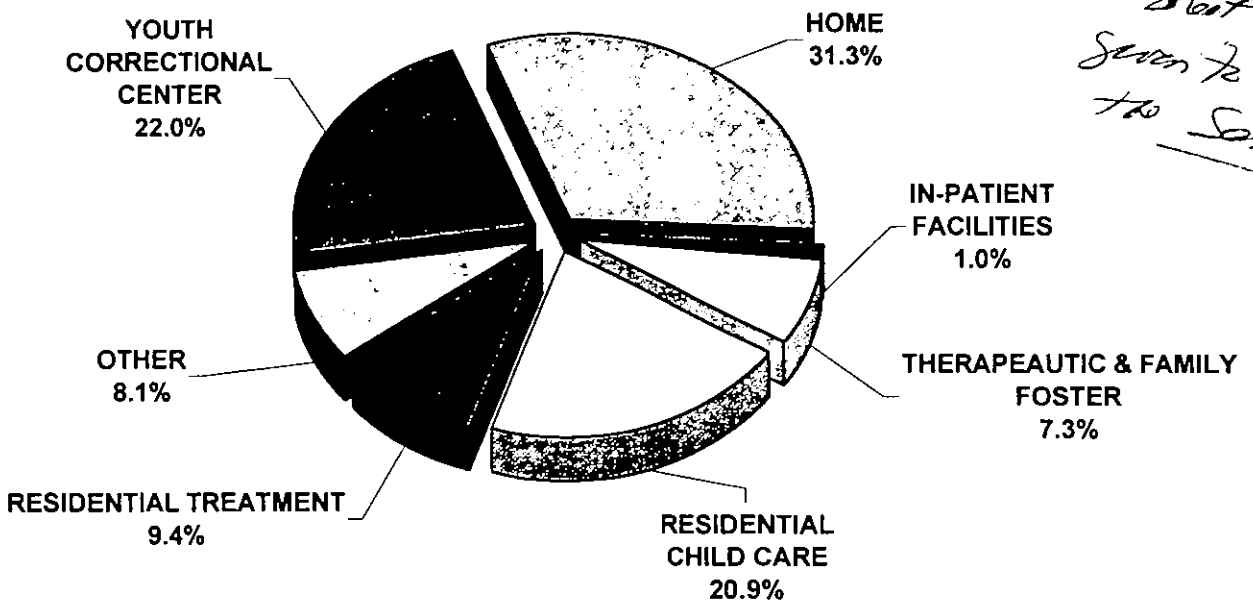
Region	Est. Youth Population 7/1/2005	Male	Female	Total	Placement Location - One Day Count at 1/1/07						
					Home	In-Patient Facility 1/	Therapeautic & Family Foster	Residential Child Care	Residential Treatment	Other 2/	NDYCC
NORTHWEST	5,874	15	1	16	7	0	0	4	1	0	4
NORTH CENTRAL	19,187	30	7	37	12	0	1	11	4	4	5
LAKE REGION	11,142	35	10	45	13	0	1	14	4	6	7
NORTHEAST	17,892	51	9	60	13	1	5	10	6	3	22
SOUTHEAST	35,364	50	15	65	18	0	6	16	8	8	9
SOUTH CENTRAL	11,075	20	7	27	13	1	3	5	0	2	3
WEST CENTRAL	28,449	87	21	108	31	0	8	24	8	7	30
SOUTHWEST	7,535	25	5	30	12	0	3	6	5	2	2
Total	136,518	313	75	388	119	2	27	90	36	32	82
Percentage		80.7%	19.3%		30.7%	0.5%	7.0%	23.2%	9.3%	8.2%	21.1%

1/ Includes Psychiatric and Drug/Alcohol Facilities.

2/ Relative (8), Independent/Transitional Living (3), AWOL (9), Detention/AC/Respit (8), and Job Corps (4).

STATEWIDE CUSTODY ANALYSIS

ONE DAY COUNT STATEWIDE - 3/1/07

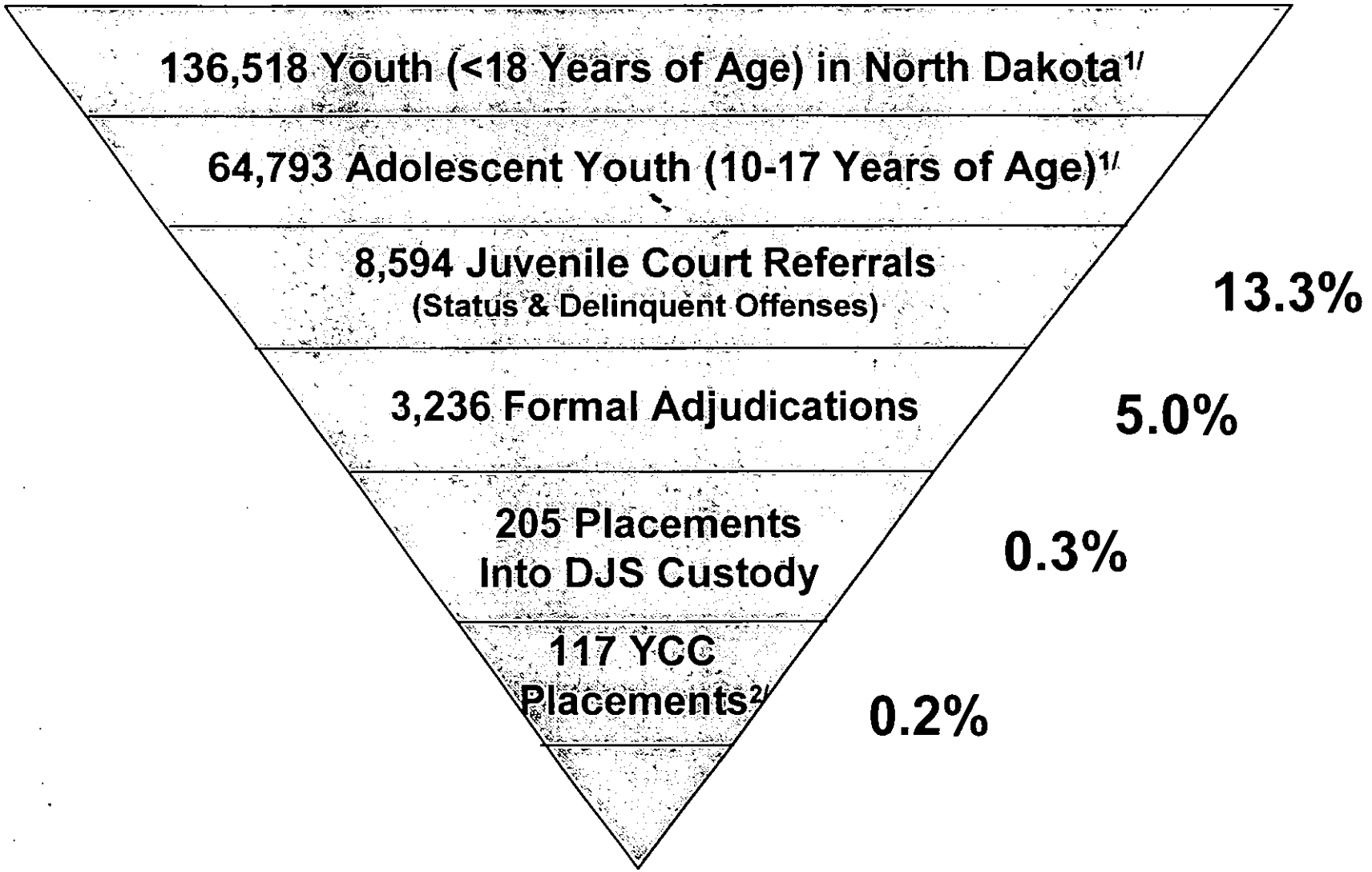


Region	Est. Youth Population 7/1/2005	Male	Female	Total	Placement Location - One Day Count at 3/1/07						
					Home	In-Patient Facility 1/	Therapeautic & Family Foster	Residential Child Care	Residential Treatment	Other 2/	NDYCC
NORTHWEST	5,874	12	4	16	6	0	0	4	1	1	4
NORTH CENTRAL	19,187	31	7	38	9	0	3	9	4	5	8
LAKE REGION	11,142	37	12	49	17	1	1	9	3	7	11
NORTHEAST	17,892	46	9	55	11	0	5	12	6	2	19
SOUTHEAST	35,364	48	15	63	19	0	5	14	9	6	10
SOUTH CENTRAL	11,075	19	8	27	12	2	3	5	1	1	3
WEST CENTRAL	28,449	86	19	105	30	1	8	23	7	9	27
SOUTHWEST	7,535	24	5	29	15	0	3	4	5	0	2
Total	136,518	303	79	382	119	4	28	80	36	31	84
Percentage		79.3%	20.7%		31.3%	1.0%	7.3%	20.9%	9.4%	8.1%	22.0%

1/ Includes Psychiatric and Drug/Alcohol Facilities.

2/ Relative (7), Independent/Transitional Living (2), AWOL (7), Detention/AC/Respit (8), and Job Corps (7).

North Dakota Juvenile Justice System
Calendar Year 2005 Statistics

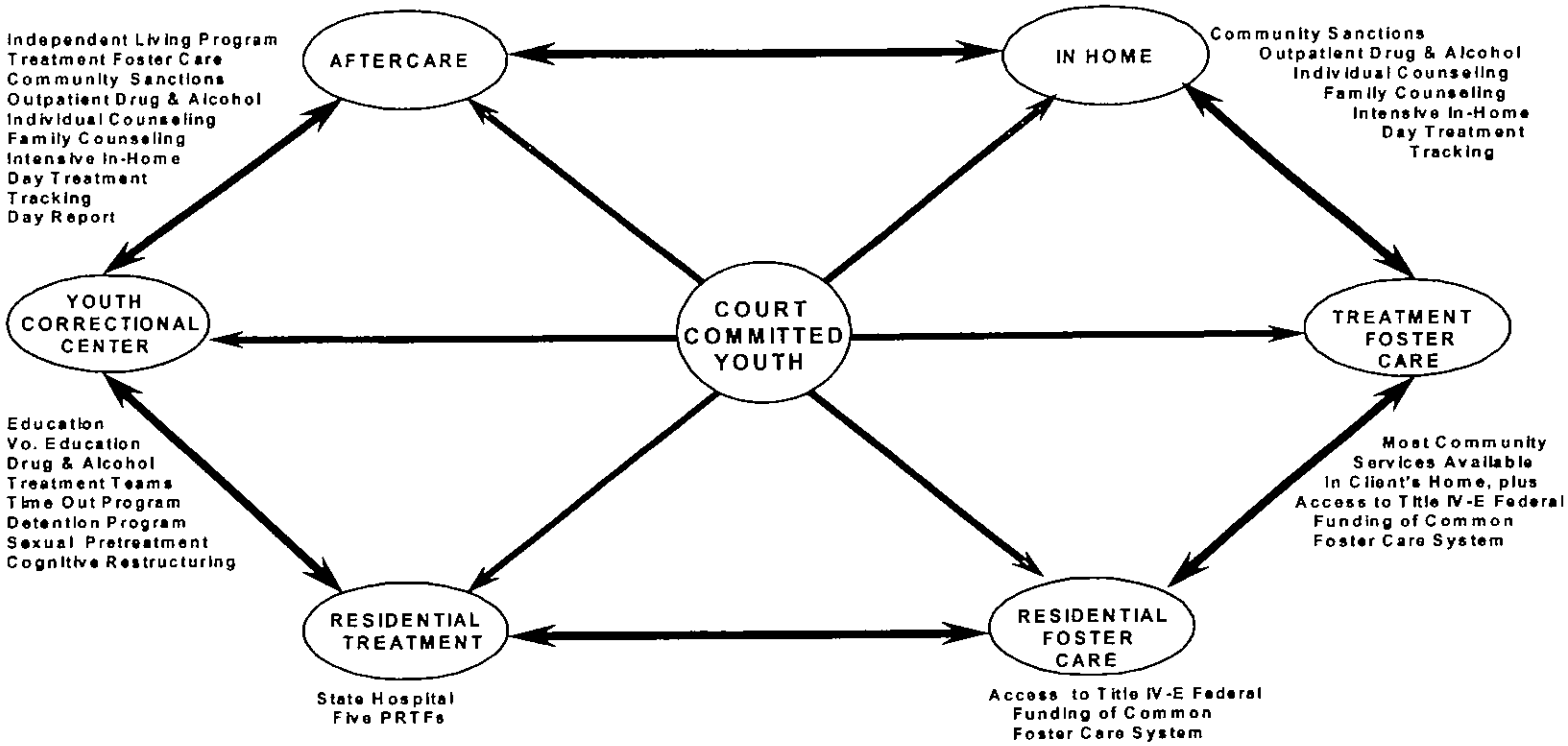


1/ 2005 population estimates provided by the U.S. Census Bureau

2/ YCC placement figure reflects new treatment placements only, not evaluations, timeouts or returnees

DIVISION OF JUVENILE SERVICES

Treatment/Service Continuum



DOCR Juvenile Services			
Youth Correctional Center	2005-07 Approp	2007-09 Exec Rec	2007-09 House
Division Administration	843,756	893,070	893,070
Plant Services	2,128,584	2,753,593	2,426,134
Food Services	604,288	601,254	601,254
Medical	602,017	610,407	585,407
Treatment	1,453,179	1,360,663	1,560,663
Education	2,837,183	3,171,405	3,171,405
Security	3,763,939	4,387,259	4,387,259
Work Programs	44,637	40,239	40,239
Training	178,651	191,424	191,424
Central Office Allocation	649,416	598,870	598,870
Total YCC	**13,105,650**	**14,608,184**	**14,455,725**
General Funds	10,490,558	12,721,246	12,668,787
Federal Funds	1,424,969	1,200,617	1,200,617
Special Funds	1,190,123	686,321	686,321
FTE	90.47	95.47	95.47

DOCR Juvenile Services			
Juvenile Community Services	**2005-07 Approp**	**2007-09 Exec Rec**	**2007-09 House**
Division Administration	741,512	808,040	808,040
Treatment	3,723,430	4,058,030	4,058,030
Security	3,310,075	3,667,716	3,667,716
Training	44,626	40,000	40,000
Central Office Allocation	129,160	321,354	321,354
Total JCS	**7,948,803**	**8,895,140**	**8,895,140**
General Funds	4,921,390	5,388,718	5,388,718
Federal Funds	3,070,356	3,506,422	3,506,422
Special Funds	5,057	-	-
FTE	32.22	32.22	32.22

1/5/07

(B)

DOCR Juvenile Services				
Youth Correctional Center	**2005-07 Approp**	**2007-09 Exec Rec**	**Change**	**%**
Division Administration	843,756	893,070	49,314	5.8%
Plant Services	2,128,584	2,753,593	625,009	29.4%
Food Services	604,288	601,254	(3,034)	-0.5%
Medical	602,017	610,407	8,390	1.4%
Treatment	1,453,179	1,360,663	(92,516)	-6.4%
Education	2,837,183	3,171,405	334,222	11.8%
Security	3,763,939	4,387,259	623,320	16.6%
Work Programs	44,637	40,239	(4,398)	-9.9%
Training	178,651	191,424	12,773	7.1%
Central Office Allocation	649,416	598,870	(50,546)	-7.8%
Total YCC	**13,105,650**	**14,608,184**	**1,502,534**	**11.5%**
General Funds	10,490,558	12,721,246	2,230,688	21.3%
Federal Funds	1,424,969	1,200,617	(224,352)	-15.7%
Special Funds	1,190,123	686,321	(503,802)	-42.3%
FTE	90.47	95.47	5.00	

DOCR

Juvenile Services

Juvenile Community Services	2005-07 Approp	2007-09 Exec Rec	Change	%
Division Administration	741,512	808,040	66,528	9.0%
Treatment	3,723,430	4,058,030	334,600	9.0%
Security	3,310,075	3,667,716	357,641	10.8%
Training	44,626	40,000	(4,626)	-10.4%
Central Office Allocation	129,160	321,354	192,194	148.8%
Total JCS	**7,948,803**	**8,895,140**	**946,337**	**11.9%**
General Funds	4,921,390	5,388,718	467,328	9.5%
Federal Funds	3,070,356	3,506,422	436,066	14.2%
Special Funds	5,057	-	(5,057)	-100.0%
FTE	32.22	32.22	-	

Juvenile Accountability Block Grant (JABG) Funding

Program Allocations for the 2007-09 Biennium

(Federal Fiscal Years 2005 and 2006 Allocations)

JABG Program Purpose Area	Allocation	Match	Match Source(s)
Purpose Area 2: Corrections/Detention Facilities			
YCC Program Assistants (2 part-time positions)	$ 61,596	$ 6,844	YCC Treatment Funding
Purpose Area 9: Juvenile Records System			
DJS Case Mgmt Systems (System Support/Licenses)	77,693	8,633	DJS Technology Equipment
Purpose Area 14: Restorative Justice			
Statewide Restorative Justice Programming	115,849 1/	12,872	ND Juvenile Court
Purpose Area 16: Detention/Corrections Personnel and Training			
Training/Professional Development for JJ Practitioners	25,000	2,778	ND Juvenile Court
JAIBG Administration	27,625	3,069	NDACo
Total "State-Share" Funding	$ 307,763	$ 34,196	
Pass-Through Funding to Local Jurisdictions 2/	133,344	14,816	
	$ 441,107	$ 49,012	

1/ Reflects only one year of funding during the biennium

2/ Twenty-five percent (25%) of the funding is passed-through to cities and counties pursuant to JABG Program Guidelines.

Juvenile Accountability Block Grant (JABG) Funding

Program Allocations for the 2007-09 Biennium

JABG Purpose Area 2: Corrections/Detention Facilities

Two part-time program assistants will continue to be supported through contract at the Youth Correctional Center (YCC) to increase supervision and enhance current programming. The program assistants assist with recreational programming, conduct culturally appropriate activities for Native American youth, and enable youth to participate in community service opportunities.

JABG Purpose Area 9: Juvenile Records System

The Division of Juvenile Services (DJS) implemented an automated case management system in 1999 that integrates data between community case workers and correctional center staff. The system has made "real-time" data available to community corrections specialists as well as counselors, teachers and administrators at YCC. Annual support and maintenance service costs for the system continue to be paid with JABG funds. In addition, funds are used to support database management, data analysis and program planning provided by contract staff.

JABG Purpose Area 14: Restorative Justice Programming

The needs of the Judicial Branch continue to be a priority for JABG funds. Since the implementation of the JABG program in 1998, a significant portion of the funding has been used to provide support to the North Dakota Juvenile Court, and although there has been a significant reduction in JABG funds since in recent years, funding to the Juvenile Court has continued in an effort to strengthen the State's juvenile justice system.

JABG funding was used to implement and operate a statewide Restorative Justice Program that provides offender accountability conferencing and victim empathy seminars. These programs assist juvenile court probation officers in holding youth accountable by broadening their continuum of services. A majority of the costs for the Restorative Justice Program are now covered by state general funds; however the Restorative Justice Program Director as well as two part-time Restorative Justice Specialists continue to be supported with JABG funding.

JABG Purpose Area 16: Detention/Corrections Personnel and Training

In order to maintain a highly responsive, effective corrections system, DJS has placed a priority on providing its staff with regular and intensive training. JABG funds continue to be allocated and used to cover the costs of training for DJS personnel. Among other things, DJS provides quarterly training for its community corrections case management staff as well as YCC administrative personnel and counselors. This training is considered to be an integral part of maintaining and retaining highly qualified staff.

DOCR – JUVENILE COMMUNITY SERVICES
2007-09 BUDGET DETAIL

Reporting Level: 530-200-24-10-10	
Program: DIVISION ADMINISTRATION	

EXPLANATION OF PROGRAM COSTS

The division administration program accounts for the costs related to the management of resources directed at juvenile community programming.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	463,464	437,390	54%	(26,074)
Operating	326,048	370,650	46%	44,602
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**789,512**	**808,040**	**100%**	**18,528**
General	741,512	808,040	100%	66,528
Federal	48,000	-	0%	(48,000)
Special	-	-	0%	-
FTE	3.00	3.00		-

MATERIAL EXPENDITURES – (96% of budget)

Salary and Fringe – $437,390 – 54% of budget – 3.0 FTE
- Juvenile services director
- Regional manager – East
- Regional manager - West

Travel – $52,000 - 7% of budget
- Motor pool, mileage, in-state / out of state meals and lodging, air transportation, non-employee travel (family mileage reimbursement; return of runaways)

IT-Contractual Services – $40,000 - 5% of budget
- Juvenile ITAG system maintenance agreement (Syscon)

Dues and Professional Development – $8,725 – 1% of budget
- Registration and conference fees and national association dues
  - ACA - $200
  - Association of Juvenile Compact Admin - $2,500

Council of Juvenile Corrections Admin - $150
ND Board of Social Workers - $75
Workshops / Conferences - $5,000

Operating Fees and Services – $210,400 - 27% of budget
Sheriff transportation fees (juvenile transports) - $160,000
Employee service awards - $2,400
Contractual training – Tracker - $48,000

Professional Services - $30,000 – 4% of budget
Recidivism study - $10,000
Performance based standards - $20,000

SIGNIFICANT CHANGES

Salary and Fringe – $(26,074)
All 3 positions in program turned over in 05-07 biennium.
4% & 4% compensation adjustment
Health insurance increase

Travel - $2,416
Motor pool rates and increased fuel costs

Operating Fees and Services - $43,886
Sheriff transport fees

2005 – 2007 Budget

As of 11/06, 66% of this budget cost center has been expended. Anticipate 100% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DIVISION ADMINISTRATION - JCS
Reporting Level: 01-530-200-24-10-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	331,275	174,190	188,285	362,475	313,128	(49,347)
FRINGE BENEFITS	516000	95,803	50,965	50,024	100,989	102,000	1,011
TRAVEL	521000	66,591	33,412	16,172	49,584	52,000	2,416
SUPPLIES - IT SOFTWARE	531000	0	0	6,737	6,737	0	(6,737)
SUPPLY/MATERIAL-PROFESSIONAL	532000	3,060	960	0	960	500	(460)
FOOD AND CLOTHING	533000	131	0	0	0	0	0
BLDG, GROUND, MAINTENANCE	534000	0	0	99	99	0	(99)
MISCELLANEOUS SUPPLIES	535000	0	0	397	397	500	103
OFFICE SUPPLIES	536000	478	296	1,340	1,636	2,500	864
POSTAGE	541000	1,799	849	1,630	2,479	3,000	521
PRINTING	542000	0	0	595	595	1,000	405
IT EQUIP UNDER $5,000	551000	1,881	0	0	0	1,200	1,200
OFFICE EQUIP & FURN SUPPLIES	553000	0	0	0	0	0	0
INSURANCE	571000	12,054	1,266	4,537	5,803	6,000	197
RENTALS/LEASES-EQUIP & OTHER	581000	0	0	0	0	0	0
RENTALS/LEASES - BLDG/LAND	582000	3,175	1,800	2,166	3,966	4,500	534
REPAIRS	591000	0	0	496	496	500	4
SALARY INCREASE	599110	0	0	0	0	19,039	19,039
BENEFIT INCREASE	599160	0	0	0	0	3,223	3,223
IT - DATA PROCESSING	601000	3,895	1,324	3,954	5,278	3,500	(1,778)
IT-COMMUNICATIONS	602000	5,744	2,577	3,064	5,641	6,325	684
IT CONTRACTUAL SERVICES AND RE	603000	0	0	37,684	37,684	40,000	2,316
PROFESSIONAL DEVELOPMENT	611000	8,443	3,507	4,922	8,429	8,725	296
OPERATING FEES AND SERVICES	621000	189,700	86,584	79,930	166,514	210,400	43,886

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DIVISION ADMINISTRATION - JCS
Reporting Level: 01-530-200-24-10-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
FEES - PROFESSIONAL SERVICES	623000	0	0	29,750	29,750	30,000	250
MEDICAL, DENTAL AND OPTICAL	625000	0	0	0	0	0	0
JUVENILE COMMUNITY SERVICES	72	724,029	357,730	431,782	789,512	808,040	18,528
MEANS OF FUNDING							
OJJDP - FORMULA FUNDS	P026	0	21,957	26,043	48,000	0	(48,000)
OJJDP - TRAINING FUNDS	P055	6,732	0	0	0	0	0
OJJDP - CHALLENGE FUNDS	P094	25,825	0	0	0	0	0
OJP SERIOUS & VIOLENT OFFENDER RE-E	P183	2,876	0	0	0	0	0
Federal Funds	FED	35,433	21,957	26,043	48,000	0	(48,000)
STATE GENERAL FUND	001	688,596	335,773	405,739	741,512	808,040	66,528
General Fund	GEN	688,596	335,773	405,739	741,512	808,040	66,528
DEPT OF CORRECTIONS OPER - 379	379	0	0	0	0	0	0
Special Funds	SPEC	0	0	0	0	0	0
EXPENDITURES							
TOTAL EXPENDITURES		724,029	357,730	431,782	789,512	808,040	18,528
MEANS OF FUNDING							
TOTAL FUNDING		724,029	357,730	431,782	789,512	808,040	18,528
AUTHORIZED EMPLOYEES							
FTE		3.50	3.00	0.00	3.00	3.00	0.00

DOCR – JUVENILE COMMUNITY SERVICES
2007-09 BUDGET DETAIL

Reporting Level: 530-200-24-10-15	
Program: SUPERVISION	

EXPLANATION OF PROGRAM COSTS

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

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	2,522,247	2,745,513	75%	223,266
Operating	787,828	922,203	25%	134,375
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**3,310,075**	**3,667,716**	**100%**	**357,641**
General	2,633,576	2,921,616	80%	288,040
Federal	675,099	746,100	20%	71,001
Special	1,400	-	0%	(1,400)
FTE	28.50	28.50		-

MATERIAL EXPENDITURES – (96% of budget)

Salary and Fringe – $2,745,513 – 74.9% of budget – 28.5 FTE
- Juvenile correctional specialist (case manager) – 20 FTE
- Administrative assistant – 8.5 FTE
- Temp position(s)

Travel – $203,000 – 5.5% of budget –
- Motor pool, mileage, in-state / out of state meals and lodging – supervision of juveniles in home and/or community placement

Rentals/Leases – Bldg/Land – $230,000 – 6.3% of budget
- Office space rent – regional offices
  - Devils Lake - $945 / mo.
  - Fargo - $2,215 / mo.
  - Grand Forks - $1,435 / mo.
  - Jamestown (NDSH) - $389 / mo.
  - Bismarck - $2,132 / mo.

Dickinson - $794 / mo.
Minot - $1,024 / mo.
Williston - $599 / mo.

IT Data Processing / Telephone - $248,300 – 6.8% of budget
ITD charges – device connections, wide area network access, data processing, record imaging, basic and cell phone service, in-state and out-state long distance

Operating Fees and Services – $95,353 - 2.6% of budget
Redwood Toxicology – $12,000
Electronic Monitoring – $6,000
Crime Victim Advocacy – $75,000
Miscellaneous - $2,353

SIGNIFICANT CHANGES

Salary and Fringe - $223,266
4% & 4% compensation adjustment
Health insurance increase
Temp Salaries

Travel - $14,383
Motor pool rates and increased fuel costs
Increased use

Lease / Rent Equipment - $8,868
Copier rentals – average $190 per machine per month

Lease / Rent Buildings - $18,859
Regional office rent – estimated 5% increase

IT Data Processing / Telephone - $125,100
Estimated useage at 07-09 ITD rates

Operating Fees and Services - $(30,546)
Internal budget adjustment

2005 – 2007 Budget

As of 11/06, 67% of this budget cost center has been expended. Anticipate 100% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: SECURITY/SUPERVISION - JCS
Reporting Level: 01-530-200-24-10-15-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	1,667,547	872,136	935,898	1,808,034	1,797,780	(10,254)
TEMPORARY SALARIES	513000	17,920	10,669	3,086	13,755	36,216	22,461
FRINGE BENEFITS	516000	628,204	332,885	367,573	700,458	782,216	81,758
TRAVEL	521000	167,723	74,971	113,646	188,617	203,000	14,383
SUPPLIES - IT SOFTWARE	531000	678	350	0	350	5,000	4,650
SUPPLY/MATERIAL-PROFESSIONAL	532000	455	49	2,725	2,774	1,000	(1,774)
FOOD AND CLOTHING	533000	0	0	94	94	0	(94)
BLDG, GROUND, MAINTENANCE	534000	796	181	1,158	1,339	500	(839)
MISCELLANEOUS SUPPLIES	535000	1,155	909	678	1,587	1,500	(87)
OFFICE SUPPLIES	536000	16,086	9,260	5,590	14,850	20,000	5,150
POSTAGE	541000	32,376	17,090	20,296	37,386	38,000	614
PRINTING	542000	4,034	1,667	2,944	4,611	5,000	389
IT EQUIP UNDER $5,000	551000	0	0	0	0	0	0
OFFICE EQUIP & FURN SUPPLIES	553000	1,515	4,758	3,175	7,933	5,000	(2,933)
UTILITIES	561000	1,728	30	2,548	2,578	2,500	(78)
INSURANCE	571000	0	0	0	0	0	0
RENTALS/LEASES-EQUIP & OTHER	581000	28,479	15,120	16,812	31,932	40,800	8,868
RENTALS/LEASES - BLDG/LAND	582000	185,658	105,191	105,950	211,141	230,000	18,859
REPAIRS	591000	9,519	3,322	8,777	12,099	5,000	(7,099)
SALARY INCREASE	599110	0	0	0	0	110,584	110,584
BENEFIT INCREASE	599160	0	0	0	0	18,717	18,717
IT - DATA PROCESSING	601000	120,453	40,829	22,037	62,866	182,000	119,134
IT-COMMUNICATIONS	602000	59,819	25,619	34,715	60,334	66,300	5,966
PROFESSIONAL DEVELOPMENT	611000	3,161	1,303	4,399	5,702	6,750	1,048

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: SECURITY/SUPERVISION - JCS
Reporting Level: 01-530-200-24-10-15-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	166,987	65,246	60,653	125,899	95,353	(30,546)
FEES - PROFESSIONAL SERVICES	623000	617	315	0	315	6,000	5,685
MEDICAL, DENTAL AND OPTICAL	625000	13,916	4,244	11,177	15,421	8,500	(6,921)
JUVENILE COMMUNITY SERVICES	72	3,128,826	1,586,144	1,723,931	3,310,075	3,667,716	357,641
MEANS OF FUNDING							
IV-E/IV-A REIMBURSEMENTS	P038	1,805	7,452	128,072	135,524	135,524	0
CRIME VICTIMS ADVOCACY-DJS	P158	47,127	11,517	35,483	47,000	47,000	0
MEDICAID REIMB-TITLE XIX	P159	554,923	357,990	134,585	492,575	563,576	71,001
Deliquency Prevention	P201	0	0	0	0	0	0
Federal Funds	FED	603,855	376,959	298,140	675,099	746,100	71,001
STATE GENERAL FUND	001	2,524,833	1,209,185	1,424,391	2,633,576	2,921,616	288,040
General Fund	GEN	2,524,833	1,209,185	1,424,391	2,633,576	2,921,616	288,040
DEPT OF CORRECTIONS OPER - 379	379	138	0	1,400	1,400	0	(1,400)
Special Funds	SPEC	138	0	1,400	1,400	0	(1,400)
STATE GENERAL FUND	001	0	0	0	0	0	0
General Fund	GEN	0	0	0	0	0	0
EXPENDITURES							
TOTAL EXPENDITURES		3,128,826	1,586,144	1,723,931	3,310,075	3,667,716	357,641
MEANS OF FUNDING							
TOTAL FUNDING		3,128,826	1,586,144	1,723,931	3,310,075	3,667,716	357,641
AUTHORIZED EMPLOYEES							
FTE		28.50	28.50	0.00	28.50	28.50	0.00

DOCR – JUVENILE COMMUNITY SERVICES
2007-09 BUDGET DETAIL

Reporting Level: 530-200-24-10-20	
Program: TREATMENT	

EXPLANATION OF PROGRAM COSTS

The treatment program accounts for the costs of community based services that provides supervision and advocacy for deliquent youth. The programming provides services that help youth and their families to remain in their local communities.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	-	-	0%	-
Operating	1,947,430	1,992,366	49%	44,936
Capital	-	-	0%	-
Grants	1,776,000	2,065,664	51%	289,664
Total	**3,723,430**	**4,058,030**	**100%**	**334,600**
General	1,376,173	1,297,708	32%	(78,465)
Federal	2,347,257	2,760,322	68%	413,065
Special	-	-	0%	-
FTE	-	-		-

MATERIAL EXPENDITURES – (99% of budget)

Operating Fees and Services – $1,957,366 – 48% of budget
- Tracker Program – $685,000
- Day Treatment – $565,000
- Intensive In-Home – $605,000
- SED Care Coordinators - $102,366

Grants, Benefits and Claims - $2,065,664 – 51% of budget
- OJJDP – Formula Funds - $1,210,000
- OJJDP – Title V Funds - $200,000
- JAIBG - $655,664

SIGNIFICANT CHANGES

Operating Fees and Services - $60,015
- Internal budget adjustment

Intensive In-Home expansion

Grants, Benefits and Claims - $289,664
Timing of award and expenditure of grant funds

2005 – 2007 Budget

As of 11/06, 80% of this budget cost center has been expended. Anticipate 100% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TREATMENT SERVICES - JCS
Reporting Level: 01-530-200-24-10-20-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
TRAVEL	521000	28,732	12,648	23,266	35,914	35,000	(914)
IT CONTRACTUAL SERVICES AND RE	603000	0	0	0	0	0	0
OPERATING FEES AND SERVICES	621000	1,616,672	614,665	1,282,686	1,897,351	1,957,366	60,015
FEES - PROFESSIONAL SERVICES	623000	27,755	14,165	0	14,165	0	(14,165)
GRANTS, BENEFITS & CLAIMS	712000	2,933,972	1,700,374	75,626	1,776,000	2,065,664	289,664
JUVENILE COMMUNITY SERVICES	72	4,607,131	2,341,852	1,381,578	3,723,430	4,058,030	334,600
MEANS OF FUNDING							
OJJDP - FORMULA FUNDS	P026	905,257	730,278	421,722	1,152,000	1,210,000	58,000
IV-E/IV-A REIMBURSEMENTS	P038	636,843	81,136	0	81,136	559,134	477,998
OJJDP - TRAINING FUNDS	P055	15,036	0	0	0	0	0
OJJDP - TITLE V FUNDS	P093	103,925	91,499	8,501	100,000	200,000	100,000
OJJDP - CHALLENGE FUNDS	P094	34,178	0	0	0	0	0
JAIBG - DJS	P137	1,308,900	602,727	0	602,727	655,664	52,937
CRIME VICTIMS ADVOCACY-DJS	P158	25,868	0	0	0	0	0
MEDICAID REIMB-TITLE XIX	P159	0	135,524	0	135,524	135,524	0
OJP SERIOUS & VIOLENT OFFENDER RE-E	P183	54,041	275,870	0	275,870	0	(275,870)
Federal Funds	FED	3,084,048	1,917,034	430,223	2,347,257	2,760,322	413,065
STATE GENERAL FUND	001	1,523,083	424,818	951,355	1,376,173	1,297,708	(78,465)
General Fund	GEN	1,523,083	424,818	951,355	1,376,173	1,297,708	(78,465)
EXPENDITURES							
TOTAL EXPENDITURES		4,607,131	2,341,852	1,381,578	3,723,430	4,058,030	334,600
MEANS OF FUNDING							
TOTAL FUNDING		4,607,131	2,341,852	1,381,578	3,723,430	4,058,030	334,600

DOCR – JUVENILE COMMUNITY SERVICES
2007-09 BUDGET DETAIL

Reporting Level: 530-200-24-10-25	
Program: TRAINING	

EXPLANATION OF PROGRAM COSTS

The training program accounts for the costs of quarterly staff training.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	-	-	0%	-
Operating	44,626	40,000	100%	(4,626)
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**44,626**	**40,000**	**100%**	**(4,626)**
General	44,626	40,000	100%	(4,626)
Federal	-	-	0%	-
Special	-	-	0%	-
FTE	-	-		-

MATERIAL EXPENDITURES – (100% of budget)

Travel – $30,000 – 75% of budget

Staff travel expenses to attend quarterly case manager training and annual administrative assistant training

Operating Fees and Services - $10,000 – 25% of budget

Training presenters

NO SIGNIFICANT CHANGES

2005 – 2007 Budget

As of 11/06, 28% of this budget cost center has been expended. Anticipate 100% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TRAINING PROGRAM- JCS
Reporting Level: 01-530-200-24-10-25-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
TRAVEL	521000	17,796	8,036	26,673	34,709	30,000	(4,709)
OPERATING FEES AND SERVICES	621000	508	0	9,917	9,917	10,000	83
JUVENILE COMMUNITY SERVICES	72	18,304	8,036	36,590	44,626	40,000	(4,626)
MEANS OF FUNDING							
STATE GENERAL FUND	001	18,304	8,036	36,590	44,626	40,000	(4,626)
General Fund	GEN	18,304	8,036	36,590	44,626	40,000	(4,626)
EXPENDITURES							
TOTAL EXPENDITURES		18,304	8,036	36,590	44,626	40,000	(4,626)
MEANS OF FUNDING							
TOTAL FUNDING		18,304	8,036	36,590	44,626	40,000	(4,626)

AVERAGE JUVENILE POPULATION
JULY 1, 2002 TO DECEMBER 31, 2006
NORTH DAKOTA YOUTH CORRECTIONAL CENTER

Month	Average Population
July, 2002	95
August, 2002	107
September, 2002	96
October, 2002	107
November, 2002	100
December, 2002	93
January, 2003	84
February, 2003	84
March, 2003	92
April, 2003	96
May, 2003	103
June, 2003	86
July, 2003	88
August, 2003	91
September, 2003	87
October, 2003	84
November, 2003	79
December, 2003	83
January, 2004	86

Month	Average Population
February, 2004	92
March, 2004	91
April, 2004	85
May, 2004	91
June, 2004	89
July, 2004	85
August, 2004	76
September, 2004	76
October, 2004	86
November, 2004	100
December, 2004	98
January, 2005	87
February, 2005	89
March, 2005	94
April, 2005	97
May, 2005	106
June, 2005	87
July, 2005	84
August, 2005	89
September, 2005	84
October, 2005	91
November, 2005	86

Month	Average Population
December, 2005	82
January, 2006	80
February, 2006	77
March, 2006	89
April, 2006	91
May, 2006	97
June, 2006	86
July, 2006	89
August, 2006	87
September, 2006	87
October, 2006	85
November, 2006	94
December, 2006	94

DOCR – YOUTH CORRECTIONAL CENTER
2007-09 BUDGET DETAIL

Reporting Level: 530-200-23-10-10	
Program: DIVISION ADMINISTRATION	

EXPLANATION OF PROGRAM COSTS

The Division Administration program includes the dept. id's for superintendent, administrative services and technology.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	617,397	664,645	74.4	47,248
Operating	226,359	228,425	25.6	2,066
Capital				
Total	**843,756**	**893,070**	**100.0**	**49,314**
General	565,786	771,410	86.4	205,624
Federal				
Special	277,970	121,660	13.6	(156,310)
FTE	6.13	6.13		

MATERIAL EXPENDITURES

Personnel expenses are 74.4% of this department budget. As noted above 6.13 FTE are dedicated to this department. The tasks assigned include planning, leadership, training, administrative services, and records and program management.

IT Data Processing ($128,932), Office Supplies ($43,151), Rentals/Lease Equipment ($13,128) for copier lease/mtce agreement and Postage ($13,209) for postage/mail services expenses make up 86.9% of this departments operating budget. The amount includes payments to the Information Technology Department for data processing charges, Fireside Office Plus, US Postal Service and Presort Plus.

SIGNIFICANT CHANGES

IT Data Processing – Increase is due to the increase in IT rates. ($21,574).

Postage - Increase due to US Postal Service projecting increase in rates effective January 2008 and increase in courier service charges. ($2,009).

IT Software/Supplies - Decrease due to these optionals not making the Executive Budget. ($14,739).

IT Equipment < $5,000 - Decrease due to these optionals not making the Executive Budget. ($6,000).

Rentals/Lease Equipment – Increase due to new copier lease May 2006, allows more copies per month. ($1,249).

Professional Development – Increase due to the addition of on-going Rain Makers Group professional training costs. ($1,438).

2005 – 2007 Budget

As of December 2006, 75.6% of this department budget has been expended. Anticipate 100% expended at the end of the biennium.

DOCR – YOUTH CORRECTIONAL CENTER
2007-09 BUDGET DETAIL

Reporting Level: 530-200-23-10-15	
Program: PLANT SERVICES	

EXPLANATION OF PROGRAM COSTS

The Plant Services program includes the dept. id's for building and ground maintenance, utilities, capital improvements and extraordinary repairs.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	489,000	528,099	19.2	39,099
Operating	865,928	980,680	35.6	114,752
Capital	773,656	1,244,814	45.2	471,158
Total	**2,128,584**	**2,753,593**	**100.0**	**625,009**
General	1,576,789	2,295,666	83.4	718,877
Federal	101,668	101,668	3.7	0
Special	450,127	356,259	12.9	(93,868)
FTE	5.0	5.0		

MATERIAL EXPENDITURES

Personnel expenses are 19.2% of this department budget. As noted above 5.00 FTE are dedicated to this department. The tasks assigned include daily operation and mantenance of facilities and equipment, management for completion of all capital improvement and extra-ordinary repair projects (20 buildings and 125 acres), and monitoring of all utility services.

IT communications ($97,218), Travel ($44,889), Insurance ($38,984) and Utilities ($568,064) expenses make up 76.4% of this departments operating budget. The amount includes payments to the Information Technology Department (telephone charges), State Fleet Services (motorpool), ND State Fire and Tornado Fund and utility service providers.

Land and Buildings: Security Lighting/Video Surveillance. ($170,000).
Funding for the placement of street lighting on the new south entrance road and video surveillance cameras to monitor the traffic flow into the facility for security reasons.

Other Capital Payments: Funding for 1998 Series A Bonds ($252,194 Funded Gymnasium) and 2000 Series A Bonds ($285,165 Funded Pine Cottage). ($537,359).

X-O Repairs: Funding for repair of roofs and other miscellaneous x-o projects on campus. ($512,955).

Equipment > $5,000: Funding for replacement of 1992 Toro lawnmower. ($24,500).

SIGNIFICANT CHANGES

Utilities - Increase based on 2005-2007 usage and cost. ($80,686).

IT Communications - Increase is mainly due to the increase in IT rates. The remainder is due to the increase in the Network Analyst and Wiring Technician estimated hours. ($24,218).

Other Equipment < $5,000 – Increase is due to adding new attachments to the Bobcat (have none at this time other than the broom for the Toro lawnmower), fire tube cleaning machine (have none at this time), replacement and upgrade of dryers (upgrade to commercial model). ($7,959).

2005 – 2007 Budget

As of December 2006, 82.6% of this department budget has been expended. Anticipate 110% expended at the end of the biennium.

DOCR – YOUTH CORRECTIONAL CENTER
2007-09 BUDGET DETAIL

Reporting Level: 530-200-23-10-20	
Program: FOOD SERVICES	

EXPLANATION OF PROGRAM COSTS

The Food Services program only includes the dept. id for food service.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	290,900	320,848	53.4	29,948
Operating	260,817	280,406	46.6	19,589
Capital	52,571	0	0	(52,571)
Total	**604,288**	**601,254**	**100.0**	**(3,034)**
General	216,726	183,828	30.6	(32,898)
Federal	242,112	264,000	43.9	21,888
Special	145,450	153,426	25.5	7,976
FTE	4.0	4.0		

MATERIAL EXPENDITURES

Personnel expenses are 53.3% of this department budget. As noted above 4.00 FTE are dedicated to this department. The tasks assigned include prepare and serve three nutritious meals and an evening snack to NDYCC residents and on-duty staff on a daily basis.

Food ($265,102) expenses make up 94.5% of this departments operating budget. The amount includes payments to the food wholesalers, ND State Penitentiary and DPI.

SIGNIFICANT CHANGES

Food & Clothing - Increase is due to the increase in food costs. ($13,405).

Bldg, Ground, Maintenance – Increase is due to the general increase in the cost of janitorial cleaning supplies and general increase in the cost of necessary cleaning supplies related specifically to food service. ($3,284).

Other Equipment < $,5000 – Increase due to funding for the replacement of two milk dispensing machines. ($2,600).

Equipment Over $5,000 - Decrease due to nothing requested in 2007-2009. ($52,571).

2005 – 2007 Budget

As of December 2006, 74.3% of this department budget has been expended. Anticipate 99.2% expended at the end of the biennium.

DOCR – YOUTH CORRECTIONAL CENTER
2007-09 BUDGET DETAIL

Reporting Level: 530-200-23-10-25	
Program: MEDICAL SERVICES	

EXPLANATION OF PROGRAM COSTS

The Medical Services program includes the dept. id's for on-site services, off-site services and drugs and supplies.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	100,015	122,607	20.1	22,592
Operating	502,002	462,800	75.8	(14,202)
Capital	0	25,000	4.1	25,000
Total	**602,017**	**610,407**	**100.0**	**8,390**
General	321,073	601,543	98.5	280,470
Federal	159,052	8,864	1.5	(150,188)
Special	121,892	0	0	(121,892)
FTE	1.0	1.0		

MATERIAL EXPENDITURES

Personnel expenses are 20.1% of this department budget. As noted above 1.00 FTE is dedicated to this department. The tasks assigned include physical health related services provided to juveniles in residence at the NDYCC.

Professional Services provided on-site (including Medical Director ($7,200), Medical Physician ($37,440), Registered Nurse ($95,680) and Licensed Nurse Practitioner ($8,736)) and Medical, Dental, Optical for Pharmacy ($211,400) make up 77.9% of this departments operating budget. The amount includes payments to Medcenter One and the ND State Penitentiary pharmacy.

Equipment > $5,000: Funding for the Optometry equipment to provide on-site services in lower level Hickory Cottage. ($25,000).

SIGNIFICANT CHANGES

Professional Services – Decrease due to the change in 2005-2007 to the shared dental services being provided on-site by the FTE dentist from the ND State Penitentiary. ($32,022).

Medical, Dental and Optical - Decrease due to the shared pharmacy services through the ND State Penitentiary. ($7,180).

2005 – 2007 Budget

As of December 2006, 49.7% of this department budget has been expended. Anticipate 93.2% expended at the end of the biennium.

DOCR – YOUTH CORRECTIONAL CENTER
2007-09 BUDGET DETAIL

Reporting Level: 530-200-23-10-30	
Program: TREATMENT SERVICES	

EXPLANATION OF PROGRAM COSTS

The Treatment Services program includes only the dept. id for treatment.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	1,212,736	1,323,166	97.2	110,430
Operating	240,443	37,497	2.8	(202,946)
Capital				
Total	**1,453,179**	**1,360,663**	**100.0**	**(92,516)**
General	897,481	902,885	66.4	5,404
Federal	555,968	457,778	33.6	(97,920)
Special				
FTE	11.87	11.87		

MATERIAL EXPENDITURES

Personnel expenses are 97.2% of this department budget. As noted above 11.87 FTE are dedicated to this department. The tasks assigned include individualized treatment programming and case management services provided to juveniles in residence at the NDYCC. Services provided include: cognitive-behavioral counseling, drug and alcohol programming, mental health services, family day sessions, grief counseling and pastoral services.

Professional Supplies and Materials ($20,400) includes (books, resource materials and audio/video cassettes); Operating Fees and Services ($12,251) includes (awards/rewards, Native American sweats and Ropes Course Fees) expenses make up 87.1% of this departments operating budget. The amount includes payments to sweat leaders, Circles Courage (Girl Scout Camp) and vendors providing supplies and materials.

Professional Services - NOTE: In error, $200,000 of funding for mental health services programming (psychologist, psychiatrist and licensed addiction counselor) is included in the Field Services line item. To correct this error, the DOCR respectfully requests the transfer of $200,000 of general funds from the Field Services line item to the Youth Correctional Center line item.

SIGNIFICANT CHANGES

Professional Services – Decrease due to error noted above. ($199,803).

Office Equipment and Furniture Supplies - Decrease due to nothing requested in 2007-2009. ($2,600).

2005 – 2007 Budget

As of December 2006, 71.5% of this department budget has been expended. Anticipate 97.7% expended at the end of the biennium.

DOCR – YOUTH CORRECTIONAL CENTER
2007-09 BUDGET DETAIL

Reporting Level: 530-200-23-10-35	
Program: EDUCATION SERVICES	

EXPLANATION OF PROGRAM COSTS

The Education Services program includes the dept. id's for academic education, vocational education and administration.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	2,619,289	2,988,789	94.2	369,500
Operating	217,894	182,616	5.8	(35,278)
Capital				
Total	**2,837,183**	**3,171,405**	**100.0**	**334,222**
General	2,517,090	2,917,310	92.0	400,220
Federal	251,293	254,095	8.0	2,802
Special	68,800	0	0	(68,800)
FTE	19.84	19.84		

MATERIAL EXPENDITURES

Personnel expenses are 94.2% of this department budget. As noted above 19.84 FTE are dedicated to this department. The tasks assigned include providing educational services to juveniles in residence at the NDYCC through a fully accredited junior/senior high school and adult education program (432 students enrolled in 2005-2006 SY).

Professional Supplies and Materials ($77,606) includes (textbooks, workbooks, school supplies and classroom materials); Professional Development ($26,400) includes (tuition reimbursement for teachers, conference registration and dues/memberships); Miscellaneous Supplies ($18,360) includes (small classroom tools and equipment); and IT Equipment under $5,000 ($16,750) expenses make up 76.2% of this departments operating budget. The amount includes payments to vendors providing educational supplies and materials.

SIGNIFICANT CHANGES

Professional Supplies & Materials – Increase due to additional funding received from Title I (DPI). Based on needs of the education department. ($28,313).

Miscellaneous Supplies - Decrease due to a change in the type of supplies necessary for the 2007-2009 biennium from miscellaneous supplies to professional supplies and materials. ($12,000).

Professional Development – Increase due to projecting teachers receiving the maximum $300/year for tuition reimbursement. ($6,300).

Professional Services – Decrease due to Read Right donations (special funding) not being provided directly to NDYCC, but payments will be made directly to Read Right. ($60,800).

Travel – Increase due to additional funding received from Title I (DPI). Based on needs of the education department. ($2,100).

IT Equipment < $5,000 - Increase due to additional funding received from Title I (DPI). Based on needs of the education department. ($2,750).

Office Equipment and Furniture – Decrease due to nothing requested in 2007-2009. ($3,000).

2005 – 2007 Budget

As of December 2006, 75.8% of this department budget has been expended. Anticipate 100% expended at the end of the biennium.

DOCR – YOUTH CORRECTIONAL CENTER
2007-09 BUDGET DETAIL

Reporting Level: 530-200-23-10-40	
Program: SECURITY AND SUPERVISION	

EXPLANATION OF PROGRAM COSTS

The Security and Supervision program includes only the dept. id for security and supervision.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	3,560,806	4,123,082	94.0	562,276
Operating	185,177	185,177	4.2	0
Capital	17,956	79,000	1.8	61,044
Total	**3,763,939**	**4,387,259**	**100.0**	**623,320**
General	3,689,818	4,313,286	98.3	623,468
Federal	74,121	73,973	1.7	(148)
Special				
FTE	38.0	43.0		5.0

MATERIAL EXPENDITURES

Personnel expenses are 94.0% of this department budget. As noted above 43.0 FTE are dedicated to this department (includes 5 new FTE's). The tasks assigned include providing for public safety, providing for quality care and supervision of juveniles in residence at the NDYCC.

Clothing (juvenile clothing) ($72,595); Bldg, Ground, Maintenance ($24,200) includes janitorial cleaning supplies; Miscellaneous Supplies ($39,767) includes health and beauty supplies, laundry supplies, recreation supplies and miscellaneous cottage supplies; and Operating Fees and Services ($16,545) includes juvenile gate money, freight/shipping and Christmas holiday activities expenses make up 82.7% of this departments operating budget. The amount includes payments to the ND State Penitentiary, juveniles and vendors providing supplies.

Inadvertinately included $4,800 Operating Fees and Services, but should have been included in the Bldg, Grnds & Mtce Supplies.
(Reflected the change above $24,200 and $16,545).

> **NOTE: Including the $4,800 in Bldg, Grnds & Maintenance Supplies more accurately reflects the first year of 2005-2007 ($12,278) and then the second year ($11,922) as these are regular expenses for the cottages.**

Equipment > $5,000: Funding for the security beds for cottages. ($79,000).

SIGNIFICANT CHANGES

FTE – Increase based on 4 additional Juvenile Institution Resident Specialist I and 1 Security Officer I (change from Temps to FTE's). ($125,898).

Equipment > $5,000 – Increase for the security beds for cottages. ($61,044).

2005 – 2007 Budget

As of December 2006, 74.0% of this department budget has been expended. Anticipate 100% expended at the end of the biennium.

DOCR – YOUTH CORRECTIONAL CENTER
2007-09 BUDGET DETAIL

Reporting Level: 530-200-23-10-45	
Program: WORK PROGRAMS	

EXPLANATION OF PROGRAM COSTS

The Work Programs program includes only the dept. id for work programs.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	28,770	28,686	71.3	(84)
Operating	15,867	11,553	28.7	(4,314)
Capital				
Total	**44,637**	**40,239**	**100.0**	**(4,398)**
General	3,612	0	0	(3,612)
Federal	41,025	40,239	100.0	(786)
Special				
FTE	.09	.09		

MATERIAL EXPENDITURES

Personnel expenses are 71.3% of this department budget. As noted above .09 FTE is dedicated to this department. The tasks assigned include providing for supervised employment opportunities for youth through the Workforce Investment Act (WIA) and the Youth Employment Program (YEP).

Operating Fees and Services ($10,373) for student wages expenses make up 89.8% of this departments operating budget. The amount includes payments to the juveniles at the NDYCC.

SIGNIFICANT CHANGES

Operating Fees and Services – Decrease is due to the decrease in federal funding. ($4,314).

2005 – 2007 Budget

As of December 2006, 85.1% of this department budget has been expended. Anticipate 90.2% expended at the end of the biennium.

DOCR – YOUTH CORRECTIONAL CENTER
2007-09 BUDGET DETAIL

Reporting Level: 530-200-23-10-50	
Program: TRAINING	

EXPLANATION OF PROGRAM COSTS

The Training program only includes the dept. id for training.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	124,475	136,448	71.3	11,973
Operating	54,176	54,976	28.7	800
Capital				
Total	**178,651**	**191,424**	**100.0**	**12,773**
General	62,238	136,448	71.3	74,210
Federal				
Special	116,413	54,976	28.7	(61,437)
FTE	1.0	1.0		

MATERIAL EXPENDITURES

Personnel expenses are 71.3% of this department budget. As noted above 1.00 FTE is dedicated to this department. The tasks assigned include providing for the ongoing training and education opportunities to staff at the NDYCC.

Travel ($23,200); Professional Development ($13,375) includes conference registration, continuing education and dues/memberships; and Professional Services ($9,660) includes trainer and presenter expenses make up 84.1% of this departments operating budget. The amount includes payments to staff for reimbursement during travel for airlines, lodging and meals, payments to vendors for conference registration and presenters/speakers.

SIGNIFICANT CHANGES

Travel – Increase is based on the needs for this biennium for travel related training. ($6,400).

Professional Supplies and Materials - Decrease is based on the needs for this biennium. ($2,515).

Professional Development – Decrease is based on the needs for this biennium. ($4,625).

IT Equipment < $5,000 – Increase is for the sound system for the conference room (speakers/receiver). ($956).

2005 – 2007 Budget

As of December 2006, 70.7% of this department budget has been expended. Anticipate 100% expended at the end of the biennium.

NDYCC
BUILDING AND GROUNDS MAINTENANCE
(Equipment < $5,000)
2007-2009 Budget

Snow blade for Bobcat		$ 2,300
Grapple fork for Bobcat		$ 1,976
Street Broom for Bobcat		$ 3,883
Boiler Fire-tube Cleaning Machine		$ 2,200
Commercial 30lb natural gas clothes dryer	(2 x $2,550 each)	$ 5,100
	Total	**$ 15,459**

NDYCC
(X-O Repairs)
2007-2009

1) Vocational Building Roof Replacement: $202,230.

The Vocational Building was built in 1981. The roofing material is original and consists of a flat built up roofing system. The project would consist of the installation of a Single Membrane Mechanically Fastened Roof System. The new roofing system would also be designed to provide a slope effect. According to North Dakota Fire and Tornado any roofing material greater than 15 years of age at the time of loss will be based on Actual Cash Value.

2) Maple Cottage Roof Replacement: $51,894.

Maple Cottage was built in 1955. The roofing material was resurfaced in 1987. This roof is also a flat built up roofing system. There has been some patchwork completed on this roof. The roofing project would consist of the installation of a Single Membrane Mechanically Fastened Roof System. The new roofing system would also be designed to provide a slope effect. According to North Dakota Fire and Tornado any roofing material greater than 15 years of age at the time of loss will be based on Actual Cash Value.

3) Hickory Cottage Roof Replacement: $75,565.

Hickory Cottage was built in 1952. The roofing material is original and consists of a flat built up roofing system. There has been some patchwork that has been performed on this roof. The roofing project would consist of the installation of a Single Membrane Mechanically Fastened Roof System. The new roofing system would also be designed to provide a slope effect. According to North Dakota Fire and Tornado any roofing material greater than 15 years of age at the time of loss will be based on Actual Cash Value.

4) Brown Cottage Roof Replacement: $129,961.

Brown Cottage is in need of a new roof. The existing roof consist of a flat built up roofing system which was redone in 1990, however, we have had to patch the existing roof three separate times to preserve the integrity of the building. The roofing project would consist of the installation of a Single Membrane Mechanically Fastened Roof System. The new roofing system would also be designed to provide a slope effect. According to North Dakota Fire and Tornado any roofing material greater than 15 years of age at the time of loss will be based on Actual Cash Value.

5) Gymnasium Parapet Repair: $35,000.

This project would involve the installation of a metal cover to be installed on all of the drivet-covered parapets on the gymnasium. Currently the parapets are covered with a drivet material and the flat topside of the parapets is deteriorating, due to the moisture that can penetrate through the drivet system. The metal would be installed over the parapet to deflect the moisture issue and to provide protection from moisture to the interior wall of the building.

6) Miscellaneous Repairs: $18,305.

This would include necessary X-O repairs that funding would allow for various other projects on campus.

Total **$512,955**

NDYCC
Medical Services
(Pharmacy and Lab Supplies)
2007-2009 BUDGET

Funding for prescription medications and lab supplies provided by the ND State Penitentiary.

Prescription Medicine: $8,808/month x 24 months = $211,400.

Lab Supplies: $400/month x 24 months = $9,600.
(Nursing Station Stock Inventory – medical and dental)

TOTAL **$ 221,000**

NDYCC
(FTE Personnel Requests)
2007-2009

1) Juvenile Institutional Resident Specialists – (4 FTE) General Fund

JIRS I: Since January of 2004 we have had 11 postings (sometimes a posting fills more than one vacancy) for JIRS positions. On average, this process has yielded from 3-4 qualified applicants per posting. We just posted an authorized JIRS position and have received 22 qualified applicants. This larger pool of applicants allows us to choose applicants that are better suited and more experienced to provide quality services to juveniles. Since January 2004, our turnover rate for temp JIRS is 66.7% and the turnover rate for employees in authorized JIRS positions during this same time is 9.3%. This turnover results in additional overtime expenses, training costs, and negatively impacts continuity of services and efficiency of the general operation of the facility.

Should these positions be approved there would be no need for the temporary positions.

2) Security Officer I – (1 FTE) General Fund

Security Officer I: There are two positions at NDYCC with this classification, one is a temporary and the other is an authorized position. The 57th legislative session approved an authorized security officer position on July 1, 2001. Since its inception, only two employees have been in the authorized position. The authorized position has been vacant only one month, that being the time between the first employee resigning and the second assuming the position. Since July of 2001, four different employees have filled the temporary position with an average length of employment of 15 months. This temporary position has been vacant a total of 11 months, one time 8 months and another 3 months, in this time frame. A job announcement was posted during this 11-month period of time. This temporary position offers no benefits and is a 32-hour/week position. This turnover results in additional overtime expenses, training costs, and negatively impacts continuity of services and efficiency of the general operation of the facility.

Should this position be approved there would be no need for the temporary position.

NDYCC
Medical Services
(Professional Services)
2007-2009 BUDGET

Funding for medical related services including Medcenter One contract, MMIS payments to Human Services, and optical. **$241,000.**

ON-SITE SERVICES

Medical Director: Medical Director services provided by Medcenter One contract. $300/month x 24 months = $7,200.

Medical Physician: On-site Medical Physician services provided by Medcenter One contract. Admission exams; Consults on injuries/illness; Orders x-rays, medications, lab work; Follow up on injuries/illness. $90/hr x 4 hrs/week x 104 weeks = $37,440.

Registered Nurse (RN): On-site RN services provided by Medcenter One contract. $23.00/hr x 40 hrs/week x 104 weeks = $95,680.

Licensed Nurse Practitioner (LNP): On-site LNP services provided by Medcenter One contract. $42.00/hr x 2 hrs/week x 104 weeks = $8,736.

Medcenter One contract includes training to ensure continuation of licensure requirements. $500/year x 2 years = $1,000.

OFF-SITE SERVICES

Medical MMIS (Human Services): Medical treatment services provided by Medcenter One and submitted to Human Services for payment processing including clinic, lab and hospital charges. $60,000.

Medical Miscellaneous: Medical services provided by Medcenter One for specialist referrals. $2,944.

Optical: Off-site optical services. $14,000/year x 2 years = $28,000.

TOTAL	**$ 241,000**

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DIVISION ADMINISTRATION - YCC
Reporting Level: 01-530-200-23-10-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	614,437	237,007	217,632	454,639	452,844	(1,795)
FRINGE BENEFITS	516000	214,345	83,822	78,936	162,758	179,506	16,748
TRAVEL	521000	2,683	2,992	808	3,800	4,499	699
SUPPLIES - IT SOFTWARE	531000	9,300	10,371	4,368	14,739	0	(14,739)
SUPPLY/MATERIAL-PROFESSIONAL	532000	750	586	254	840	830	(10)
MISCELLANEOUS SUPPLIES	535000	2,130	763	602	1,365	298	(1,067)
OFFICE SUPPLIES	536000	38,625	21,756	21,395	43,151	43,151	0
POSTAGE	541000	12,204	5,427	5,773	11,200	13,209	2,009
PRINTING	542000	3,118	1,796	1,204	3,000	2,991	(9)
IT EQUIP UNDER $5,000	551000	21,044	2,650	3,350	6,000	0	(6,000)
OFFICE EQUIP & FURN SUPPLIES	553000	755	919	331	1,250	200	(1,050)
RENTALS/LEASES-EQUIP & OTHER	581000	10,777	5,659	6,220	11,879	13,128	1,249
REPAIRS	591000	346	185	205	390	99	(291)
SALARY INCREASE	599110	0	0	0	0	27,622	27,622
BENEFIT INCREASE	599160	0	0	0	0	4,673	4,673
IT - DATA PROCESSING	601000	61,599	48,382	58,976	107,358	128,932	21,574
PROFESSIONAL DEVELOPMENT	611000	4,509	1,194	306	1,500	2,938	1,438
OPERATING FEES AND SERVICES	621000	5,383	3,654	2,496	6,150	6,250	100
FEES - PROFESSIONAL SERVICES	623000	1,846	12,857	880	13,737	11,900	(1,837)
YOUTH CORRECTIONAL CENTER	79	1,003,831	440,020	403,736	843,756	893,070	49,314
EXPENDITURE TOTALS		1,003,831	440,020	403,736	843,756	893,070	49,314
MEANS OF FUNDING							
INSTITUTIONAL CARE (FEDERAL) - YCC	P022	5,362	0	0	0	0	0
IV E-REFINANCING (YCC)	P136	1,908	0	0	0	0	0
Federal Funds	FED	7,270	0	0	0	0	0
STATE GENERAL FUND	001	736,366	292,741	273,045	565,786	771,410	205,624

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DIVISION ADMINISTRATION - YCC
Reporting Level: 01-530-200-23-10-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
MEANS OF FUNDING							
General Fund	GEN	736,366	292,741	273,045	585,786	771,410	205,624
DEPT OF CORRECTIONS OPER - 379	379	260,195	147,279	130,691	277,970	121,660	(156,310)
Special Funds	SPEC	260,195	147,279	130,691	277,970	121,660	(156,310)
TOTAL FUNDING		1,003,831	440,020	403,736	843,756	893,070	49,314
AUTHORIZED EMPLOYEES							
AUTHORIZED EMPLOYEES		8.75	6.13	0.00	6.13	6.13	0.00
TOTAL AUTHORIZED EMPLOYEES		8.75	6.13	0.00	6.13	6.13	0.00
FTE		8.75	6.13	0.00	6.13	6.13	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: PLANT SERVICES - YCC
Reporting Level: 01-530-200-23-10-15-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	326,663	170,497	186,964	357,461	358,128	667
TEMPORARY SALARIES	513000	0	0	0	0	0	0
FRINGE BENEFITS	516000	118,392	64,230	67,309	131,539	144,512	12,973
TRAVEL	521000	35,876	20,726	22,274	43,000	44,889	1,889
SUPPLY/MATERIAL-PROFESSIONAL	532000	133	35	85	120	120	0
FOOD AND CLOTHING	533000	69	62	238	300	300	0
BLDG, GROUND, MAINTENANCE	534000	111,779	62,349	59,310	121,659	121,659	0
MISCELLANEOUS SUPPLIES	535000	8,616	2,006	5,394	7,400	7,400	0
OTHER EQUIP UNDER $5,000	552000	3,183	4,483	3,017	7,500	15,459	7,959
UTILITIES	561000	503,998	294,618	192,760	487,378	568,064	80,686
INSURANCE	571000	64,415	19,042	19,942	38,984	38,984	0
RENTALS/LEASES-EQUIP & OTHER	581000	572	389	411	800	800	0
REPAIRS	591000	83,191	36,095	40,192	76,287	76,287	0
SALARY INCREASE	599110	0	0	0	0	21,774	21,774
BENEFIT INCREASE	599160	0	0	0	0	3,685	3,685
IT-COMMUNICATIONS	602000	71,062	36,073	36,927	73,000	97,218	24,218
OPERATING FEES AND SERVICES	621000	4,654	1,973	2,527	4,500	4,500	0
FEES - PROFESSIONAL SERVICES	623000	7,321	3,443	1,557	5,000	5,000	0
LAND AND BUILDINGS	682000	0	0	0	0	170,000	170,000
OTHER CAPITAL PAYMENTS	683000	533,448	237,165	302,887	540,052	537,359	(2,693)
EXTRAORDINARY REPAIRS	684000	191,593	202,970	30,634	233,604	512,955	279,351
EQUIPMENT OVER $5000	691000	0	0	0	0	24,500	24,500
YOUTH CORRECTIONAL CENTER	79	2,064,965	1,156,156	972,428	2,128,584	2,753,593	625,009
EXPENDITURE TOTALS		2,064,965	1,156,156	972,428	2,128,584	2,753,593	625,009
MEANS OF FUNDING							
INSTITUTIONAL CARE (FEDERAL) - YCC	P022	147,166	101,668	0	101,668	101,668	0
Federal Funds	FED	147,166	101,668	0	101,668	101,668	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: PLANT SERVICES - YCC
Reporting Level: 01-530-200-23-10-15-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
MEANS OF FUNDING							
STATE GENERAL FUND	001	1,543,879	714,069	862,720	1,576,789	2,295,666	718,877
General Fund	GEN	1,543,879	714,069	862,720	1,576,789	2,295,666	718,877
PEN.- LAND REPLACEMENT - 366	366	108,322	112,329	22,671	135,000	0	(135,000)
DEPT OF CORRECTIONS OPER - 379	379	265,598	228,090	87,037	315,127	356,259	41,132
Special Funds	SPEC	373,920	340,419	109,708	450,127	356,259	(93,868)
TOTAL FUNDING		2,064,965	1,156,156	972,428	2,128,584	2,753,593	625,009
AUTHORIZED EMPLOYEES							
AUTHORIZED EMPLOYEES		5.00	5.00	0.00	5.00	5.00	0.00
TOTAL AUTHORIZED EMPLOYEES		5.00	5.00	0.00	5.00	5.00	0.00
FTE		5.00	5.00	0.00	5.00	5.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FOOD SERVICES - YCC
Reporting Level: 01-530-200-23-10-20-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	174,892	94,488	97,968	192,456	198,248	3,792
OVERTIME	514000	10,224	5,427	5,372	10,799	11,520	721
FRINGE BENEFITS	516000	80,953	44,280	43,365	87,645	99,088	11,443
FOOD AND CLOTHING	533000	253,186	128,419	123,278	251,697	265,102	13,405
BLDG, GROUND, MAINTENANCE	534000	5,499	3,777	2,173	5,950	9,234	3,284
MISCELLANEOUS SUPPLIES	535000	2,141	790	910	1,700	1,700	0
OTHER EQUIP UNDER $5,000	552000	0	0	0	0	2,600	2,600
SALARY INCREASE	599110	0	0	0	0	11,967	11,967
BENEFIT INCREASE	599160	0	0	0	0	2,025	2,025
PROFESSIONAL DEVELOPMENT	611000	415	160	110	270	270	0
OPERATING FEES AND SERVICES	621000	361	606	394	1,000	1,300	300
FEES - PROFESSIONAL SERVICES	623000	109	69	131	200	200	0
EQUIPMENT OVER $5000	691000	0	50,396	2,175	52,571	0	(52,571)
YOUTH CORRECTIONAL CENTER	79	527,780	328,412	275,876	604,288	601,254	(3,034)
EXPENDITURE TOTALS		527,780	328,412	275,876	604,288	601,254	(3,034)
MEANS OF FUNDING							
SCHOOL LUNCH - YCC	P057	188,185	92,149	149,963	242,112	264,000	21,888
Federal Funds	FED	188,185	92,149	149,963	242,112	264,000	21,888
STATE GENERAL FUND	001	203,745	163,378	53,348	216,726	183,828	(32,898)
General Fund	GEN	203,745	163,378	53,348	216,726	183,828	(32,898)
DEPT OF CORRECTIONS OPER - 379	379	135,850	72,885	72,565	145,450	153,426	7,976
Special Funds	SPEC	135,850	72,885	72,565	145,450	153,426	7,976
TOTAL FUNDING		527,780	328,412	275,876	604,288	601,254	(3,034)

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FOOD SERVICES - YCC
Reporting Level: 01-530-200-23-10-20-00-00000000

1 Object/Revenue Description / Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
AUTHORIZED EMPLOYEES						
AUTHORIZED EMPLOYEES	4.00	4.00	0.00	4.00	4.00	0.00
TOTAL AUTHORIZED EMPLOYEES	4.00	4.00	0.00	4.00	4.00	0.00
FTE	4.00	4.00	0.00	4.00	4.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: MEDICAL SERVICES - YCC
Reporting Level: 01-530-200-23-10-25-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	64,608	34,180	38,990	73,170	85,320	12,150
FRINGE BENEFITS	516000	22,782	11,869	15,176	26,845	31,222	4,377
SALARY INCREASE	599110	0	0	0	0	5,187	5,187
BENEFIT INCREASE	599160	0	0	0	0	878	878
PROFESSIONAL DEVELOPMENT	611000	0	0	0	0	0	0
OPERATING FEES AND SERVICES	621000	3,577	328	472	800	800	0
FEES - PROFESSIONAL SERVICES	623000	184,834	64,645	208,377	273,022	241,000	(32,022)
MEDICAL, DENTAL AND OPTICAL	625000	274,020	108,405	119,775	228,180	221,000	(7,180)
EQUIPMENT OVER $5000	691000	0	0	0	0	25,000	25,000
YOUTH CORRECTIONAL CENTER	79	549,821	219,227	382,790	602,017	610,407	8,390
EXPENDITURE TOTALS		549,821	219,227	382,790	602,017	610,407	8,390
MEANS OF FUNDING							
INSTITUTIONAL CARE (FEDERAL) - YCC	P022	46,287	158,098	954	159,052	8,864	(150,188)
IV E-REFINANCING (YCC)	P136	31,275	0	0	0	0	0
JAIBG (MISC. TREATMENT) - YCC	P191	246,058	0	0	0	0	0
Federal Funds	FED	323,620	158,098	954	159,052	8,864	(150,188)
STATE GENERAL FUND	001	226,201	59,012	262,061	321,073	601,543	280,470
General Fund	GEN	226,201	59,012	262,061	321,073	601,543	280,470
DEPT OF CORRECTIONS OPER - 379	379	0	2,117	119,775	121,892	0	(121,892)
Special Funds	SPEC	0	2,117	119,775	121,892	0	(121,892)
TOTAL FUNDING		549,821	219,227	382,790	602,017	610,407	8,390
AUTHORIZED EMPLOYEES							
AUTHORIZED EMPLOYEES		1.00	1.00	0.00	1.00	1.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: MEDICAL SERVICES - YCC
Reporting Level: 01-530-200-23-10-25-00-00000000

1 Object/Revenue Description / Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
AUTHORIZED EMPLOYEES						
TOTAL AUTHORIZED EMPLOYEES	1.00	1.00	0.00	1.00	1.00	0.00
FTE	1.00	1.00	0.00	1.00	1.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TREATMENT SERVICES - YCC
Reporting Level: 01-530-200-23-10-30-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	800,594	416,301	435,132	851,433	869,364	17,931
TEMPORARY SALARIES	513000	59,904	28,710	31,194	59,904	59,904	0
OVERTIME	514000	7,132	3,775	6,794	10,569	10,344	(225)
FRINGE BENEFITS	516000	266,882	142,918	147,912	290,830	321,754	30,924
SUPPLY/MATERIAL-PROFESSIONAL	532000	7,546	9,647	10,753	20,400	20,400	0
MISCELLANEOUS SUPPLIES	535000	2,011	2,678	1,322	4,000	4,000	0
OFFICE EQUIP & FURN SUPPLIES	553000	126	2,303	297	2,600	0	(2,600)
SALARY INCREASE	599110	0	0	0	0	52,857	52,857
BENEFIT INCREASE	599160	0	0	0	0	8,943	8,943
PROFESSIONAL DEVELOPMENT	611000	425	1,443	357	1,800	846	(954)
OPERATING FEES AND SERVICES	621000	6,510	2,741	9,099	11,840	12,251	411
FEES - PROFESSIONAL SERVICES	623000	188,257	92,579	107,224	199,803	0	(199,803)
YOUTH CORRECTIONAL CENTER	79	1,339,387	703,095	750,084	1,453,179	1,360,663	(92,516)
EXPENDITURE TOTALS		1,339,387	703,095	750,084	1,453,179	1,360,663	(92,516)
MEANS OF FUNDING							
INSTITUTIONAL CARE (FEDERAL) - YCC	P022	182,630	449,927	0	449,927	457,778	7,851
IV E-REFINANCING (YCC)	P136	54,560	44,845	44,025	88,870	0	(88,870)
JAIBG (PSYCH. NURSE) - YCC	P174	74,315	16,901	0	16,901	0	(16,901)
JAIBG (MISC. TREATMENT) - YCC	P191	113,942	0	0	0	0	0
Federal Funds	FED	425,447	511,673	44,025	555,698	457,778	(97,920)
STATE GENERAL FUND	001	913,911	191,422	706,059	897,481	902,885	5,404
General Fund	GEN	913,911	191,422	706,059	897,481	902,885	5,404
DEPT OF CORRECTIONS OPER - 379	379	29	0	0	0	0	0
Special Funds	SPEC	29	0	0	0	0	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TREATMENT SERVICES - YCC
Reporting Level: 01-530-200-23-10-30-00-00000000

1 Object/Revenue Description / Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
MEANS OF FUNDING						
TOTAL FUNDING	1,339,387	703,095	750,084	1,453,179	1,360,663	(92,516)
AUTHORIZED EMPLOYEES						
AUTHORIZED EMPLOYEES	12.00	11.87	0.00	11.87	11.87	0.00
TOTAL AUTHORIZED EMPLOYEES	12.00	11.87	0.00	11.87	11.87	0.00
FTE	12.00	11.87	0.00	11.87	11.87	0.00
VACANT	0.00	0.00	0.00	0.00	0.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: EDUCATION SERVICES - YCC
Reporting Level: 01-530-200-23-10-35-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	1,675,545	972,715	951,646	1,924,361	2,187,160	262,799
SALARIES - OTHER	512000	2,800	1,211	1,017	2,228	0	(2,228)
TEMPORARY SALARIES	513000	27,177	13,213	15,835	29,048	30,000	952
FRINGE BENEFITS	516000	573,144	336,101	327,551	663,652	762,942	99,290
TRAVEL	521000	4,573	5,994	3,406	9,400	11,500	2,100
SUPPLIES - IT SOFTWARE	531000	1,707	950	1,050	2,000	2,970	970
SUPPLY/MATERIAL-PROFESSIONAL	532000	52,535	43,819	5,474	49,293	77,606	28,313
FOOD AND CLOTHING	533000	1,122	1,091	509	1,600	2,100	500
BLDG, GROUND, MAINTENANCE	534000	2,033	920	1,280	2,200	2,200	0
MISCELLANEOUS SUPPLIES	535000	30,812	23,540	6,820	30,360	18,360	(12,000)
PRINTING	542000	29	150	150	300	300	0
IT EQUIP UNDER $5,000	551000	4,197	14,000	0	14,000	16,750	2,750
OTHER EQUIP UNDER $5,000	552000	29,725	3,151	3,490	6,641	6,130	(511)
OFFICE EQUIP & FURN SUPPLIES	553000	11,422	2,600	400	3,000	0	(3,000)
REPAIRS	591000	99	252	148	400	500	100
SALARY INCREASE	599110	0	0	0	0	7,430	7,430
BENEFIT INCREASE	599160	0	0	0	0	1,257	1,257
PROFESSIONAL DEVELOPMENT	611000	9,745	10,039	10,061	20,100	26,400	6,300
OPERATING FEES AND SERVICES	621000	9,419	3,007	4,793	7,800	7,800	0
FEES - PROFESSIONAL SERVICES	623000	2,000	65,025	5,775	70,800	10,000	(60,800)
YOUTH CORRECTIONAL CENTER	79	2,438,084	1,497,778	1,339,405	2,837,183	3,171,405	334,222
EXPENDITURE TOTALS		2,438,084	1,497,778	1,339,405	2,837,183	3,171,405	334,222
MEANS OF FUNDING							
INSTITUTIONAL CARE (FEDERAL) - YCC	P022	5,201	0	0	0	0	0
TITLE I - YCC	P050	140,175	55,060	42,582	97,642	126,381	28,739
ADULT EDUCATION - YCC	P053	49,999	26,000	26,000	52,000	53,004	1,004
VOC ED (INCARCERATED) - YCC	P064	40,000	20,000	20,000	40,000	40,710	710

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: EDUCATION SERVICES - YCC
Reporting Level: 01-530-200-23-10-35-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
MEANS OF FUNDING							
VOC ED (CARL PERKINS) - YCC	P082	36,164	17,243	17,523	34,766	34,000	(766)
OJP SERIOUS & VIOLENT OFFENDER RE-E	P183	133,734	26,885	0	26,885	0	(26,885)
Federal Funds	FED	405,273	145,188	106,105	251,293	254,095	2,802
STATE GENERAL FUND	001	2,017,081	1,283,790	1,233,300	2,517,090	2,917,310	400,220
General Fund	GEN	2,017,081	1,283,790	1,233,300	2,517,090	2,917,310	400,220
DEPT OF CORRECTIONS OPER - 379	379	15,730	68,800	0	68,800	0	(68,800)
Special Funds	SPEC	15,730	68,800	0	68,800	0	(68,800)
TOTAL FUNDING		2,438,084	1,497,778	1,339,405	2,837,183	3,171,405	334,222
AUTHORIZED EMPLOYEES							
AUTHORIZED EMPLOYEES		19.06	19.84	0.00	19.84	19.84	0.00
TOTAL AUTHORIZED EMPLOYEES		19.06	19.84	0.00	19.84	19.84	0.00
FTE		19.06	19.84	0.00	19.84	19.84	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: SECURITY AND SUPERVISION - YCC
Reporting Level: 01-530-200-23-10-40-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	1,977,817	1,114,952	1,188,110	2,303,062	2,623,608	320,546
TEMPORARY SALARIES	513000	180,612	99,212	100,788	200,000	11,076	(188,924)
OVERTIME	514000	104,332	69,068	59,473	128,541	140,016	11,475
FRINGE BENEFITS	516000	822,547	463,565	465,638	929,203	1,180,750	251,547
TRAVEL	521000	370	1,165	2,835	4,000	4,000	0
SUPPLY/MATERIAL-PROFESSIONAL	532000	3,345	1,786	1,014	2,800	2,800	0
FOOD AND CLOTHING	533000	36,070	21,680	50,915	72,595	72,595	0
BLDG, GROUND, MAINTENANCE	534000	17,453	12,278	7,122	19,400	19,400	0
MISCELLANEOUS SUPPLIES	535000	33,787	18,208	21,559	39,767	39,767	0
PRINTING	542000	237	100	200	300	300	0
OFFICE EQUIP & FURN SUPPLIES	553000	7,804	7,785	7,085	14,870	14,870	0
RENTALS/LEASES-EQUIP & OTHER	581000	668	248	452	700	700	0
REPAIRS	591000	342	160	240	400	400	0
SALARY INCREASE	599110	0	0	0	0	143,379	143,379
BENEFIT INCREASE	599160	0	0	0	0	24,253	24,253
PROFESSIONAL DEVELOPMENT	611000	145	202	298	500	500	0
OPERATING FEES AND SERVICES	621000	15,387	4,648	16,697	21,345	21,345	0
FEES - PROFESSIONAL SERVICES	623000	7,391	2,112	6,388	8,500	8,500	0
EQUIPMENT OVER $5000	691000	0	17,956	0	17,956	79,000	61,044
YOUTH CORRECTIONAL CENTER	79	3,210,307	1,835,125	1,928,814	3,763,939	4,387,259	623,320
EXPENDITURE TOTALS		3,210,307	1,835,125	1,928,814	3,763,939	4,387,259	623,320
MEANS OF FUNDING							
INSTITUTIONAL CARE (FEDERAL) - YCC	P022	53,938	23,347	50,626	73,973	73,973	0
IV E-REFINANCING (YCC)	P136	0	148	0	148	0	(148)
Federal Funds	FED	53,938	23,495	50,626	74,121	73,973	(148)
STATE GENERAL FUND	001	3,154,192	1,811,630	1,878,188	3,689,818	4,313,286	623,468

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: SECURITY AND SUPERVISION - YCC
Reporting Level: 01-530-200-23-10-40-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
MEANS OF FUNDING							
General Fund	GEN	3,154,192	1,811,630	1,878,188	3,689,818	4,313,286	623,468
DEPT OF CORRECTIONS OPER - 379	379	2,177	0	0	0	0	0
Special Funds	SPEC	2,177	0	0	0	0	0
TOTAL FUNDING		3,210,307	1,835,125	1,928,814	3,763,939	4,387,259	623,320
AUTHORIZED EMPLOYEES							
AUTHORIZED EMPLOYEES		38.00	38.00	0.00	38.00	43.00	5.00
TOTAL AUTHORIZED EMPLOYEES		38.00	38.00	0.00	38.00	43.00	5.00
VACANT		0.00	0.00	0.00	0.00	0.00	0.00
FTE		38.00	38.00	0.00	38.00	43.00	5.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: WORK PROGRAMS - YCC
Reporting Level: 01-530-200-23-10-45-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	10,503	5,359	5,141	10,500	10,094	(406)
TEMPORARY SALARIES	513000	17,947	7,780	5,940	13,720	13,720	0
FRINGE BENEFITS	516000	4,906	2,303	2,247	4,550	4,872	322
FOOD AND CLOTHING	533000	450	270	310	580	580	0
MISCELLANEOUS SUPPLIES	535000	534	355	245	600	600	0
OPERATING FEES AND SERVICES	621000	19,731	9,213	5,474	14,687	10,373	(4,314)
YOUTH CORRECTIONAL CENTER	79	54,071	25,280	19,357	44,637	40,239	(4,398)
EXPENDITURE TOTALS		54,071	25,280	19,357	44,637	40,239	(4,398)
MEANS OF FUNDING							
(WIA) YOUTH SERVICES - YCC	P081	15,999	7,000	7,000	14,000	14,239	239
OJJDP - CHALLENGE FUNDS	P094	36,822	18,280	8,745	27,025	26,000	(1,025)
Federal Funds	FED	52,821	25,280	15,745	41,025	40,239	(786)
STATE GENERAL FUND	001	1,250	0	3,612	3,612	0	(3,612)
General Fund	GEN	1,250	0	3,612	3,612	0	(3,612)
TOTAL FUNDING		54,071	25,280	19,357	44,637	40,239	(4,398)
AUTHORIZED EMPLOYEES							
AUTHORIZED EMPLOYEES		0.12	0.09	0.00	0.09	0.09	0.00
TOTAL AUTHORIZED EMPLOYEES		0.12	0.09	0.00	0.09	0.09	0.00
FTE		0.12	0.09	0.00	0.09	0.09	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TRAINING PROGRAMS - YCC
Reporting Level: 01-530-200-23-10-50-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	84,444	46,380	48,240	94,620	96,480	1,860
FRINGE BENEFITS	516000	26,890	14,796	15,059	29,855	33,108	3,253
TRAVEL	521000	10,034	5,007	11,793	16,800	23,200	6,400
SUPPLY/MATERIAL-PROFESSIONAL	532000	7,546	4,783	4,717	9,500	6,985	(2,515)
MISCELLANEOUS SUPPLIES	535000	0	297	203	500	600	100
IT EQUIP UNDER $5,000	551000	0	0	0	0	956	956
OFFICE EQUIP & FURN SUPPLIES	553000	1,150	0	0	0	0	0
SALARY INCREASE	599110	0	0	0	0	5,867	5,867
BENEFIT INCREASE	599160	0	0	0	0	993	993
PROFESSIONAL DEVELOPMENT	611000	8,431	8,410	9,590	18,000	13,375	(4,625)
OPERATING FEES AND SERVICES	621000	362	65	311	376	200	(176)
FEES - PROFESSIONAL SERVICES	623000	6,952	3,617	5,383	9,000	9,660	660
YOUTH CORRECTIONAL CENTER	79	145,809	83,355	95,296	178,651	191,424	12,773
EXPENDITURE TOTALS		145,809	83,355	95,298	178,651	191,424	12,773
MEANS OF FUNDING							
INSTITUTIONAL CARE (FEDERAL) - YCC	P022	4,357	0	0	0	0	0
Federal Funds	FED	4,357	0	0	0	0	0
STATE GENERAL FUND	001	58,659	30,734	31,504	62,238	136,448	74,210
General Fund	GEN	58,659	30,734	31,504	62,238	136,448	74,210
DEPT OF CORRECTIONS OPER - 379	379	82,793	52,621	63,792	116,413	54,976	(61,437)
Special Funds	SPEC	82,793	52,621	63,792	116,413	54,976	(61,437)
TOTAL FUNDING		145,809	83,355	95,298	178,651	191,424	12,773

Agency Name: DEPT OF CORRECTIONS AND REHAB

Program: TRAINING PROGRAMS - YCC

Reporting Level: 01-530-200-23-10-50-00-00000000

1 Object/Revenue Description Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
AUTHORIZED EMPLOYEES						
AUTHORIZED EMPLOYEES	1.00	1.00	0.00	1.00	1.00	0.00
TOTAL AUTHORIZED EMPLOYEES	1.00	1.00	0.00	1.00	1.00	0.00
FTE	1.00	1.00	0.00	1.00	1.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Reporting Level: YOUTH CORRECTIONAL CENTER

1 Object/Revenue Description	Code	2 Cost to Continue Adjustments	3 2007-09 Total Budget Changes	4 2007-09 Budget Recommendation	5	6	7
Change Package Description:							
Type: A Inflationary/Workload Changes							
Number: 53004							
Group: A							
EXPENDITURES							
TRAVEL	521000	0	17,867	17,867	0	0	0
SUPPLIES - IT SOFTWARE	531000	0	(11,048)	(11,048)	0	0	0
SUPPLY/MATERIAL-PROFESSIONAL	532000	0	25,833	25,833	0	0	0
FOOD AND CLOTHING	533000	0	13,903	13,903	0	0	0
BLDG, GROUND, MAINTENANCE	534000	0	3,283	3,283	0	0	0
MISCELLANEOUS SUPPLIES	535000	0	(12,911)	(12,911)	0	0	0
OFFICE SUPPLIES	536000	0	618	618	0	0	0
POSTAGE	541000	0	4,777	4,777	0	0	0
PRINTING	542000	0	616	616	0	0	0
IT EQUIP UNDER $5,000	551000	0	11,021	11,021	0	0	0
OTHER EQUIP UNDER $5,000	552000	0	2,089	2,089	0	0	0
OFFICE EQUIP & FURN SUPPLIES	553000	0	(6,336)	(6,336)	0	0	0
UTILITIES	561000	0	80,686	80,686	0	0	0
INSURANCE	571000	0	13,502	13,502	0	0	0
RENTALS/LEASES-EQUIP & OTHER	581000	0	1,552	1,552	0	0	0
RENTALS/LEASES - BLDG/LAND	582000	0	(65)	(65)	0	0	0
REPAIRS	591000	0	(99)	(99)	0	0	0
IT - DATA PROCESSING	601000	0	46,611	46,611	0	0	0
IT-COMMUNICATIONS	602000	0	24,245	24,245	0	0	0
IT CONTRACTUAL SERVICES AND RE	603000	0	(152,005)	(152,005)	0	0	0
PROFESSIONAL DEVELOPMENT	611000	0	4,533	4,533	0	0	0
OPERATING FEES AND SERVICES	621000	0	2,743	2,743	0	0	0
FEES - PROFESSIONAL SERVICES	623000	0	(129,574)	(129,574)	0	0	0
MEDICAL, DENTAL AND OPTICAL	625000	0	(7,180)	(7,180)	0	0	0
OTHER CAPITAL PAYMENTS	683000	0	537,359	537,359	0	0	0
YOUTH CORRECTIONAL CENTER	79	0	472,020	472,020			
EXPENDITURE TOTALS		0	472,020	472,020			

Agency Name: DEPT OF CORRECTIONS AND REHAB
Reporting Level: YOUTH CORRECTIONAL CENTER

1 Object/Revenue Description	Code	2 Cost to Continue Adjustments	3 2007-09 Total Budget Changes	4 2007-09 Budget Recommendation	5	6	7
Change Package Description: Inflationary/Workload Changes **Type:** A **Number:** 53004 **Group:** A							
MEANS OF FUNDING							
STATE GENERAL FUND	001	0	515,012	515,012	0	0	0
General Fund	79	0	515,012	515,012			
DEPT OF CORRECTIONS OPER - 379	379	0	(68,000)	(68,000)	0	0	0
Special Funds	79	0	(68,000)	(68,000)			
INSTITUTIONAL CARE (FEDERAL) - YCC	P022	0	(8,180)	(8,180)	0	0	0
TITLE I - YCC	P050	0	28,358	28,358	0	0	0
SCHOOL LUNCH - YCC	P057	0	21,888	21,888	0	0	0
IV E-REFINANCING (YCC)	P136	0	(17,058)	(17,058)	0	0	0
Federal Funds	79	0	25,008	25,008			
TOTAL FUNDING		0	472,020	472,020			
Change Package Description: Funding Source **Type:** A **Number:** 53005 **Group:** A							
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	0	(4,314)	(4,314)	0	0	0
FEES - PROFESSIONAL SERVICES	623000	0	(315,633)	(315,633)	0	0	0
YOUTH CORRECTIONAL CENTER	79	0	(319,947)	(319,947)			
EXPENDITURE TOTALS		0	(319,947)	(319,947)			

REPORT OF TEACHER SALARY STUDY

Conducted by Human Resource Management Services
May, 2006

Purpose & Scope of Study

This study is the result of a standing request by the Superintendent of Public Instruction (DPI) and the Director of the Department of Corrections & Rehabilitation (DOCR) to make a comparison of public school teacher salaries and benefits with teacher salaries and benefits at North Dakota School for the Deaf (NDSD), North Dakota School for the Blind (NDSB), and the Youth Correctional Center (YCC). The resulting product is a Composite Salary Schedule recommendation for the next biennial budget.

Salary schedules and benefit information was typically gathered from public schools in:

- Bismarck,
- Devils Lake,
- Fargo,
- Grand Forks,
- Mandan, and
- Minot.

The 59th Legislative Assembly in Senate Bill 2015 (DOCR's appropriation bill) expanded the data source of the study:

> ***SECTION 9. LEGISLATIVE INTENT – COMPOSITE SCHEDULE.*** *It is the intent of the fifty-ninth legislative assembly that future composite schedules for teacher salaries prepared by the office of management and budget's human resource management services division be developed so that the pay increases are based on the salaries of all teachers who teach in schools with a combined enrollment of greater than one hundred students, excluding the Fargo and West Fargo school districts.*

Results Overview – Salary Schedule

Composite Schedule 1

Composite Schedule 1 (attached) is a composite salary schedule reflective of the 2005-06 salary schedules of 138 schools (list at end of Report) that have a combined enrollment of 100 students or more, excluding Fargo and West Fargo school districts. [The inclusion of Fargo and West Fargo would result in an increase of $71 at base, $81 at the Master's and no experience point.]

As is typical of school district salary schedules and composite salary schedules in the past, Composite Schedule 1 advances across based on credentials, while it advances down based on years of service.

Composite Schedule 1 base (Bachelor's degree with no experience) represents the exact average of the base of school district salary schedules. The Schedule advances $800 to the second and third lanes (i.e. Bachelor's + 15), $850 from the third to the fourth and the fourth to the fifth lanes, and $1000 to each of the lanes beyond. Composite Schedule 1 advances $500 per step within each lane. These figures were arrived at by considering select points on the schedule in relation to the market average at the same points.

Select points throughout this schedule reflect a variance of +1.3% to -5.7% from the average of the schools' schedules.

Observations

There are several schools that have significantly fewer lanes and steps than is typical, some as few as 2 lanes. For example, Killdeer has 2 lanes; Wahpeton and Killdeer have only one step.

Many schools have hiring schedules only, and these schools typically give a flat dollar or percentage amount to returning teachers.

This Composite Schedule is lower than the 2005-07 Composite Salary Schedule.

Composite Schedule 2

Composite Schedule 2 (attached) is a salary schedule based on the schedules of the same six school districts as the composite salary schedules dating back to 1997 – Bismarck, Devils Lake, Fargo, Grand Forks, Mandan, and Minot.

Composite Schedule 2 advances $850 to the second lane (i.e. Bachelor's + 15), $925 from the second to the third lanes, $950 from the third to the fourth, $975 from the fourth to the fifth, and $1000 to each of the lanes beyond. These increments have not changed since development of the 2001-03 Composite Salary Schedule.

The schedule advances $725 per step within each lane. This increment also has not changed since the development of the 2001-03 Composite Salary Schedule. This figure was arrived at by evenly distributing the difference from step 0 to the maximum and considering points in between in relation to the market.

Select points throughout this schedule reflect a variance of +3.2% to -4.9% from the average of the schools' schedules.

Common Characteristics of Composite Schedules 1 and 2

Both schedules have progressively increasing increments from lane to lane. This is characteristic of teacher salary schedules and allows for an incentive for teachers to obtain more education in their fields of teaching.

Flat amounts from step to step versus progressively increasing amounts reflect that additional experience alone does not increase the value of an employee, but that experience together with additional credentials makes an employee more valuable to the organization.

Composite schedules are based on school districts' 2005-06 salary schedules. Therefore, when a composite schedule is implemented, it will already be lagging those of school districts by two years. The amount of the lag is unknown.

Results Overview – Benefits

The table of Teacher Benefit Information is also included at the end of this Report. The purpose of this information is to show the cost of the various benefits that are provided by the schools surveyed, not to compare the value or quality of benefits in one school to those of another.

Summary & Recommendation

The Legislature in SB 2015 set forth a different data source to be used in the development of composite schedules. The result is a lower composite schedule (Composite Schedule 1) than is currently in place for the 2005-07 biennium. Implementing a composite schedule that is lower than the current one will have a devastating impact:

- It will result in inequities as new teachers are hired with the same experience and education as existing teachers. The inequities could result in potential allegations of disparate pay and discrimination if there is a negative impact on protected classes of employees.
- Salaries of existing employees cannot be decreased without employees being afforded due process.
- All teachers at the NDSB and NDSD are required to have special education credentials and knowledge in deaf or blind culture. All teachers at YCC work constantly with troubled youth in an at-risk environment. These special situations exceed requirements/conditions for the majority of teachers at other schools. A composite schedule that is lower than the 2005-07 Composite Salary Schedule does not take into consideration the specialized required credentials and work environment of the three state schools.

- Implementing a lower composite schedule would further compound recruitment problems of hard-to-fill teacher positions, which could jeopardize the schools meeting their missions. NDSB and NDSD have experienced recruitment and retention difficulties. As of this writing, NDSD has a vacancy announcement posted for a Special Needs Teacher for which they have been recruiting unsuccessfully since November, 2005. NDSB and NDSD need to be able to compete with typically larger schools for teaching staff with the same specialized credentials as are required at NDSB and NDSD. All three schools need to be able to compete with schools in their locales (Grand Forks, Devils Lake, and Mandan).

Human Resource Management Services (HRMS), without SB 2015, Section 9, in place, would recommend implementation of Composite Schedule 2. It is consistent with the methodology implemented several years ago. It is also important to note that by the date of implementation, the schedule lags the six market schools by two years.

It is neither advisable nor appropriate to implement a lower composite schedule. HRMS, therefore, recommends continuing the use of the 2005-07 Composite Salary Schedule through the 2007-09 biennium.

Human Resource Management Services also recommends that future composite salary schedules be based on the salary schedules of the six schools identified on page 1 in order that the Composite Salary Schedule maintains a consistent relationship to the market with which it directly competes.

Questions pertaining to this document or the study may be directed to Virginia Rivinius at Human Resource Management Services at 328-3374.

Composite Salary Schedule 1
2007-2009

Lane	I	II	III	IV	V	VI	VII	VIII
Step	BA/BS	BA/BS+15	BA/BS+30	BA/BS+45	MA/MS	MA/MS+15	MA/MS+30	MA/MS+60/EdD
0	24,085	24,885	25,685	26,535	27,385	28,385	29,385	30,385
1	24,585	25,385	26,185	27,035	27,885	28,885	29,885	30,885
2	25,085	25,885	26,685	27,535	28,385	29,385	30,385	31,385
3	25,585	26,385	27,185	28,035	28,885	29,885	30,885	31,885
4	26,085	26,885	27,685	28,535	29,385	30,385	31,385	32,385
5	26,585	27,385	28,185	29,035	29,885	30,885	31,885	32,885
6	27,085	27,885	28,685	29,535	30,385	31,385	32,385	33,385
7	27,585	28,385	29,185	30,035	30,885	31,885	32,885	33,885
8	28,085	28,885	29,685	30,535	31,385	32,385	33,385	34,385
9	28,585	29,385	30,185	31,035	31,885	32,885	33,885	34,885
10	29,085	29,885	30,685	31,535	32,385	33,385	34,385	35,385
11	29,585	30,385	31,185	32,035	32,885	33,885	34,885	35,885
12	30,085	30,885	31,685	32,535	33,385	34,385	35,385	36,385
13	30,585	31,385	32,185	33,035	33,885	34,885	35,885	36,885
14	31,085	31,885	32,685	33,535	34,385	35,385	36,385	37,385
15	31,585	32,385	33,185	34,035	34,885	35,885	36,885	37,885
16		32,885	33,685	34,535	35,385	36,385	37,385	38,385
17			34,185	35,035	35,885	36,885	37,885	38,885
18				35,535	36,385	37,385	38,385	39,385
19					36,885	37,885	38,885	39,885
20						38,385	39,385	40,385

Composite Salary Schedule 2
2007-2009

Lane	I	II	III	IV	V	VI	VII	VIII
Step	BA/BS	BA/BS+15	BA/BS+30	BA/BS+45	MA/MS	MA/MS+15	MA/MS+30	MA/MS+60/EdD
0	26,450	27,300	28,225	29,175	30,150	31,150	32,150	33,150
1	27,175	28,025	28,950	29,900	30,875	31,875	32,875	33,875
2	27,900	28,750	29,675	30,625	31,600	32,600	33,600	34,600
3	28,625	29,475	30,400	31,350	32,325	33,325	34,325	35,325
4	29,350	30,200	31,125	32,075	33,050	34,050	35,050	36,050
5	30,075	30,925	31,850	32,800	33,775	34,775	35,775	36,775
6	30,800	31,650	32,575	33,525	34,500	35,500	36,500	37,500
7	31,525	32,375	33,300	34,250	35,225	36,225	37,225	38,225
8	32,250	33,100	34,025	34,975	35,950	36,950	37,950	38,950
9	32,975	33,825	34,750	35,700	36,675	37,675	38,675	39,675
10	33,700	34,550	35,475	36,425	37,400	38,400	39,400	40,400
11	34,425	35,275	36,200	37,150	38,125	39,125	40,125	41,125
12	35,150	36,000	36,925	37,875	38,850	39,850	40,850	41,850
13	35,875	36,725	37,650	38,600	39,575	40,575	41,575	42,575
14	36,600	37,450	38,375	39,325	40,300	41,300	42,300	43,300
15	37,325	38,175	39,100	40,050	41,025	42,025	43,025	44,025
16		38,900	39,825	40,775	41,750	42,750	43,750	44,750
17			40,550	41,500	42,475	43,475	44,475	45,475
18				42,225	43,200	44,200	45,200	46,200
19					43,925	44,925	45,925	46,925
20						45,650	46,650	47,650

Composite Schedule 2
Prepared by HRMS
5/06

Composite Salary Schedule
2005-2007

Lane / Step	I BA/BS	II BA/BS+15	III BA/BS+30	IV BA/BS+45	V MA/MS	VI MA/MS+15	VII MA/MS+30	VIII MA/MS+60/EdD
0	25,436	26,286	27,211	28,161	29,136	30,136	31,136	32,136
1	26,161	27,011	27,936	28,886	29,861	30,861	31,861	32,861
2	26,886	27,736	28,661	29,611	30,586	31,586	32,586	33,586
3	27,611	28,461	29,386	30,336	31,311	32,311	33,311	34,311
4	28,336	29,186	30,111	31,061	32,036	33,036	34,036	35,036
5	29,061	29,911	30,836	31,786	32,761	33,761	34,761	35,761
6	29,786	30,636	31,561	32,511	33,486	34,486	35,486	36,486
7	30,511	31,361	32,286	33,236	34,211	35,211	36,211	37,211
8	31,236	32,086	33,011	33,961	34,936	35,936	36,936	37,936
9	31,961	32,811	33,736	34,686	35,661	36,661	37,661	38,661
10	32,686	33,536	34,461	35,411	36,386	37,386	38,386	39,386
11	33,411	34,261	35,186	36,136	37,111	38,111	39,111	40,111
12	34,136	34,986	35,911	36,861	37,836	38,836	39,836	40,836
13	34,861	35,711	36,636	37,586	38,561	39,561	40,561	41,561
14	35,586	36,436	37,361	38,311	39,286	40,286	41,286	42,286
15	36,311	37,161	38,086	39,036	40,011	41,011	42,011	43,011
16		37,886	38,811	39,761	40,736	41,736	42,736	43,736
17			39,536	40,486	41,461	42,461	43,461	44,461
18				41,211	42,186	43,186	44,186	45,186
19					42,911	43,911	44,911	45,911
20						44,636	45,636	46,636

TEACHER BENEFIT SURVEY INFORMATION

School	Health* Dist	Health* Empe	Retirement	Life Ins Dist Cost	Life Ins Coverage	Vision* Dist	Vision* Empe	Dental* Dist	Dental* Empe	EAP	Sick	ST/LT Dis	Funeral	Personal	Other Leave (Emergency, etc.)
State of ND	7717[1]	0	7.75%	3	1300	N/A	[2]	N/A	[2]	17	10	Yes	3	3	
Bismarck	6728	2772	7.75%	66	50,000	165	52	408	497	[3]	12	Yes	[4]	2-3[5]	
Devils Lake	3345[6]	4908	15.5%[7]	100	50,000	100[6]	118	415[6]	669	[2]	10	Yes	[4]	3	
Fargo	7739	1466	7.75%	42	25,000	N/A	N/A	776	259	30	15	Yes	5	2	3
G. Forks	5281	2200	7.75%	20	15,000	N/A	N/A	N/A	N/A	24	20[8]	Yes	5	2	6
Mandan	6936	0	7.75%	38	15,000	108[8, 9]	216[9]	N/A	N/A	17	10	Yes	[4]	2	
Minot	7257	1380	7.75%	14	10,000	N/A	N/A	N/A	[2]	N/A	10	[2]	3-5[10]	2	

* Family Plan

(1) State pays flat $6648/contract which breaks down to $3127 for single & $7717 for family
(2) Employee pays
(3) Included in health insurance
(4) Included in sick leave
(5) 2 days for 0-15 years of BPS teaching exp; 3 days for > 15 years of BPS teaching exp
(6) District pays equivalent of single policy
(7) District pays teachers' share also
(8) 20 days granted initially with graduated scale of accumulation based on use of SL in previous years
(9) Teacher on single health plan - fully paid vision; teacher on family health plan - teacher pays; teacher on no health plan - fully paid vision.
(10) 5 days for mother, father, spouse, or child; 3 days for other family members; plus travel time

Prepared by HRMS
5/9/06

Schools Whose Salary Schedules Are Included in the Composite

Ashley
Beach
Belcourt
Belfield
Bell
Beulah
Bismarck
Bottineau
Bowman
Carrington
Cavalier
Center-Stanton
Central Cass
Central Valley
Dakota Prairie
Devils Lake
Dickinson
Divide County
Drake
Drayton
Dunseith
Edgeley
Edinburg
Eight Mile
Elgin-New Leipzig
Ellendale
Enderlin
Fairmount
Fessenden-Bowdon
Finley-Sharon
Flasher
Fordville-Lankin
Ft Totten
Ft Yates
Gackle-Streeter
Garrison
Glen Ullin
Glenburn
Grafton
Grand Forks
Griggs County Central
Hankinson
Harvey
Hatton
Hazelton-Moffit-Braddock
Hazen
Hebron
Hettinger
Hope
Jamestown
Kenmare
Killdeer
Kindred
Kulm
Lakota
LaMoure
Langdon Area
Larimore
Leeds
Lewis & Clark
Lidgerwood
Linton
Lisbon
Litchville-Marion
Maddock
Mandan
Mandaree
Manvel
Maple Valley
Max
Mayville-Portland CG
McKenzie County
Medina
Midkota
Midway
Milnor
Minnewaukan
Minot
Minto
Mohall-Lansford-Sherwood
Montefiore
Mott-Regent
Mt Pleasant
Munich
Napoleon
Nedrose

Nesson
New Eight
New England
New Rockford
New Salem
New Town
North Border
North Central
North Sargeant
Northern Cass
Northwood
Oakes
Page
Park River
Parshall
Pingree-Buchanan
Powers Lake
Richardton-Taylor
Richland
Rolette
Roosevelt
Rugby
Sargeant Central
Sawyer
Scranton
Solen
South Heart
South Prairie
Southern
St John
St Thomas
Stanley
Steele-Dawson
Strasburg
Surrey
TGU
Thompson
Tioga
Turtle Lake-Mercer
Underwood
United
Valley
Valley City
Velva
Wahpeton
Warwick
Washburn
Westhope
Williston
Wimbledon-Courtney
Wishek
Wyndmere

Excluded Per SB 2015
Fargo
West Fargo

No Schedules From
Hillsboro
White Shield

Below is a list of the programs provided within the Prisons Divison.

The division embraces the Transition from Prison to Community Initiative (TPCI), an evidence based program that helps reduce recidivism. TPCI provides a continuum of care for inmates leaving the prison and transitioning back into society, by helping them with housing, jobs, treatment referrals, and medical and psychological appointments.

Programs Offered

We offer level 2.1 and level 3.5 addiction treatment. There are AA, NA, and White Bison support groups at all facilities. During the current biennium we added the R.I.P. (Rapid Intervention Program) at the MRCC for parolees who have relapsed while on community supervision. Each addiction treatment program includes a "family week", where inmates are given the opportunity to make amends with their family members, and the families are given insight into enabling, and relapse issues.

Sex Offender Treatment: Sex offenders are screened and assessed for the type of sex offender therapy they require. Staff offer Intensive Sex Offender Group, and Sex Offender Education Classes. Inmates at all three facilities can participate in Sex Offender Anonymous self help groups, and we also provide individual therapy for special needs sex offenders (those who cannot function in a group setting due to behavioral, mental health, or intellectual deficiencies).

Treatment for mental illness: Mentally ill inmates are mostly managed within the general population through the use of individual counseling with mental health professionals. When they are in crisis, we have the Special Assistance Unit at the JRCC, and 24-bed mental health unit designed to help the inmate through the crisis, and get stabilized back on the prescribed medication. Inmates can also be monitored through our Special Needs Mental Health group. Therapists offer Eye Movement Desensitization and Reprocessing (EMDR) for inmates with a history of post traumatic stress disorder. Inmate suicide is a great threat in prison, and we have a unique program where we train inmates to become members of the Crisis Intervention Team (CIT), a group of volunteers that will sit with the suicidal inmates while housed in our observation area.

Anger Management: We offer Anger Management and Intensive Anger Management groups for these offenders. We have an Administrative Segregation Anger Management pre-group, for those inmates locked in our most secure unit. Finally, we rely on community volunteers to operate the Alternatives to Violence class, which takes place over 6 weekends annually.

Religious Services: The chaplains arrange for retreats, Tent Revival ceremonies, and there are bible studies led by volunteers from most of the traditional Christian churches in the area. The chaplains also host community volunteers for a Time-out for Men

workshop, Marriage Encounter weekends for inmates and their wives, and an advanced couples counseling weekend.

Education: A little more than 20% of our offenders come into prison without a high school diploma, and we immediately get these inmates into a GED program. Approximately 8% of these are assessed as being functionally illiterate and in need of some type of special education to address their learning disabilities. Those that can't read at a level high enough to begin GED class are placed in an Inmate Tutor program, where inmate helpers work with the poor readers in a computerized reading tutorial program.

Inmates may purchase and earn college credits while incarcerated through independent study correspondence classes. They can also participate in a non-credit college level accounting class, and can receive college credits for completion of the Restaurant Management class. Prison instructors teach a pre-algebra class for inmates wishing to study for the SAT or ACT exams. Minimum security inmates may apply for education release, where they are allowed to take college classes on campus at the University of Mary, or Bismarck State College. Staff also assist inmates with college applications and financial aid requests for those that are being released from prison, and wish to begin post secondary education.

We offer a computer typing skills program and Microsoft Office Certification (MOUS) at all three facilities. Inmates go through a pre-release class, that assists them with basic living skills, such as parenting classes, how to balance checking accounts, and resume' writing. We also hold a mock job fair annually, where local employers come to the facility and interview inmates, giving them advice on how they can improve their resume's, and interview skills.

Vocational training: Presently, inmates can learn how to work in the food service industry though the Restaurant Management Class, and we have an award winning Auto Mechanics program at the MRCC. However, we have been forced to close Carpentry and Welding vocational programs over the past decade due to the lack of federal funding that had paid for these programs, and the state's inability to fund these expenses.

Industries: Rough Rider Industries is a program we offer at all three facilities that can help teach inmates a trade in woodworking, silk screening, upholstery, cut and sew operations, and welding, but there are only enough Industry jobs for about 20% of the male population.

I hope this information is helpful.

Leann Bertsch, Corrections Director

Program to Lower Substance Abuse, Relapse and Criminal Recidivism

1. Long-Term Aftercare subsequent to Alcohol and Drug Treatment based on the 8 Principles of **Evidence Based Practices** (EBP). (2 years for Meth Addicts)

2. Increase length of stay in Transitional Living utilizing a "Therapeutic Community" with Case Management and guided by the EBP.

3. Cognitive Behavioral Programs that address attitude/thinking, engages motivations, and assists in teaching problem solving skills based on EBP.

4. Encouraging participation in Community based 12 step programming.

5. Vocational Rehabilitation Programs that teach both hard and soft skills and assist with obtaining meaningful employment.

6. Mental Health Counseling at a Human Service Center such as "Integrated Dual Diagnosis Treatment (IDDT).

7. Programs that have the offender engage in family group activities.

8. Affordable housing

9. Probation/Parole services with adequate case loads.

10. Gender specific programs especially targeting female offenders including grief, sexual abuse, employment, substance abuse, family of origin, community based 12-step programs with female sponsorship/mentors.

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List prepared by:

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1) Far and above, the most effective program is mentoring, matching adults, older youth with younger youth in church, school and neighborhood settings;
2) Scholarship programs to make sure if a child has an interest in a fee based extra curricular activity, that they have the means to participate which includes either the registration fee or the materials/equipment needs to participate.
3) Out of school activities, both before school and after school or during days in which school are not in session - research shows the time of greatest risk for children to get into trouble is 3 - 6 p.m. so it is important to have safe, adult supervised, and accessible programs;
4) Transportation programs to make sure children have safe means to and from special activities;
5) Youth/activity centers;
6) Youth leadership programs that place kids on boards, on planning committees and other decision making bodies;
7) Neighborhood associations/block clubs which bring adults and kids together within the neighborhood;
8) Church affiliated youth programs/organizations
9) Ethnic centers with culturally appropriate leadership such as Centro Cultural, Mujeres Unidas, Kurdish Kids Club;
10) Athletic, music, academic and theater organizations that have adult leaders trained in youth asset building.

DRAFT

House Bill 1015

Department of Corrections and Rehabilitation Appropriation Request
Testimony on Prisons Division Funding
House Appropriation Committee
Human Resources Division
1/10/2007

Tim Schuetzle, Prisons Division Director

The request before you is the Governor's proposed budget for operating the three secure facilities that make up the Department of Corrections and Rehabilitation (DOCR) Prisons Division; the North Dakota State Penitentiary (NDSP), the Missouri River Correctional Center (MRCC) in Bismarck, and the James River Correctional Center (JRCC) in Jamestown, along with an allocation of the DOCR Central Office. My testimony this morning will address this funding request pertaining specifically to these three secure facilities. I have Warden Don Redmann from the James River Correctional Center, who will later present testimony in support of the Governor's budget for the James River Correctional Center, and Dennis Fracassi, who will testify on the budget for Rough Rider Industries. I also have Mr. Keith Grabowska, the Director of the MRCC who is available to answer questions related to his facility, and Dick Frohlich, who will assist in presenting the $42 million dollar request for the building expansion at the State Penitentiary.

The 2007-2009 Governor's Executive Budget Recommendation for the Prison Division excluding Rough Rider Industries, is $125, 514, 464, an increase of approximately $58 million dollars in general funds. This increase includes the $42 million for a capital project to renovate the existing State Penitentiary. Before I address the 2007-2009 budget request though, I would like to give the committee a quick review of the prison's division use of the 2005-2007 appropriation.

I. 2005-2007 Biennium Highlights

a. Current Population Levels

The number of inmates incarcerated in the Department of Corrections rose by 42 inmates in the first 18 months of this biennium, going from an average daily population for July of 2005 of 1361, to the December 2006 average daily population of 1403. This is a growth rate of 3% during the first 18 months of this biennium. The male population has increased by 24 inmates since the start of this biennium (1214 on July 1, 2005, to 1238 on January 1, 2007) for a growth rate of 2% for men. This is a smaller percentage than in past biennia, and may be an indication that the rapid growth rate in numbers of our prisoners is beginning to decline. However, the number of female inmates grew by 12.24%, going from 147 on July 1, 2005, to 165 on 1/1/07. The male population growth is very close to our projected levels, but the growth in the number of females is much higher than we projected in our budget

Due to construction of 20 additional beds at the JRCC that came available in August of 2006, our operational capacity at the 3 male prisons is now 1011 beds. On 1/1/07, the prisons division had a count of 1238 male prisoners. We needed to contract with county jails, halfway houses, treatment centers, and private prisons to find beds for the male

inmates that couldn't fit into these 1011 beds. These male inmates were placed in county jails around the state (43), at the Tompkins Rehabilitation and Correctional Center (TRCC) program at the State Hospital (47), the Bismarck Transition Center program in Bismarck (73). In August of 2006, we were able to discontinue our contract with the private prison in Appleton Minnesota, although we averaged about 40 male inmate boarders there for the first 14 months of the biennium. In September of 2006, we began our relationship with the North Central Correctional and Rehabilitation Center, and on January 1 of this year, we boarded 30 state inmates in the treatment program there, and 4 state inmates in their jail.

On 1/1/07, our female inmate count was 165. Of these, 118 were being held at the Dakota Women's Correctional and Rehabilitation Center (DWCRC) in New England, 21 were involved in the women's addiction program at the TRCC at the State hospital, 19 were boarded out at the female transition programs in Bismarck and Fargo, 5 were housed in county jails, and 2 were on temporary leave.

b. 2005-2007 Budget Forecast

We believe we will end this biennium with a deficiency. Reasons for this deficit include:
1) A higher number of female inmates than projected and a higher cost per day than what was included in our appropriation;
2) Increased medical costs for both male and female inmates that were over the amount we have been allocated;
3) Increases in the amount we needed to expend for boarding male inmates at Appleton and jails, while waiting for boarding cells in state to be constructed (BTC, NCCRC).
4) Higher numbers of inmates kept inside the three facilities, and a higher cost for food.

The estimate provided by OMB and included in SB2023 (the deficiency bill) totals $3.9 million. However, this amount is dependent on a fairly stable population growth over the final 6 months of the biennium, and is subject to change.

c. Staffing and Salaries

New Positions

The 2005 legislature authorized 18 new positions, mostly for more treatment counselors and medical professionals. We were able to hire a Physician and a Nurse Practitioner, and a Dentist and Dental Assistant. This has saved the state money by allowing us to do more procedures on site in our secure infirmaries, as opposed to transporting inmates into the community clinics and hospitals for these medical and dental procedures. We have also been able to do more health education with the inmates, a proactive step in decreasing medical costs.

All told, we were able to hire 14 new treatment professionals, including 3 Licensed Addiction Counselors (LAC's), 3 Social Workers to assist in addiction group therapy with the LAC's, and 3 Correctional Caseworkers to teach the cognitive restructuring component of the addiction treatment process. We received two positions to conduct the addiction and risk assessment to all new arrivals. We also received 3 sex offender counselors. When we have been able to hire and retain these people, we have met our goal of getting the inmates through programming more quickly and hence, making them eligible for parole earlier into their sentences. However, we are having difficulty

attracting, training and retaining these staff. To date, we have already lost three addiction counselors and three sex offender counselors this biennium to better paying jobs. Presently we're having difficulty filling an Addiction Counselor III and a Sex Offender Therapist at the JRCC, because the salary we can offer isn't enough to attract applicants.

Staff Turnover

High staff turnover is not only an issue with counselors, but with Correctional Officers as well. The first year of the biennium, 24 out of 217 Correctional Officer II FTE's left employment with the Prison's Division, an 11% turnover rate. For the first 6 months of this second year, we've already lost 20 full time Correctional Officers. If the turnover rate continues the next 6 months, we project a turnover rate of 18% for this year. Losing trained officers from our security force negatively impacts staff and inmate safety, and it's also expensive to hire and train their replacements. The quantity and quality of applicants for these open positions is also decreasing.

We need temporary employees to fill in for vacation relief for our full time security staff, and we carry an average of 18 temporary Correctional Officers between the three facilities. These temporary officers receive the full 120 hours of training and become certified Correctional Officers. It is from this pool of employees that we fill the open FTE when an officer resigns. However, the starting pay is lower for temps, and they do not qualify for benefits until they move into a vacant FTE spot. Because of this, the turnover rate for these temporary correctional officers is even higher than for full time staff. The first year of the biennium 10 of these temps left our employment before assuming a full time position, a turnover rate of 59%. In the first 6 months of this second year, 7 of 18 (39%) have already stopped their employment with us. Many of these new officers leave because once they have been trained and certified by the state, they become attractive to county jails, and their starting salary there is frequently much higher than the state offers.

Staff Salaries

The Governor and 2005 Legislature provided state employees with a 4% raise each year of this biennium. In addition, there was approximately 1.75 million dollars in this budget for equity raises for correctional officers, parole officers, and DOCR staff. Those staff that received the annual raises and an equity increase are very appreciative of the recognition of their salary problems you gave them this biennium.

d. Capital Construction Projects during 2005-2007

The present biennium budget included approximately 1.5 million dollars for capital projects, all at the JRCC. There was $980,000 for adding 20 new beds in the ET building, the main dormitory, and to add new exterior windows and install steel ceiling tile to one or more of the floors that serve as the secure space for the inmates. The 20 new cells were completed on schedule and budget, and we moved inmates into them in August of 2006. The bids for the window project will be opened next week, with work to be completed this spring and summer.

We also received $584,000 for building code improvements to the 18A building. This three-story building has the space prison needs for treatment and education classes at the facility, but it required improvements to bring it up to code before it could be occupied. These improvements included adding an elevator and stairwell to make it ADA accessible, new roofing, and restrooms. This work was completed last summer.

II. 2007-2009 Biennial Budget

The 2007-2009 Governor's Executive Budget Recommendation for the Prison Division, excluding Rough Rider Industries, is $125, 514, 464, an increase of approximately $58 million dollars in general funds. However, this general fund increase includes the $42 million to renovate the existing State Penitentiary, and 14 million more for the cost of operations. Significant changes to the budget which require this 14 million increase include:

a. Employee Compensation- $4.42 M

07-09 Compensation adjustment $2.1
Position Reclassification $592,000
07-09 Health Insurance $1.1M
05-07 Continuation $629,000

The Executive Budget recommendation for the Prisons Division includes a 4% pay raise for staff in each of the next 2 years, which increases our appropriation request by 2.1 million dollars. It also proposes to fund 100% of the staff health insurance benefits at a cost of 1.1 million. In addition to these recommendations to the DOCR budget, the Governor proposes a 10 million dollar equity fund to address inequities in staff salaries. I strongly support these measures that have been taken to address pay for staff and ask that you also support them by keeping this appropriation in the DOCR budget.

New bricks and mortar may work as a physical barrier to keep the inmates locked away from society, but it's well-trained, experienced staff that prevent prison riots, escapes, and provide the real security of a prison. North Dakota is fortunate to have some of the best correctional staff, and therefore prisons, in the country. This past biennium, we had no escapes from any of our facilities, there were no riots which resulted in property damage, and no unnatural inmate deaths. However, as mentioned earlier, our employee turnover rate is too high. The challenge for us will be to keep these trained staff by implementing pro-active measures that reduce our turnover rates. The proposals in the executive budget for staff raises, a good benefit package, and an equity pool will give us some tools to remain as an attractive place to work. Please help us continue to protect the public by supporting these measures that will allow us to retain our experienced staff.

As the prison's populations have increased, the staff have become adept at taking on additional job duties to meet the need. A recent review of job classifications showed that a number of positions should be reclassified to a higher grade. A good portion of this money is needed to reclassify 10 Food Service Worker positions at the JRCC, to Correctional Officer II positions. These are employees that worked previously for the State Hospital, but were transferred to the DOCR in July of 2003 when the JRCC began preparing the meals for both the hospital patients, and the JRCC inmates. These employees directly supervise inmates in producing and serving the food, and have been trained as Correctional Officers. Employees in similar positions at NDSP and MRCC are

classified as Correctional Officers due to the security work they perform daily. There are other large groups of staff that are also having their positions reclassified. For example, the job duties and responsibilities for Correctional Officer II's, presently at a grade 9, have increased so that they meet the guidelines to be reclassified to grade 10 next biennium. Although there is no guarantee of more salary with a reclassification, the starting pay range for a grade 10 is higher than for a grade 9 position. A portion of the $592,000 is needed to increase the salaries of those employees so that they will fall within the next highest pay range.

b. Additional Staff - $982,000

The Executive budget includes a total of 14.3 new positions in the Prisons Division cost center however, 3.3 of these new positions are actually our cost allocation for new positions that will go to the DOCR Central Office. These allocated new positions will be addressed by Director Bertsch in her remarks. This leaves 11 new positions for the Prisons Division.

6 of these new positions we're requesting are not actually new to the department, but are for staff that have been filling these duties as temporary employees, in some cases for over 4 years. The other 5 new staff would be for COIII (lieutenants) at the JRCC.

JRCC Lieutenants- 5 FTE. Warden Redmann is in a better position to discuss the critical need for these staff at his facility, so I will keep these comments short. When the JRCC opened in 1998, there were only 3 floors available, for a total useable bed space of 240 inmates. At that time, it was felt that one shift supervisor was sufficient to meet the supervision needs for a smaller staff. However, since then, the JRCC has increased its number of useable beds to 359, plus added the Special Assistance Unit. During the present biennium, they have operated daily with an average of 30 inmates over that capacity. We have requested these additional supervisory positions for the past two biennia and there is a critical need for us to get these staff hired as soon as possible.

Chaplains- 2 FTE. We have two full time chaplains in the Prisons Division, one to serve the inmates at JRCC, and the other to work at the two Bismarck facilities. Originally, these people were employed by the North Dakota Conference of Churches, and we would contract with them for their services. The Conference of Churches had a benefit package for these employees. Over 4 years ago, our relationship with the Conference of Churches ended, and we began to contract with the chaplains directly. However, since we don't have the FTE in our budget, they are considered temporary employees. They do not qualify for the state benefit package. Both of these employees have been at their posts for over 4 years as temporary staff. We believe it is only fair to treat these men as full time staff, and allow them to participate in the benefit package.

Administrative Assistant I, Treatment Department – 1.25 FTE. We are requesting that the 1.25 temporary clerical positions in the Treatment department be made full time employees. Both of these temporary positions have been in place for over 6 years. They are needed to help with filing the treatment records for all the inmates within the prisons division, and to provide clerical support for the 14 new treatment positions we received this biennium. We've seen extensive turnover in one of these positions due to the low pay and lack of benefits. The electronic filing system software is complicated, and requires specialized training to master the system, so we quickly fall behind when we lose the person to a different job and need to retrain a new hire. The other .25 position is already filled by a long term employee that works 40 hours each week; 30 of those as a

¾ state employee, and 10 hours as a temporary employee. The .25 FTE request would allow us to make that position a full time, state employee.

1 Office Assistant III and .5 Office Assistant I in the Medical Department- We presently have a half-time Office Assistant I position, which had been filled for 14 years by the same employee, whose main duties are transcribing physician orders and managing the eye doctor clinic. Approximately 3 years ago, we could not keep up with the workload, and this half-time employee began working full time, with the other 20 hours each week paid out of temporary dollars. We are requesting that we be granted a .5 position so we can now make this position a full time state employee. The Office Assistant III position was added in June of 2005 to manage the clinics we run at the prison now that we have the Physician and Nurse Practitioner on board, and to manage the Medicaid billing process through the DHS for the Prisons and the DWCRC. This person has been in a temporary position for 2 years now.

1 Registered Nurse- NDSP- This is also presently a temporary position that was needed when we hired the Physician and NP. This temporary RN has been in place since the fall of 2005.

.25 Instructor-NDSP/MRCC- This position teaches Adult Basic Education, assisting inmates at NDSP and MRCC to obtain their GED, and has been a ¾ FTE for over 10 years. About 6 years ago, we requested that this employee work full time as our inmate population was growing and we could not meet education needs of all the inmates. Since then, this instructor has been working 40 hours each week; 30 hours as a ¾ state employee, and 10 hours as a temporary employee. The .25 FTE request would allow us to make this position a full time state employee.

c. DWCRC Housing payment -$2.1 million increase

The Prisons Division cost center contains the appropriation to fund the boarding of female inmates at the DWCRC. As noted earlier, the number of female inmates has grown at a faster rate than we projected this biennium, and costs to house these extra women make up a great percentage of our anticipated deficiency. We continue our strong relationship with the DWCRC, which operated at full capacity for most of this biennium. Early in the biennium, we began providing all of the prescription medications for the women at DWCRC from the pharmacy at the State Penitentiary, and we also began processing the medical bills incurred by female inmates at the DWCRC through the prison's medical department. These measures have helped offset the amount of the deficiency created by the higher number of female inmates, but we still find ourselves needing more money to incarcerate women. The Executive Budget provides an additional $2.1 million for the next biennium to meet these needs, and I ask that you support this increase.

d. Food Services ($1.2 M) and Medical Services ($2.0 M)

Both of these cost centers are factors for our present deficiency. We project a deficiency in the food services budget for 2005-2007 of around $200,000. We estimate a need for an increase in this cost center for the next biennium because we expect to be feeding more inmates at JRCC and patients at the State Hospital, and due to inflationary costs in the food and transportation sectors. We're basing this request on an average meal cost for inmates of $1.27/meal, and for the patients at the State Hospital at $2.64/meal.

The medical costs also exceed our budget. Causes for this are the same as in past years, increased costs for services, and a more unhealthy prison population created mostly from methamphetamine use. As anticipated, the addition of the Physician, NP and Dentist have helped us contain these rising costs as we have mitigated the expenses incurred in past biennia by doing more procedures "in house", as opposed to taking the prisoners to local clinics and hospitals.

e. Inmate Electronic Medical Filing System - $1M.

The budget before you includes 1 million dollars for the software and for implementation of an electronic filing system for inmate's medical records. There are three different options we are exploring to bring our medical files to a paperless system; the AIMS system, presently utilized by the State Hospital; a different medical records software system that was developed specifically for prisons by the Federal Bureau of Prisons; and the medical kernel for the iTag system from Syscon, the software company that produced iTag, our current inmate information management software. The budget was based on using the iTag software. Obviously, if either of the first two options would be viable, the software costs would likely be less than purchasing the iTag medical kernel, but the costs to make sure the new software could be inter-phased with our current system could run much higher. The department will choose the most cost effective option. The most recent price quote for the Syscon software was $720, 491. This price included the software kernel, pre-implementation studies, customization and enhancement changes that may be needed to the software program to fit into our current business practices, installation costs, and staff training. The remainder of the requested appropriation would be for paying a temporary work force required to load all the paper files into the system. This request was screened by the SITAC committee, and was ranked highest among the IT proposals submitted by the DOCR, and seventh overall.

f. Equipment- 1.1 million

The executive recommendation includes 1.1 million for equipment expenditures next biennium, however approximately $550,000 of this total is equipment requested by Rough Rider Industries, and would not be paid for with general funds. Some of the larger cost items, by facility, are:

NDSP (total $258,000) - A new digital x-ray machine and scanner-$54,000; EKG machine - $5,000; A package screening machine (security in the front lobby) - $27,000; Repeater for digital radios - $48,000.

MRCC ($69,000 total) - Security Cameras-$24,000; Utility vehicle-$15,000; Bobcat machine - $30,000.

JRCC ($256,000 total) – An ion track (drug and explosives) screening machine - $45,000, and new x-ray machine - $75000, and a self propelled articulating boom lift - $59,000.

g. Extraordinary Repairs - $1.8 million

The prisons division is requesting approximately 1.8 million for extraordinary repairs. We have established a 10 year schedule for repairs that we know we'll be facing over that time frame, and have prioritized them according to urgency. Should the legislature endorse construction of a new facility over the Executive Budget plan for renovating the State Penitentiary in place, it may be that a portion of the 1.1 million requested at NDSP, and the $42,000 requested for MRCC could be eliminated. However some of the repairs

would need to be completed, even if the state was only going to operate these buildings for 3-4 more years during the construction of a new prison. Some of the more expensive repair needs, by facility, are:

NDSP ($1.1 million)- Overhaul of the stand-by generator-$300,000; Repair to RRI building roof-$45,000; NDSP network and surveillance upgrade-$80,000; Perimeter security surveillance-$80,000;ADA access issues/elevator-$385,000.

JRCC ($600,000) - Warden Redmann from the JRCC will review the repair projects for the JRCC.

MRCC (42,000)- Repair Dining Hall roof-$12,000; Heat pump replacement-$ 15,000; Road and Parking lot maintenance-$13,000.

h. Capital Project- $42M for renovating existing prison

A few years ago at our strategic planning meeting, the Prisons Division completed a needs assessment of the physical plant issues faced by our department. Due to the increase in the inmate population, we were forced to board many of our inmates outside the three prisons. Each month we averaged between 70 to 75 new arrivals coming into the prison for orientation, and our present orientation unit was not large enough to house all of the inmates needing the 30 day reception program. Our 40 bed Administrative Segregation Unit (AS) where we house our most violent offenders was full, and we faced daily decisions to find the least risky AS inmate to release back into the general population, to make room for a more violent inmate that required this higher level of security. The prison's infirmary was in a poor location on the second floor of the administration building, and had only 5 hospital cells, which were also always full. The clinic, in the same location was too small, and did not provide the privacy necessary for doctor/patient discussions.

The 2003 legislature approved funding for the department to contract with an architectural firm to explore these physical plant needs, and in May of 2004, we contracted with Ritterbush Ellig and Hulsing architects, in conjunction with HDR Architects Inc., to develop a building plan for renovating and remodeling the current State Penitentiary. The booklet before you is the end result of that planning. It details a $42 million renovation project which would expand the inside perimeter, add a new reception building and a 75 to 100 bed orientation dorm, a 225 bed cell house, a 90 bed Administrative Segregation unit, a 20 bed infirmary and clinic area in the middle of the facility, and location changes to the south tower, laundry and warehouse buildings, which need to be moved to accommodate space for the new construction. After this new construction is completed, there would be 794 useable beds for the general population at NDSP.

This plan has been supported by the Governor, and by the members of the Legislative Interim Budget Committee, albeit by a close vote of 10 to 9, over a plan discussed by some on that committee to completely replace the NDSP and MRCC, sell the lands, and build a new prison. It's encouraging that our leaders have recognized the need to do something to address the need for more prison beds, and both plans have advantages and disadvantages.

Some advantages of the $42 million "rebuild in place "option is it's relatively lower cost than building a new facility. It allows the state to retain some of its $31 million investment it has made in capital projects over the past twenty years. Of the approximately 320,000 square feet of building space inside the walls of the State Penitentiary (including the power plant), 180,000 sq. ft., or 57% of the space, has been constructed since 1982, and many of these buildings still have a useful life expectancy. This plan addresses all of the present needs of the department (more general population beds, a larger AS unit, Clinic and Infirmary, and Orientation/reception building, etc.). After the East Cell house is demolished, the next two oldest buildings would be the Administration building that was constructed in the 1950's, and the West Cell House, opened in 1962. Other than the West Cell House though, the other cell blocks are designed in a pod style, and are staff efficient to operate. The rebuild in place philosophy is that when the West Cell House and the Administration Building have reached their life expectancy, they could be replaced with a newer energy and staff efficient design on the same site. The plan in the executive budget is projected to meet the state male prison population needs through the summer of 2014. This has also been designed so that additional pod-style cell houses could be added to the south and east perimeters should there be a need for more beds.

Some disadvantages of this plan are that these older buildings will require more maintenance costs than a new building. If it is decided to keep the existing NDSP and MRCC into the future, more money for maintenance and repairs will need to be invested. Some of the extraordinary repair costs requested ion this budget could instead be put towards constructing a new facility. The west cell block would remain, and because of it's design, that building is staff intensive to provide the needed security.

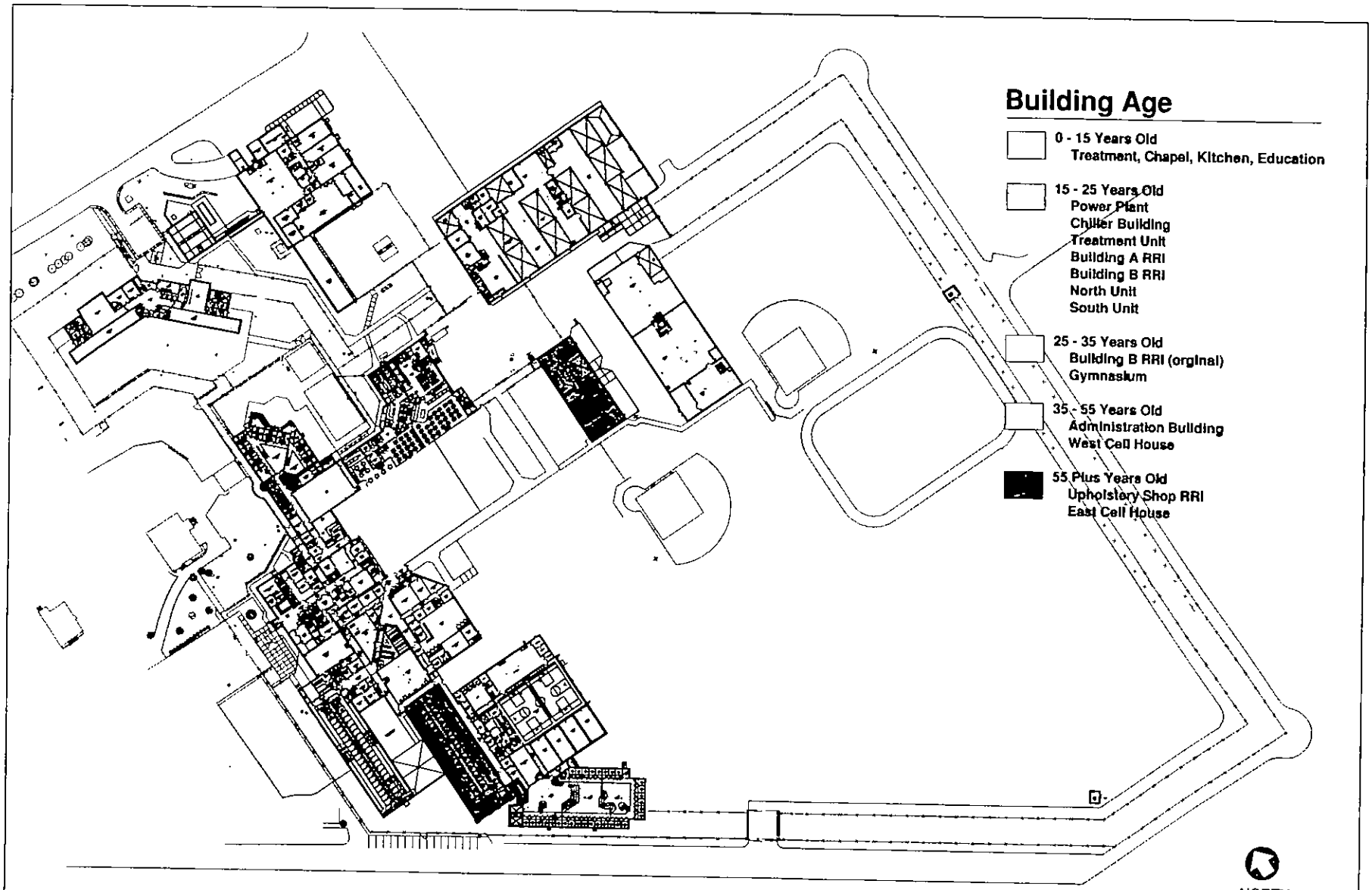
The other plan being discussed this session would be to sell the land that houses the MRCC and the 80 acres around the NDSP and use this revenue to demolish these buildings, and acquire land in Burleigh County to build a new 800-bed maximum security prison facility and a 150-bed minimum security facility adjacent and outside the secure perimeter of the maximum unit. Towards that end, the Legislative Interim Budget Committee requested that we have this land appraised. We contracted with Dakota Appraisal and Consulting, Ltd. and have received land values of $5 million for the 80 acres around NDSP, and $7,850,000 for the 785 net useable acres surrounding the MRCC.

There are many advantages to building a new facility. The buildings could be designed to be energy efficient, and the newer cell house designs should require fewer staff to provide security. However, exactly how many staff would be needed would be impossible to determine until there were construction plans drawn. One would not expect that a new building would need many repairs over the first 10 years or so, so there would be a savings on the extraordinary repairs line item. The new construction would address all the current needs for more bed space, more segregation beds, a larger Orientation unit, infirmary and clinic. A new building could be designed so that future cell house pods could be added within the perimeter to meet future housing needs.

The greatest drawback to new construction is its cost. At the request of some members of the Legislative Interim Budget Committee, the architects that were hired to design the prison remodel plan compiled an estimated cost for a new 950 (800 maximum security and 150 minimum security) bed facility that would mimic the same size, and features of the renovated NDSP and existing MRCC. Their cost estimate is approximately $116

million. A lesser concern that I have might be the tendency for the state stakeholders to believe that building a new facility would meet all of the prisons needs. They may feel less likely to appropriate money to address inmate programs, or officer salary and benefit issues, and that would be a mistake. It is the inmate programs that help the inmates change their negative behaviors, which keeps our recidivism rate low and the population from rising, and it is the quality of the staff that keeps the roof on the prison, making it a safe place to work, and for the inmates to live.

This concludes my prepared testimony, but I would be glad to answer any questions the committee members may have.



HDR Architecture, Inc.

PLANNING AND PROGRAMMING
NORTH DAKOTA PENITENTIARY EXPANSION

SITE PLAN

S

House Bill 1015

Department of Corrections and Rehabilitation Appropriation Request
Testimony on Prisons Division Funding
Senate Appropriation Committee
3/5/2007

Tim Schuetzle, Prisons Division Director

The request before you is the Governor's proposed budget for operating the three secure facilities that make up the Department of Corrections and Rehabilitation (DOCR) Prisons Division; the North Dakota State Penitentiary (NDSP), the Missouri River Correctional Center (MRCC) in Bismarck, and the James River Correctional Center (JRCC) in Jamestown, along with an allocation of the DOCR Central Office. My testimony this morning will address this funding request pertaining specifically to these three secure facilities.

The 2007-2009 Governor's Executive Budget Recommendation for the Prison Division excluding Rough Rider Industries, is $125, 514, 464, an increase of approximately $58 million dollars in general funds. This increase includes the $42 million for a capital project to renovate the existing State Penitentiary. Before I address the 2007-2009 budget request though, I would like to give the committee a quick review of the prison's division use of the 2005-2007 appropriation.

I. 2005-2007 Biennium Highlights

a. Current Population Levels

The number of inmates incarcerated in the Department of Corrections rose by 42 inmates in the first 18 months of this biennium, going from an average daily population for July of 2005 of 1361, to the December 2006 average daily population of 1403. This is a growth rate of 3% during the first 18 months of this biennium. The male population has increased by 24 inmates since the start of this biennium (1214 on July 1, 2005, to 1238 on January 1, 2007) for a growth rate of 2% for men. This is a smaller percentage than in past biennia, and may be an indication that the rapid growth rate in numbers of our prisoners is beginning to decline. However, the number of female inmates grew by 12.24%, going from 147 on July 1, 2005, to 165 on 1/1/07. The male population growth is very close to our projected levels, but the growth in the number of females is much higher than we projected in our budget

Due to construction of 20 additional beds at the JRCC that came available in August of 2006, our operational capacity at the 3 male prisons is now 1011 beds. On 1/1/07, the prisons division had a count of 1238 male prisoners. We needed to contract with county jails, halfway houses, treatment centers, and private prisons to find beds for the male inmates that couldn't fit into these 1011 beds. These male inmates were placed in county jails around the state (43), at the Tompkins Rehabilitation and Correctional Center (TRCC) program at the State Hospital (47), the Bismarck Transition Center program in Bismarck (73). In August of 2006, we were able to discontinue our contract with the private prison in Appleton Minnesota, although we averaged about 40 male inmate boarders there for the first 14 months of the biennium. In September of 2006, we began our relationship with the North Central Correctional and Rehabilitation Center,

Some advantages of the $42 million "rebuild in place "option is it's relatively lower cost than building a new facility. It allows the state to retain some of its $31 million investment it has made in capital projects over the past twenty years. Of the approximately 320,000 square feet of building space inside the walls of the State Penitentiary (including the power plant), 180,000 sq. ft., or 57% of the space, has been constructed since 1982, and many of these buildings still have a useful life expectancy. This plan addresses all of the present needs of the department (more general population beds, a larger AS unit, Clinic and Infirmary, and Orientation/reception building, etc.). After the East Cell house is demolished, the next two oldest buildings would be the Administration building that was constructed in the 1950's, and the West Cell House, opened in 1962. Other than the West Cell House though, the other cell blocks are designed in a pod style, and are staff efficient to operate. The rebuild in place philosophy is that when the West Cell House and the Administration Building have reached their life expectancy, they could be replaced with a newer energy and staff efficient design on the same site. The plan in the executive budget is projected to meet the state male prison population needs through the summer of 2014. This has also been designed so that additional pod-style cell houses could be added to the south and east perimeters should there be a need for more beds.

The House has passed a budget which provides for $85 million to build a "new prison" on the site of the existing State Penitentiary, but that allows for continued use of some of the present buildings. While this plan makes sense in that it retains the state's investment in many of the newer buildings on site, we don't believe that we would need $85 million to replace some of the older, less efficient buildings. If additional money was provided above the $42 million requested in the executive budget, we would explore demolition of the West Cell House, the prison Administration Building, and the DOCR Central Office building. The House plan also calls for selling the MRCC land, and constructing a new minimum-security unit on the land at the State Penitentiary. We believe that we could replace these three additional buildings, and rebuild a minimum-security unit for approximately $65 million. However, we are not in favor of selling the MRCC lands, or relocating that facility. The MRCC dormitory is only about 15 years old, and still has many years of service to provide the state before it needs to be replaced. In addition, there is a new Rough Rider Industries building on the grounds there, which would be abandoned in the House plan. We have had the MRCC land appraised, and its value is estimated at $7.85 million. Despite this professional appraisal, there are many who erroneously believe that the MRCC land is worth more than that. It doesn't make fiscal sense for the state to sell this land at a point in time when the state doesn't need the revenue, and there are still serviceable buildings at that facility. If the state would postpone this decision for 15 to 20 years, it would allow us to get the useful life out of the buildings, and the land would only appreciate in value, creating more revenue for the state at a time when it may be more needed

Yet a third idea still being discussed this session would be to sell the land that houses the MRCC and the 80 acres around the NDSP and use this revenue to demolish these buildings, and build a new 800-bed maximum security prison facility and a 150-bed minimum security facility adjacent and outside the secure perimeter of the maximum unit. Towards that end, the Legislative Interim Budget Committee requested that we have the State Penitentiary land appraised. We contracted with Dakota Appraisal and Consulting, Ltd. and have received land values of $5 million for the 80 acres around NDSP.

There are some advantages to building a new facility in that the buildings could be designed to be energy efficient, and the newer cell house designs should require fewer staff to provide security. However, exactly how many staff would be needed would be impossible to determine until there were construction plans drawn. One would not expect that a new building would need many repairs over the first 10 years or so, so there would be a savings on the extraordinary repairs line item. The new construction would address all the current needs for more bed space, more segregation beds, a larger Orientation unit, infirmary and clinic. A new building could be designed so that future cell house pods could be added within the perimeter to meet future housing needs.

The greatest drawback to new construction is its cost. At the request of some members of the Legislative Interim Budget Committee, the architects that were hired to design the prison remodel plan compiled an estimated cost for a new 950 (800 maximum security and 150 minimum security) bed facility that would mimic the same size, and features of the renovated NDSP and existing MRCC. Their cost estimate is approximately $116 million. A lesser concern that I have might be the tendency for the state stakeholders to believe that building a new facility would meet all of the prisons needs. They may feel less likely to appropriate money to address inmate programs, or officer salary and benefit issues, and that would be a mistake. It is the inmate programs that help the inmates change their negative behaviors, which keeps our recidivism rate low and the population from rising, and it is the quality of the staff that keeps the roof on the prison, making it a safe place to work, and for the inmates to live.

No matter which plan the legislature decides, not doing anything is not an option. The DOCR needs more cell space to handle the greater number of prisoners coming into the system, and we need to improve the Infirmary, Orientation, and Segregation units if we are to continue to provide the state with a secure facility that protects the public, and maintains safety for the staff that work there, and the inmates that become wards of the state.

This concludes my prepared testimony, but I would be glad to answer any questions the committee members may have.

DOCR			
Adult Services			
Prisons Division	2005-07 Approp	2007-09 Exec Rec	2007-09 House
Facility Administration	5,944,390	6,420,009	6,420,009
Plant Services	10,251,124	52,868,895	95,171,395
Food Services	5,573,105	6,953,714	6,953,714
Medical Services	9,049,787	12,456,993	12,456,993
Treatment Services	4,357,216	4,892,122	4,828,122
Education Services	979,212	1,066,533	1,066,533
Security	31,896,122	39,029,195	39,029,195
Work Programs	10,649,940	12,812,263	9,812,263
Training	353,380	458,439	458,439
Central Office Allocation	1,953,710	3,135,115	3,135,115
Total JCS	**81,007,986**	**140,093,278**	**179,331,778**
General Funds	65,868,292	124,120,036	166,358,536
Federal Funds	775,683	60,000	60,000
Special Funds	14,364,011	15,913,242	12,913,242
FTE	458.99	473.29	471.29

DOCR

Adult Services

Prisons Division	2005-07 Approp	2007-09 Exec Rec	Change	%
Facility Administration	5,944,390	6,420,009	475,619	8.0%
Plant Services	10,251,124	52,868,895	42,617,771	415.7%
Food Services	5,573,105	6,953,714	1,380,609	24.8%
Medical Services	9,049,787	12,456,993	3,407,206	37.6%
Treatment Services	4,357,216	4,892,122	534,906	12.3%
Education Services	979,212	1,066,533	87,321	8.9%
Security	31,896,122	39,029,195	7,133,073	22.4%
Work Programs	10,649,940	12,812,263	2,162,323	20.3%
Training	353,380	458,439	105,059	29.7%
Central Office Allocation	1,953,710	3,135,115	1,181,405	60.5%
Total JCS	**81,007,986**	**140,093,278**	**59,085,292**	**72.9%**
General Funds	65,868,292	124,120,036	58,251,744	88.4%
Federal Funds	775,683	60,000	(715,683)	-92.3%
Special Funds	2,798,091	1,334,428	(1,463,663)	-52.3%
FTE	458.99	473.29	14.30	

Agency Name: DEPT OF CORRECTIONS AND REHAB
Reporting Level: PRISONS DIVISION

1 Object/Revenue Description	Code	2 2007-09 Total Budget Changes	3 2007-09 Budget Recommendation	4	5	6	7
Change Package Type: A **Number:** 112 **Group:** A **Description:** OMB - Contract housing							
MEANS OF FUNDING							
STATE GENERAL FUND	001	3,830,118	3,830,118	0	0	0	0
General Fund	77	3,830,118	3,830,118				
TOTAL FUNDING		3,830,118	3,830,118				
Change Package Type: A **Number:** 53004 **Group:** A **Description:** Inflationary/Workload Changes							
AUTHORIZED EMPLOYEES							
VACANT		0.00	0.00	0.00	0.00	0.00	0.00
AUTHORIZED EMPLOYEES		0.00	0.00				
TOTAL AUTHORIZED EMPLOYEES		0.00	0.00				
EXPENDITURES							
SALARIES - PERMANENT	511000	0	0	0	0	0	0
TEMPORARY SALARIES	513000	49,920	49,920	0	0	0	0
OVERTIME	514000	36,000	36,000	0	0	0	0
FRINGE BENEFITS	516000	8,592	8,592	0	0	0	0
TRAVEL	521000	106,140	106,140	0	0	0	0
SUPPLIES - IT SOFTWARE	531000	(61,380)	(61,380)	0	0	0	0
SUPPLY/MATERIAL-PROFESSIONAL	532000	24,894	24,894	0	0	0	0
FOOD AND CLOTHING	533000	1,017,812	1,017,812	0	0	0	0
BLDG, GROUND, MAINTENANCE	534000	3,005,680	3,005,680	0	0	0	0
MISCELLANEOUS SUPPLIES	535000	(612)	(612)	0	0	0	0
OFFICE SUPPLIES	536000	(14,976)	(14,976)	0	0	0	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Reporting Level: PRISONS DIVISION

1 Object/Revenue Description	Code	2 2007-09 Total Budget Changes	3 2007-09 Budget Recommendation	4	5	6	7
Change Package Type: A **Number:** 53004 **Group:** A **Description:** Inflationary/Workload Changes							
EXPENDITURES							
POSTAGE	541000	7,954	7,954	0	0	0	0
PRINTING	542000	4,331	4,331	0	0	0	0
IT EQUIP UNDER $5,000	551000	(9,081)	(9,081)	0	0	0	0
OTHER EQUIP UNDER $5,000	552000	31,326	31,326	0	0	0	0
OFFICE EQUIP & FURN SUPPLIES	553000	(48,614)	(48,614)	0	0	0	0
UTILITIES	561000	658,497	658,497	0	0	0	0
INSURANCE	571000	56,192	56,192	0	0	0	0
RENTALS/LEASES-EQUIP & OTHER	581000	62,919	62,919	0	0	0	0
RENTALS/LEASES - BLDG/LAND	582000	(27)	(27)	0	0	0	0
REPAIRS	591000	(138,703)	(138,703)	0	0	0	0
IT - DATA PROCESSING	601000	54,127	54,127	0	0	0	0
IT-COMMUNICATIONS	602000	(60,653)	(60,653)	0	0	0	0
IT CONTRACTUAL SERVICES AND RE	603000	(125,286)	(125,286)	0	0	0	0
PROFESSIONAL DEVELOPMENT	611000	59,210	59,210	0	0	0	0
OPERATING FEES AND SERVICES	621000	272,126	272,126	0	0	0	0
FEES - PROFESSIONAL SERVICES	623000	692,407	692,407	0	0	0	0
MEDICAL, DENTAL AND OPTICAL	625000	1,116,552	1,116,552	0	0	0	0
MISCELLANEOUS EXPENSES	631000	(200,000)	(200,000)	0	0	0	0
OTHER CAPITAL PAYMENTS	683000	2,552,663	2,552,663	0	0	0	0
PRISONS DIVISION	77	9,158,010	9,158,010				
EXPENDITURE TOTALS		9,158,010	9,158,010				
MEANS OF FUNDING							
STATE GENERAL FUND	001	5,554,322	5,554,322	0	0	0	0
General Fund	77	5,554,322	5,554,322				
PENITENTIARY INDUSTRIES - 365	365	3,094,844	3,094,844	0	0	0	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Reporting Level: PRISONS DIVISION

1 Object/Revenue Description	Code	2 2007-09 Total Budget Changes	3 2007-09 Budget Recommendation	4	5	6	7
Change Package Description:							
Type: A Inflationary/Workload Changes							
Number: 53004							
Group: A							
MEANS OF FUNDING							
DEPT OF CORRECTIONS OPER - 379	379	468,844	468,844	0	0	0	0
Special Funds	77	3,563,688	3,563,688				
DETENTION SERVICES - FED	P021	40,000	40,000	0	0	0	0
Federal Funds	77	40,000	40,000				
TOTAL FUNDING		9,158,010	9,158,010				
Change Package Description:							
Type: A Funding Source							
Number: 53005							
Group: A							
MEANS OF FUNDING							
STATE GENERAL FUND	001	849,645	849,645	0	0	0	0
General Fund	77	849,645	849,645				
DEPT OF CORRECTIONS OPER - 379	379	(368,507)	(368,507)	0	0	0	0
Special Funds	77	(368,507)	(368,507)				
WIA JOB SERVICE-ADULT	P042	(40,092)	(40,092)	0	0	0	0
ADULT EDUC/PEN	P043	(50,386)	(50,386)	0	0	0	0
VOCATIONAL/TECH EDUCATION	P070	(66,298)	(66,298)	0	0	0	0
RESIDENTIAL SUBSTANCE ABUSE TRMT	P108	(265,897)	(265,897)	0	0	0	0
SCAAP-BJA	P133	(26,026)	(26,026)	0	0	0	0
YOUTH TRAINING-US DEPT EDUC	P135	(28,465)	(28,465)	0	0	0	0

DOCR – PRISONS DIVISIONS – FACILITY ADMINISTRATION
2007-09 BUDGET DETAIL

Reporting Level: 530-500-20-10-10; 530-500-20-15-10; 530-500-20-20-10	
Program: FACILITY ADMINISTRATION	

EXPLANATION OF PROGRAM COSTS

The facility administration program's account for the costs related to the management and administration of resources directed at the prisons division.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	2,508,202	2,786,122	73%	277,920
Operating	1,686,935	1,037,336	27%	(649,599)
Capital	20,362	-	0%	(20,362)
Grants	-	-	0%	-
Total	**4,215,499**	**3,823,458**	**100%**	**(392,041)**
General	4,028,412	3,823,458	100%	(204,954)
Federal	-	-	0%	-
Special	187,087	-	0%	(187,087)
FTE	28.0	28.0		-

MATERIAL EXPENDITURES – (90% of budget)

Salary and Fringe – $2,786,122 – 73% of budget
- Prison Division Director – 1.0 fte
- JRCC Warden – 1.0 fte
- MRCC Chief of Security – 1.0 fte
- Deputy Warden – 2.0 fte
- Unit Manager – 2.0 fte
- Correctional Officer – 2.0 fte
- Administrative Officer – 2.0 fte
- Administrative / Office Assistant – 11.0 fte
- Account Technician – 2.0 fte
- Human Resource Officer – 1.0 fte
- Human Resource Technician – 1.0 fte
- Purchasing Agent – 1.0 fte
- Warhouse Clertk – 1.0 fte

Travel - $57,310 – 2% of budget
- Motor pool, in-state / out of state employee reimbursable travel (meals, lodging), air transportation, non-employee travel

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FACILITY ADMINISTRATION - PEN
Reporting Level: 01-530-500-20-10-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	912,995	526,039	536,778	1,062,817	1,101,600	38,783
TEMPORARY SALARIES	513000	5,735	2,709	9,065	11,774	7,896	(3,878)
OVERTIME	514000	24,786	16,024	34,868	50,892	34,128	(16,764)
FRINGE BENEFITS	516000	324,975	186,480	182,645	369,125	421,682	52,557
TRAVEL	521000	13,296	6,994	1,464	8,458	17,310	8,852
SUPPLIES - IT SOFTWARE	531000	0	0	41,250	41,250	1,294	(39,956)
SUPPLY/MATERIAL-PROFESSIONAL	532000	4,694	3,141	19,559	22,700	6,500	(16,200)
FOOD AND CLOTHING	533000	8,512	1,321	79,108	80,429	20,000	(60,429)
BLDG, GROUND, MAINTENANCE	534000	26,293	6,493	83,532	90,025	32,335	(57,690)
MISCELLANEOUS SUPPLIES	535000	9,158	26,114	9,654	35,768	15,000	(20,768)
OFFICE SUPPLIES	536000	14,117	4,744	53,719	58,463	25,000	(33,463)
POSTAGE	541000	202	109	6,891	7,000	1,500	(5,500)
PRINTING	542000	10,313	4,852	10,211	15,063	15,000	(63)
IT EQUIP UNDER $5,000	551000	1,850	2,812	16,588	19,400	17,895	(1,505)
OTHER EQUIP UNDER $5,000	552000	0	0	10,000	10,000	500	(9,500)
OFFICE EQUIP & FURN SUPPLIES	553000	9,177	5,194	1,306	6,500	1,850	(4,650)
INSURANCE	571000	60,831	2,371	60,587	62,958	60,001	(2,957)
RENTALS/LEASES-EQUIP & OTHER	581000	22,852	12,153	19,207	31,360	25,000	(6,360)
RENTALS/LEASES - BLDG/LAND	582000	0	0	0	0	0	0
REPAIRS	591000	1,385	541	5,459	6,000	5,000	(1,000)
SALARY INCREASE	599110	0	0	0	0	68,980	68,980
BENEFIT INCREASE	599160	0	0	0	0	11,797	11,797
IT - DATA PROCESSING	601000	36,783	39,714	117,146	156,860	89,611	(67,249)
IT-COMMUNICATIONS	602000	583	220	84,424	84,644	474	(84,170)

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FACILITY ADMINISTRATION - PEN
Reporting Level: 01-530-500-20-10-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
IT CONTRACTUAL SERVICES AND RE	603000	0	0	40,000	40,000	48,344	8,344
PROFESSIONAL DEVELOPMENT	611000	3,132	2,572	2,428	5,000	5,000	0
OPERATING FEES AND SERVICES	621000	21,078	17,266	55,734	73,000	45,000	(28,000)
FEES - PROFESSIONAL SERVICES	623000	0	83	49,717	49,800	5,000	(44,800)
MEDICAL, DENTAL AND OPTICAL	625000	0	770	2,230	3,000	1,500	(1,500)
EQUIPMENT OVER $5000	691000	0	0	12,526	12,526	0	(12,526)
IT EQUIPMENT OVER $5000	693000	0	0	7,836	7,836	0	(7,836)
PRISONS DIVISION	77	1,512,747	868,716	1,553,932	2,422,648	2,085,197	(337,451)
MEANS OF FUNDING							
RESIDENTIAL SUBSTANCE ABUSE TRMT	P108	0	0	0	0	0	0
SCAAP-BJA	P133	3,431	0	0	0	0	0
Federal Funds	FED	3,431	0	0	0	0	0
STATE GENERAL FUND	001	1,480,346	859,489	1,376,073	2,235,562	2,085,197	(150,365)
General Fund	GEN	1,480,346	859,489	1,376,073	2,235,562	2,085,197	(150,365)
DEPT OF CORRECTIONS OPER - 379	379	28,970	9,227	177,859	187,086	0	(187,086)
Special Funds	SPEC	28,970	9,227	177,859	187,086	0	(187,086)
EXPENDITURES							
TOTAL EXPENDITURES		1,512,747	868,716	1,553,932	2,422,648	2,085,197	(337,451)
MEANS OF FUNDING							
TOTAL FUNDING		1,512,747	868,716	1,553,932	2,422,648	2,085,197	(337,451)
AUTHORIZED EMPLOYEES							
FTE		18.53	15.53	0.00	15.53	15.53	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FACILITY ADMINISTRATION - JRCC
Reporting Level: 01-530-500-20-15-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	483,727	278,407	295,694	574,101	590,554	16,453
OVERTIME	514000	1,394	767	262	1,029	1,944	915
FRINGE BENEFITS	516000	186,924	107,021	106,058	213,079	256,442	43,363
TRAVEL	521000	11,261	6,550	1,361	7,911	10,000	2,089
SUPPLIES - IT SOFTWARE	531000	252	293	2,907	3,200	600	(2,600)
SUPPLY/MATERIAL-PROFESSIONAL	532000	3,436	2,306	3,194	5,500	5,000	(500)
FOOD AND CLOTHING	533000	110,482	64,065	152,107	216,172	125,000	(91,172)
BLDG, GROUND, MAINTENANCE	534000	72,207	30,412	90,293	120,705	85,000	(35,705)
MISCELLANEOUS SUPPLIES	535000	17,669	14,287	27,487	41,774	25,000	(16,774)
OFFICE SUPPLIES	536000	41,903	18,889	23,467	42,356	45,000	2,644
POSTAGE	541000	8,488	3,884	1,116	5,000	6,500	1,500
PRINTING	542000	4,908	2,530	970	3,500	4,500	1,000
IT EQUIP UNDER $5,000	551000	72	109	5,591	5,700	1,500	(4,200)
OTHER EQUIP UNDER $5,000	552000	682	476	16,099	16,575	0	(16,575)
OFFICE EQUIP & FURN SUPPLIES	553000	4,111	3,936	13,214	17,150	0	(17,150)
UTILITIES	561000	0	0	0	0	0	0
INSURANCE	571000	49,881	1,944	2,933	4,877	5,000	123
RENTALS/LEASES-EQUIP & OTHER	581000	17,049	9,208	12,932	22,140	20,000	(2,140)
RENTALS/LEASES - BLDG/LAND	582000	155	371	129	500	500	0
REPAIRS	591000	1,693	663	1,337	2,000	2,000	0
SALARY INCREASE	599110	0	0	0	0	37,399	37,399
BENEFIT INCREASE	599160	0	0	0	0	6,342	6,342
IT - DATA PROCESSING	601000	27,720	30,004	26,074	56,078	74,616	18,538
IT-COMMUNICATIONS	602000	714	262	21,890	22,152	396	(21,756)

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FACILITY ADMINISTRATION - JRCC
Reporting Level: 01-530-500-20-15-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
IT CONTRACTUAL SERVICES AND RE	603000	0	0	4,228	4,228	0	(4,228)
PROFESSIONAL DEVELOPMENT	611000	1,509	871	13,529	14,400	10,000	(4,400)
OPERATING FEES AND SERVICES	621000	4,948	4,113	26,707	30,820	10,000	(20,820)
FEES - PROFESSIONAL SERVICES	623000	2,015	469	11,531	12,000	2,500	(9,500)
MEDICAL, DENTAL AND OPTICAL	625000	1,682	770	730	1,500	1,500	0
EQUIPMENT OVER $5000	691000	5,500	0	0	0	0	0
PRISONS DIVISION	77	1,060,382	582,607	861,840	1,444,447	1,327,293	(117,154)
MEANS OF FUNDING							
SCAAP-BJA	P133	1,595	0	0	0	0	0
Federal Funds	FED	1,595	0	0	0	0	0
STATE GENERAL FUND	001	1,058,787	582,607	861,840	1,444,447	1,327,293	(117,154)
General Fund	GEN	1,058,787	582,607	861,840	1,444,447	1,327,293	(117,154)
DEPT OF CORRECTIONS OPER - 379	379	0	0	0	0	0	0
Special Funds	SPEC	0	0	0	0	0	0
EXPENDITURES							
TOTAL EXPENDITURES		1,060,382	582,607	861,840	1,444,447	1,327,293	(117,154)
MEANS OF FUNDING							
TOTAL FUNDING		1,060,382	582,607	861,840	1,444,447	1,327,293	(117,154)
AUTHORIZED EMPLOYEES							
FTE		12.33	10.33	0.00	10.33	10.33	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FACILITY ADMINISTRATION - MRCC
Reporting Level: 01-530-500-20-20-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	141,894	81,801	85,090	166,891	170,148	3,257
FRINGE BENEFITS	516000	49,913	28,711	29,782	58,493	65,114	6,621
TRAVEL	521000	22,321	12,015	2,985	15,000	30,000	15,000
SUPPLIES - IT SOFTWARE	531000	0	0	0	0	100	100
SUPPLY/MATERIAL-PROFESSIONAL	532000	1,574	1,123	877	2,000	2,000	0
FOOD AND CLOTHING	533000	7,273	4,087	20,047	24,134	15,000	(9,134)
BLDG, GROUND, MAINTENANCE	534000	38,597	23,124	6,876	30,000	50,000	20,000
MISCELLANEOUS SUPPLIES	535000	4,939	3,940	756	4,696	6,500	1,804
OFFICE SUPPLIES	536000	7,601	4,245	4,065	8,310	8,310	0
POSTAGE	541000	0	0	0	0	0	0
PRINTING	542000	1,990	1,061	639	1,700	1,700	0
IT EQUIP UNDER $5,000	551000	0	0	0	0	0	0
OTHER EQUIP UNDER $5,000	552000	0	0	0	0	4,800	4,800
OFFICE EQUIP & FURN SUPPLIES	553000	1,407	796	1,204	2,000	0	(2,000)
UTILITIES	561000	0	0	0	0	0	0
INSURANCE	571000	10,950	427	73	500	500	0
RENTALS/LEASES-EQUIP & OTHER	581000	3,660	1,977	3,723	5,700	4,000	(1,700)
RENTALS/LEASES - BLDG/LAND	582000	0	0	0	0	0	0
REPAIRS	591000	2,632	1,358	3,142	4,500	4,500	0
SALARY INCREASE	599110	0	0	0	0	10,345	10,345
BENEFIT INCREASE	599160	0	0	0	0	1,751	1,751
IT - DATA PROCESSING	601000	14,677	15,869	7,211	23,080	34,800	11,720
IT-COMMUNICATIONS	602000	0	0	0	0	0	0
IT CONTRACTUAL SERVICES AND RE	603000	0	0	0	0	0	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FACILITY ADMINISTRATION - MRCC
Reporting Level: 01-530-500-20-20-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
PROFESSIONAL DEVELOPMENT	611000	714	586	614	1,200	1,200	0
OPERATING FEES AND SERVICES	621000	0	0	0	0	0	0
FEES - PROFESSIONAL SERVICES	623000	0	0	0	0	0	0
MEDICAL, DENTAL AND OPTICAL	625000	436	156	44	200	200	0
EXTRAORDINARY REPAIRS	684000	0	0	0	0	0	0
PRISONS DIVISION	77	310,578	181,276	167,128	348,404	410,968	62,564
MEANS OF FUNDING							
STATE GENERAL FUND	001	310,578	181,276	167,128	348,404	410,968	62,564
General Fund	GEN	310,578	181,276	167,128	348,404	410,968	62,564
DEPT OF CORRECTIONS OPER - 379	379	0	0	0	0	0	0
Special Funds	SPEC	0	0	0	0	0	0
EXPENDITURES							
TOTAL EXPENDITURES		310,578	181,276	167,128	348,404	410,968	62,564
MEANS OF FUNDING							
TOTAL FUNDING		310,578	181,276	167,128	348,404	410,968	62,564
AUTHORIZED EMPLOYEES							
FTE		2.14	2.14	0.00	2.14	2.14	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FACILITY ADMINISTRATION - RRI
Reporting Level: 01-530-500-20-30-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	775,802	448,242	424,326	872,568	1,222,320	349,752
TEMPORARY SALARIES	513000	14,115	8,000	0	8,000	49,920	41,920
OVERTIME	514000	178	789	10,019	10,808	24,000	13,192
FRINGE BENEFITS	516000	252,674	150,592	163,373	313,965	486,710	172,745
TRAVEL	521000	37,911	23,990	9,010	33,000	60,000	27,000
SUPPLIES - IT SOFTWARE	531000	3,750	6,000	0	6,000	7,000	1,000
OFFICE SUPPLIES	536000	6,906	4,758	5,242	10,000	10,000	0
POSTAGE	541000	12,136	6,600	11,400	18,000	18,000	0
PRINTING	542000	3,166	2,688	3,312	6,000	6,000	0
IT EQUIP UNDER $5,000	551000	11,188	6,649	2,351	9,000	9,693	693
OTHER EQUIP UNDER $5,000	552000	4,639	1,654	9,346	11,000	5,000	(6,000)
UTILITIES	561000	29,570	19,116	17,884	37,000	45,000	8,000
INSURANCE	571000	13,441	5,598	9,402	15,000	15,000	0
RENTALS/LEASES-EQUIP & OTHER	581000	1,516	250	6,750	7,000	84,000	77,000
REPAIRS	591000	13,044	7,744	69,256	77,000	20,000	(57,000)
SALARY INCREASE	599110	0	0	0	0	68,660	68,660
BENEFIT INCREASE	599160	0	0	0	0	11,612	11,612
IT - DATA PROCESSING	601000	17,153	12,295	9,705	22,000	29,110	7,110
IT-COMMUNICATIONS	602000	9,121	5,533	6,467	12,000	11,976	(24)
IT CONTRACTUAL SERVICES AND RE	603000	19,672	9,786	15,214	25,000	45,000	20,000
PROFESSIONAL DEVELOPMENT	611000	13,339	10,000	0	10,000	25,000	15,000
OPERATING FEES AND SERVICES	621000	156,147	94,961	95,589	190,550	220,550	30,000
FEES - PROFESSIONAL SERVICES	623000	15,825	15,000	0	15,000	45,000	30,000
MISCELLANEOUS EXPENSES	631000	16,837	9,527	10,473	20,000	20,000	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FACILITY ADMINISTRATION - RRI
Reporting Level: 01-530-500-20-30-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
EQUIPMENT OVER $5000	691000	23,916	0	0	0	57,000	57,000
IT EQUIPMENT OVER $5000	693000	6,223	0	0	0	0	0
PRISONS DIVISION	77	1,458,269	849,772	879,119	1,728,891	2,596,551	867,660
MEANS OF FUNDING							
PENITENTIARY INDUSTRIES - 365	365	1,458,269	849,772	879,119	1,728,891	2,596,551	867,660
Special Funds	SPEC	1,458,269	849,772	879,119	1,728,891	2,596,551	867,660
EXPENDITURES							
TOTAL EXPENDITURES		1,458,269	849,772	879,119	1,728,891	2,596,551	867,660
MEANS OF FUNDING							
TOTAL FUNDING		1,458,269	849,772	879,119	1,728,891	2,596,551	867,660
AUTHORIZED EMPLOYEES							
FTE		12.00	12.00	0.00	12.00	16.00	4.00
VACANT		0.00	0.00	0.00	0.00	0.00	0.00

DOCR – PRISONS DIVISIONS – PLANT SERVICES
2007-09 BUDGET DETAIL

Reporting Level: 530-500-20-10-15; 530-500-20-15-15; 530-500-20-20-15	
Program: PLANT SERVICES	

EXPLANATION OF PROGRAM COSTS

Plant services accounts for the daily operation and maintenance of facilities, grounds, and equipment. Manages to completion all capital projects / improvements and extraordinary repair projects.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	1,815,870	2,034,968	4%	219,098
Operating	3,667,732	4,301,189	8%	633,457
Capital	4,767,521	46,532,738	88%	41,765,217
Grants	-	-	0%	-
Total	**10,251,124**	**52,868,895**	**100%**	**42,617,771**
General	8,487,434	52,868,895	100%	44,381,461
Federal	-	-	0%	-
Special	1,763,690	-	0%	(1,763,690)
FTE	20.0	20.0		-

MATERIAL EXPENDITURES – (90% of budget)

Salary and Fringe – $2,034,968 – 4% of budget
- Physical Plant Director - 2.0 fte
- Fleet & Equipment Supervisor - - 1.0 fte
- Heat Plant Supervisor – 1.0 fte
- Heat Plant Operator - 4.0 fte
- Carpenter – 2.0 fte
- Electrician – 2.0 fte
- Plumber – 2.0 fte
- Maintenance Supervisor – 4.0 fte
- Correctional Officer – 1.0 fte
- Safety Officer – 1.0 fte

Building Grounds and Vehicle Maintenance - $555,000 – 1% of budget
- Supplies – boiler, electrical, plumbing
- Building, equipment and grounds maintenance
- Road maintenance
- Fuel – gasoline / diesel

Utilities – $2,628,798 – 5% of budget

NDSP Building Project - $42,000,000 – 79% of budget

Extraordinary Repairs - $1,780,125 – 3% of budget
- NDSP - $1,141,850 (see attached)
- JRCC - $596,075 (see attached)
- MRCC - $42,200 (see attached)

Bond Payments - $2,552,663 – 5% of budget
- NDSP - $2,022,039
- JRCC - $512,666
- MRCC - $17,958

SIGNIFICANT CHANGES

Salary and Fringe – $219,098
- 4% & 4% compensation adjustment
- Health insurance increase

Utilities - $791,259
- Internal accounting adjustments
- Increased costs – coal delivery (4%); water (2%); trash disposal (4%); natural gas (4%); electricity (1.5%)

Capital Expenditures - $41,765,217
- NDSP building project
- Extraordinary repairs (see attached)
- Equipment > $5,000 (see attached)

2005 – 2007 Budget

As of 11/06, 73% of this budget cost center has been expended. Anticipate 102% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: PLANT SERVICES - PEN
Reporting Level: 01-530-500-20-10-15-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	739,108	426,057	443,580	869,637	887,088	17,451
OVERTIME	514000	14,280	9,223	1,943	11,166	19,584	8,418
FRINGE BENEFITS	516000	272,126	156,540	169,028	325,568	375,496	49,928
TRAVEL	521000	34,541	19,206	41,689	60,895	40,000	(20,895)
SUPPLIES - IT SOFTWARE	531000	572	245	3,455	3,700	500	(3,200)
SUPPLY/MATERIAL-PROFESSIONAL	532000	250	166	334	500	500	0
FOOD AND CLOTHING	533000	4,189	2,227	273	2,500	2,200	(300)
BLDG, GROUND, MAINTENANCE	534000	227,706	123,058	113,358	236,416	230,000	(6,416)
MISCELLANEOUS SUPPLIES	535000	15,920	12,294	2,706	15,000	12,000	(3,000)
OFFICE SUPPLIES	536000	1,891	1,080	420	1,500	1,000	(500)
POSTAGE	541000	24,613	14,058	15,957	30,015	30,000	(15)
PRINTING	542000	3,292	1,713	287	2,000	2,000	0
IT EQUIP UNDER $5,000	551000	1,219	1,853	1,747	3,600	1,500	(2,100)
OTHER EQUIP UNDER $5,000	552000	6,643	4,641	63,759	68,400	31,200	(37,200)
OFFICE EQUIP & FURN SUPPLIES	553000	58	33	1,267	1,300	1,000	(300)
UTILITIES	561000	1,201,088	600,209	517,488	1,117,697	1,440,650	322,953
INSURANCE	571000	159,585	74,644	9,042	83,686	105,604	21,918
RENTALS/LEASES-EQUIP & OTHER	581000	8,299	4,482	9,518	14,000	10,000	(4,000)
RENTALS/LEASES - BLDG/LAND	582000	135	49	51	100	100	0
REPAIRS	591000	219,319	110,075	36,629	146,704	201,025	54,321
SALARY INCREASE	599110	0	0	0	0	53,935	53,935
BENEFIT INCREASE	599160	0	0	0	0	9,131	9,131
IT - DATA PROCESSING	601000	0	0	0	0	0	0
IT-COMMUNICATIONS	602000	102,319	40,717	38,283	79,000	102,989	23,989

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: PLANT SERVICES - PEN
Reporting Level: 01-530-500-20-10-15-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
IT CONTRACTUAL SERVICES AND RE	603000	0	0	0	0	0	0
PROFESSIONAL DEVELOPMENT	611000	888	338	662	1,000	800	(200)
OPERATING FEES AND SERVICES	621000	7,349	5,862	6,917	12,779	12,000	(779)
FEES - PROFESSIONAL SERVICES	623000	36,221	31,255	3,745	35,000	35,000	0
MEDICAL, DENTAL AND OPTICAL	625000	317	141	359	500	500	0
LAND AND BUILDINGS	682000	0	0	0	0	42,000,000	42,000,000
OTHER CAPITAL PAYMENTS	683000	1,070,379	1,118,832	1,000,027	2,118,859	2,022,039	(96,820)
EXTRAORDINARY REPAIRS	684000	256,019	33,146	375,281	408,427	1,141,850	733,423
EQUIPMENT OVER $5000	691000	0	16,099	1,126	17,225	95,950	78,725
REFUNDS	714000	0	0	0	0	0	0
PRISONS DIVISION	77	4,408,326	2,808,243	2,858,931	5,667,174	48,865,641	43,198,467
MEANS OF FUNDING							
VOI/TIS-5TH & 6TH JRCC	P161	0	0	0	0	0	0
Federal Funds	FED	0	0	0	0	0	0
STATE GENERAL FUND	001	4,243,000	2,808,243	2,659,241	5,467,484	48,865,641	43,398,157
General Fund	GEN	4,243,000	2,808,243	2,659,241	5,467,484	48,865,641	43,398,157
DEPT OF CORRECTIONS OPER - 379	379	165,326	0	199,690	199,690	0	(199,690)
Special Funds	SPEC	165,326	0	199,690	199,690	0	(199,690)
EXPENDITURES							
TOTAL EXPENDITURES		4,408,326	2,808,243	2,858,931	5,667,174	48,865,641	43,198,467
MEANS OF FUNDING							
TOTAL FUNDING		4,408,326	2,808,243	2,858,931	5,667,174	48,865,641	43,198,467
AUTHORIZED EMPLOYEES							
FTE		13.00	13.00	0.00	13.00	13.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: PLANT SERVICES - JRCC
Reporting Level: 01-530-500-20-15-15-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	312,791	180,245	189,355	369,600	376,848	7,248
TEMPORARY SALARIES	513000	31,775	19,644	23,729	43,373	43,560	187
OVERTIME	514000	1,672	1,034	1,249	2,283	2,280	(3)
FRINGE BENEFITS	516000	86,775	50,204	48,947	99,151	138,368	39,217
TRAVEL	521000	5,259	3,346	78,170	81,516	6,500	(75,016)
SUPPLIES - IT SOFTWARE	531000	234	273	27	300	550	250
SUPPLY/MATERIAL-PROFESSIONAL	532000	9,537	7,991	4,009	12,000	20,000	8,000
FOOD AND CLOTHING	533000	1,121	496	504	1,000	1,000	0
BLDG, GROUND, MAINTENANCE	534000	158,292	76,272	143,940	220,212	200,000	(20,212)
MISCELLANEOUS SUPPLIES	535000	18,790	13,975	11,497	25,472	30,000	4,528
OFFICE SUPPLIES	536000	607	197	103	300	500	200
POSTAGE	541000	0	0	0	0	0	0
PRINTING	542000	0	0	0	0	0	0
IT EQUIP UNDER $5,000	551000	0	0	0	0	0	0
OTHER EQUIP UNDER $5,000	552000	8,142	1,065	4,235	5,300	7,100	1,800
OFFICE EQUIP & FURN SUPPLIES	553000	385	218	282	500	0	(500)
UTILITIES	561000	722,155	516,534	170,894	687,428	968,148	280,720
INSURANCE	571000	0	0	21,586	21,586	10,000	(11,586)
RENTALS/LEASES-EQUIP & OTHER	581000	434	142	718	860	500	(360)
REPAIRS	591000	111,183	50,355	180,395	230,750	25,000	(205,750)
SALARY INCREASE	599110	0	0	0	0	22,912	22,912
BENEFIT INCREASE	599160	0	0	0	0	3,877	3,877
IT - DATA PROCESSING	601000	0	0	0	0	0	0
IT-COMMUNICATIONS	602000	75,702	30,151	29,849	60,000	81,572	21,572

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: PLANT SERVICES - JRCC
Reporting Level: 01-530-500-20-15-15-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
IT CONTRACTUAL SERVICES AND RE	603000	0	0	0	0	0	0
PROFESSIONAL DEVELOPMENT	611000	1,170	873	727	1,600	2,500	900
OPERATING FEES AND SERVICES	621000	6,800	4,954	2,246	7,200	15,000	7,800
FEES - PROFESSIONAL SERVICES	623000	207,061	57,837	42,163	100,000	200,000	100,000
LAND AND BUILDINGS	682000	0	0	1,492,117	1,492,117	0	(1,492,117)
OTHER CAPITAL PAYMENTS	683000	1,005,555	464,222	0	464,222	512,666	48,444
EXTRAORDINARY REPAIRS	684000	2,278,493	1,850	35,833	37,683	596,075	558,392
EQUIPMENT OVER $5000	691000	0	0	34,890	34,890	59,000	24,110
PRISONS DIVISION	77	5,043,933	1,481,878	2,517,465	3,999,343	3,323,956	(675,387)
MEANS OF FUNDING							
VOI/TIS-5TH & 6TH JRCC	P161	154,499	0	0	0	0	0
Federal Funds	FED	154,499	0	0	0	0	0
STATE GENERAL FUND	001	2,447,448	1,096,609	1,338,734	2,435,343	3,323,956	888,613
General Fund	GEN	2,447,448	1,096,609	1,338,734	2,435,343	3,323,956	888,613
DEPT OF CORRECTIONS OPER - 379	379	2,441,986	385,269	1,178,731	1,564,000	0	(1,564,000)
Special Funds	SPEC	2,441,986	385,269	1,178,731	1,564,000	0	(1,564,000)
EXPENDITURES							
TOTAL EXPENDITURES		5,043,933	1,481,878	2,517,465	3,999,343	3,323,956	(675,387)
MEANS OF FUNDING							
TOTAL FUNDING		5,043,933	1,481,878	2,517,465	3,999,343	3,323,956	(675,387)
AUTHORIZED EMPLOYEES							
FTE		6.00	6.00	0.00	6.00	6.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: PLANT SERVICES - MRCC
Reporting Level: 01-530-500-20-20-15-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	55,598	32,052	33,336	65,388	66,672	1,284
SALARIES - OTHER	512000	0	0	0	0	0	0
OVERTIME	514000	835	403	3,668	4,071	1,152	(2,919)
FRINGE BENEFITS	516000	21,592	12,408	13,226	25,634	29,326	3,692
TRAVEL	521000	14,671	8,036	33,776	41,812	25,000	(16,812)
SUPPLIES - IT SOFTWARE	531000	3,438	0	0	0	0	0
SUPPLY/MATERIAL-PROFESSIONAL	532000	39	28	32	60	60	0
FOOD AND CLOTHING	533000	1,486	858	190	1,048	1,048	0
BLDG, GROUND, MAINTENANCE	534000	102,422	55,696	46,786	102,482	125,000	22,518
MISCELLANEOUS SUPPLIES	535000	33,142	5,683	2,449	8,132	20,000	11,868
OFFICE SUPPLIES	536000	453	182	18	200	200	0
POSTAGE	541000	0	0	0	0	0	0
PRINTING	542000	260	0	0	0	0	0
OTHER EQUIP UNDER $5,000	552000	8,784	5,515	35,591	41,106	4,600	(36,506)
OFFICE EQUIP & FURN SUPPLIES	553000	231	131	69	200	0	(200)
UTILITIES	561000	197,615	104,913	90,649	195,562	220,000	24,438
INSURANCE	571000	0	0	5,852	5,852	5,000	(852)
RENTALS/LEASES-EQUIP & OTHER	581000	1,799	542	458	1,000	1,000	0
REPAIRS	591000	71,167	35,937	10,073	46,010	46,010	0
SALARY INCREASE	599110	0	0	0	0	4,053	4,053
BENEFIT INCREASE	599160	0	0	0	0	686	686
IT-COMMUNICATIONS	602000	18,070	7,177	2,823	10,000	19,233	9,233
IT CONTRACTUAL SERVICES AND RE	603000	0	0	0	0	0	0
PROFESSIONAL DEVELOPMENT	611000	27	22	28	50	50	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: PLANT SERVICES - MRCC
Reporting Level: 01-530-500-20-20-15-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	2,536	2,004	1,996	4,000	4,000	0
FEES - PROFESSIONAL SERVICES	623000	1,437	670	330	1,000	1,000	0
MEDICAL, DENTAL AND OPTICAL	625000	57	27	23	50	50	0
LAND AND BUILDINGS	682000	0	0	0	0	0	0
OTHER CAPITAL PAYMENTS	683000	20,950	9,353	7,747	17,100	17,958	858
EXTRAORDINARY REPAIRS	684000	0	0	13,850	13,850	42,200	28,350
EQUIPMENT OVER $5000	691000	0	0	0	0	45,000	45,000
PRISONS DIVISION	77	556,609	281,637	302,970	584,607	679,298	94,691
MEANS OF FUNDING							
STATE GENERAL FUND	001	556,609	281,637	302,970	584,607	679,298	94,691
General Fund	GEN	556,609	281,637	302,970	584,607	679,298	94,691
EXPENDITURES							
TOTAL EXPENDITURES		556,609	281,637	302,970	584,607	679,298	94,691
MEANS OF FUNDING							
TOTAL FUNDING		556,609	281,637	302,970	584,607	679,298	94,691
AUTHORIZED EMPLOYEES							
FTE		1.00	1.00	0.00	1.00	1.00	0.00

Capital Projects

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
State Prison Expansion	1	77	PLANT SERVICES - PEN	General Fund	42,000,000	42,000,000	84,000,000
					42,000,000	42,000,000	84,000,000
NDSP Parking Lot Expansion	3	77	PLANT SERVICES - PEN	General Fund	0	910,657	910,657
					0	910,657	910,657
			Total for Reporting Level		**42,000,000**	**42,910,657**	**84,910,657**
			Total for DEPT OF CORRECTIONS AND REHAB		**42,000,000**	**42,910,657**	**84,910,657**

Capital Projects

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
MRCC Multi Purpose Building	2	77	PLANT SERVICES - MRCC	General Fund	0	2,664,500	2,664,500
					0	2,664,500	2,664,500
Total for Reporting Level					**0**	**2,664,500**	**2,664,500**
Total for DEPT OF CORRECTIONS AND REHAB					**0**	**2,664,500**	**2,664,500**

Extraordinary Repairs

00530 DEPT OF CORRECTIONS AND REHAB

Priority	Description	Line	Department/Division	Funding	2007-2009 Budget Request	LEGEND
2	NDSP Power House Steam Valve Maintenance	77	PLANT SERVICES-PEN	G F	64,000	A
5	NDSP Video Network Backbone	77	PLANT SERVICES-PEN	G F	55,000	B
6	NDSP Network and Surveillance Upgrade	77	PLANT SERVICES-PEN	G F	80,000	B
14	NDSP Water Service Replacement & Double Loop	77	PLANT SERVICES-PEN	G F	78,000	C
18	NDSP WCU Window Shades	77	PLANT SERVICES-PEN	G F	14,850	C
21	NDSP RRI Buildings Roofs	77	PLANT SERVICES-PEN	G F	45,000	C
22	NDSP Perimeter Security Surveillance	77	PLANT SERVICES-PEN	G F	80,000	D
24	NDSP Standby Generator Overhaul	77	PLANT SERVICES-PEN	G F	300,000	E
31	NDSP Cooling Tower Fan Replacement	77	PLANT SERVICES-PEN	G F	10,000	C
32	NDSP Energy Audit Fees	77	PLANT SERVICES-PEN	G F	15,000	C
41	NDSP ADA Access Issues, Ramp-Elevator	77	PLANT SERVICES-PEN	G F	385,000	C
44	NDSP Heating and Cooling Equipment	77	PLANT SERVICES-PEN	G F	15,000	C

LEGEND

A Required as soon as possible due to safety concerns.

B Required if renovation or new prison are not funded.

C Required if renovation is funded but will not be required if new prison is funded.

D Of the 80,000 approximately 20,000 is required as soon as possible due to security equipment failure. The remaining 60,000 will be required if renovation is funded, but will not be required if a new prison is funded.

E Of the 300,000 approximately 25,000 is required as soon as possible to repair existing generator. The remaining 275,000 will be required pending the results of the energy audit.

Extraordinary Repairs

00530 DEPT OF CORRECTIONS AND REHAB

Priority	Description	Line	Department/Division	Funding	2007-2009 Budget Request	LEGEND
3	MRCC Dining Hall Roof	77	Plant Services-MRCC	GF	12,000	A
8	MRCC Heat Pump Replacement	77	Plant Services-MRCC	GF	15,000	B
29	MRCC Range Hood Replacement	77	Plant Services-MRCC	GF	2,200	C
34	MRCC Parking Lot Maintenance	77	Plant Services-MRCC	GF	13,000	B

LEGEND

A Required as soon as possible due to safety concerns.

B Required if renovation is funded but will not be required if new prison is funded.

C Completed, no longer required.

Equipment Over $5,000

00530 DEPT OF CORRECTIONS AND REHAB

Priority	Description	Line	Department/Division	Funding	2007-2009 Budget Request	LEGEND
3	NDSP Lift Station Furnace Replacement	77	PLANT SERVICES-PEN	GF	8,250	A
4	MRCC Utility Vehicle	77	PLANT SERVICES-MRCC	GF	15,000	B
8	NDSP Exhaust Fans West Cell House	77	PLANT SERVICES-PEN	GF	5,700	C
9	NDSP Scissor Lift	77	PLANT SERVICES-PEN	GF	16,000	B
15	NDSP Riding Mower	77	PLANT SERVICES-PEN	GF	14,500	B
17	NDSP Articulating Lift (used)	77	PLANT SERVICES-PEN	GF	35,000	B
19	MRCC Bobcat Machine	77	PLANT SERVICES-MRCC	GF	30,000	B
21	NDSP Self Propelled Articulation Boom Lift	77	PLANT SERVICES-JRCC	GF	59,000	B
22	NDSP Air-conditioning - RRI Warehouse	77	PLANT SERVICES-PEN	GF	16,500	C

LEGEND

A Required as soon as possible due to safety concerns.

B Required in all scenarios.

C Required if renovation is funded but will not be required if new prison is funded.

NDSP Articulating lift rental. 2005/2007

July 2005	United Rental		$1200.00
Nov 2005	United Rental		$1135.00
May 2006	United Rental		$666.00
July 2006	Krider Imp.		$1200.00
Oct. 2006	United Rental		$3375.00
		Total	$7,190.00

TOOL CRIB OF THE NORTH

Rental Quotation

Customer Information	Phone Number	Fax Number	Date
NORTH DAKOTA STATE PENN	701-328-6133		1/25/2007
	Customer Acct	Attention	Salesman
		DICK	MYLES DEISZ
	FOB	Ship Via	Delivery

Item Number	Description	Minimum	Daily	Weekly	4 Weeks
1	TBA 42	$ 200.00	$ 200.00	$ 600.00	$ 1,800.00
	HAULING WOULD BE ABOUT $3.50				
	A LOADED MILE				

All quotes valid for 30 days.

Acme Electric
3840 E Rosser Ave
Bismarck ND 58501
Phone (701)355-2222 • Fax (701)355-2236

Delivery	
Pickup	
Damage Waiver	
Freight	
Total	

Extraordinary Repairs

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optional
NDSP Power House	2	77	PLANT SERVICES - PEN	General Fund	64,000	64,000	128,000
					64,000	64,000	128,000
NDSP Video Network Backbone	5	77	PLANT SERVICES - PEN	General Fund	55,000	55,000	110,000
					55,000	55,000	110,000
NDSP Network and Surveillance Upgrade	6	77	PLANT SERVICES - PEN	General Fund	80,000	80,000	160,000
					80,000	80,000	160,000
NDSP Boiler Replacement	11	77	PLANT SERVICES - PEN	General Fund	0	193,000	193,000
					0	193,000	193,000
NDSP East Cell House - ACA Compliance	12	77	PLANT SERVICES - PEN	General Fund	0	80,000	80,000
					0	80,000	80,000
NDSP Water Service Replacement and Double Loo	14	77	PLANT SERVICES - PEN	General Fund	78,000	78,000	156,000
					78,000	78,000	156,000
NDSP WCU Window Shades	18	77	PLANT SERVICES - PEN	General Fund	14,850	14,850	29,700
					14,850	14,850	29,700
NDSP Digital Energy Management	20	77	PLANT SERVICES - PEN	General Fund	0	18,000	18,000
					0	18,000	18,000
NDSP RRI Buildings Roofs	21	77	PLANT SERVICES - PEN	General Fund	45,000	45,000	90,000
					45,000	45,000	90,000
NDSP Perimeter Security Surveillance	22	77	PLANT SERVICES - PEN	General Fund	80,000	80,000	160,000
					80,000	80,000	160,000
NDSP Standby Generator Overhaul	24	77	PLANT SERVICES - PEN	General Fund	300,000	300,000	600,000
					300,000	300,000	600,000
NDSP East Cell House Steel Cell Furniture	28	77	PLANT SERVICES - PEN	General Fund	0	58,500	58,500
					0	58,500	58,500
NDSP Cooling Tower Fan Replacement	31	77	PLANT SERVICES - PEN	General Fund	10,000	10,000	20,000
					10,000	10,000	20,000

Extraordinary Repairs

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
NDSP Energy Audit Fees	32	77	PLANT SERVICES - PEN	General Fund	15,000	15,000	30,000
					15,000	15,000	30,000
NDSP ADA Access Issues, Ramp-Elevator	41	77	PLANT SERVICES - PEN	General Fund	385,000	385,000	770,000
					385,000	385,000	770,000
NDSP East Cell House Tuck Point	42	77	PLANT SERVICES - PEN	General Fund	0	38,000	38,000
					0	38,000	38,000
NDSP Heating and Cooling Equip	44	77	PLANT SERVICES - PEN	General Fund	15,000	15,000	30,000
					15,000	15,000	30,000
NDSP Chip Seal Main Road	46	77	PLANT SERVICES - PEN	General Fund	0	17,750	17,750
					0	17,750	17,750
NDSP Wardens Residence	48	77	PLANT SERVICES - PEN	General Fund	0	260,000	260,000
					0	260,000	260,000
			Total for Reporting Level		**1,141,850**	**1,807,100**	**2,948,950**
			Total for DEPT OF CORRECTIONS AND REHAB		**1,141,850**	**1,807,100**	**2,948,950**

Extraordinary Repairs

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
JRCC Water Heater	1	77	PLANT SERVICES - JRCC	General Fund	35,000	35,000	70,000
					35,000	35,000	70,000
JRCC Kitchen Hood Suppression	4	77	PLANT SERVICES - JRCC	General Fund	8,775	8,775	17,550
					8,775	8,775	17,550
JRCC Elevator Upgrade - Kitchen Laundry	7	77	PLANT SERVICES - JRCC	General Fund	0	153,622	153,622
					0	153,622	153,622
JRCC Energy Retrofits	9	77	PLANT SERVICES - JRCC	General Fund	10,000	10,000	20,000
					10,000	10,000	20,000
JRCC Kitchen and Admin Bldg Roof	10	77	PLANT SERVICES - JRCC	General Fund	85,000	85,000	170,000
					85,000	85,000	170,000
JRCC Suppression - AB, Kitchen and Laundry	13	77	PLANT SERVICES - JRCC	General Fund	75,000	75,000	150,000
					75,000	75,000	150,000
JRCC Asbestos Abatement Survey	16	77	PLANT SERVICES - JRCC	General Fund	60,000	60,000	120,000
					60,000	60,000	120,000
JRCC Asbestos Abatement Tunnels	17	77	PLANT SERVICES - JRCC	General Fund	0	107,000	107,000
					0	107,000	107,000
JRCC ADA Access	19	77	PLANT SERVICES - JRCC	General Fund	30,000	62,000	92,000
					30,000	62,000	92,000
JRCC Yard Expansion and Razor Wire	23	77	PLANT SERVICES - JRCC	General Fund	65,000	65,000	130,000
					65,000	65,000	130,000
JRCC Electrical Disconnects and Panel Brds	26	77	PLANT SERVICES - JRCC	General Fund	25,000	25,000	50,000
					25,000	25,000	50,000
JRCC ET Bldg Entrance Floor Coating	27	77	PLANT SERVICES - JRCC	General Fund	15,300	15,300	30,600
					15,300	15,300	30,600
JRCC Laundry Equipment	33	77	PLANT SERVICES - JRCC	General Fund	0	90,000	90,000
					0	90,000	90,000

Extraordinary Repairs

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
JRCC Perimeter Road Upgrade	35	77	PLANT SERVICES - JRCC	General Fund	35,000	35,000	70,000
					35,000	35,000	70,000
JRCC Sewer Line Replacement	36	77	PLANT SERVICES - JRCC	General Fund	32,000	32,000	64,000
					32,000	32,000	64,000
JRCC Steam and Electric Metering	37	77	PLANT SERVICES - JRCC	General Fund	0	48,000	48,000
					0	48,000	48,000
JRCC Magnetic Door Holders	38	77	PLANT SERVICES - JRCC	General Fund	53,000	53,000	106,000
					53,000	53,000	106,000
JRCC Heating and Cooling Equipment	39	77	PLANT SERVICES - JRCC	General Fund	12,000	12,000	24,000
					12,000	12,000	24,000
JRCC ET Bldg Tuck Point	43	77	PLANT SERVICES - JRCC	General Fund	55,000	55,000	110,000
					55,000	55,000	110,000
JRCC ET Bldg Ventilation	45	77	PLANT SERVICES - JRCC	General Fund	0	26,000	26,000
					0	26,000	26,000
JRCC Chip Seal Parking Lot	47	77	PLANT SERVICES - JRCC	General Fund	0	12,200	12,200
					0	12,200	12,200
JRCC ET Bldg Unit Ventilators	49	77	PLANT SERVICES - JRCC	General Fund	0	915,500	915,500
					0	915,500	915,500
			Total for Reporting Level		**596,075**	**1,980,397**	**2,576,472**
			Total for DEPT OF CORRECTIONS AND REHAB		**596,075**	**1,980,397**	**2,576,472**

Extraordinary Repairs

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
MRCC Dining Hall Roof	3	77	PLANT SERVICES - MRCC	General Fund	12,000	12,000	24,000
					12,000	12,000	24,000
MRCC Heat Pump Replacement	8	77	PLANT SERVICES - MRCC	General Fund	15,000	15,000	30,000
					15,000	15,000	30,000
MRCC CCTV Network Backbone	15	77	PLANT SERVICES - MRCC	General Fund	0	18,000	18,000
					0	18,000	18,000
MRCC Road Paving	25	77	PLANT SERVICES - MRCC	General Fund	0	119,600	119,600
					0	119,600	119,600
MRCC Range Hood Replacement	29	77	PLANT SERVICES - MRCC	General Fund	2,200	2,200	4,400
					2,200	2,200	4,400
MRCC Relocate Walk-in Cooler	30	77	PLANT SERVICES - MRCC	General Fund	0	21,225	21,225
					0	21,225	21,225
MRCC Road and Parking Lot Maint	34	77	PLANT SERVICES - MRCC	General Fund	13,000	13,000	26,000
					13,000	13,000	26,000
MRCC Lighting - Kitchen and Dining	40	77	PLANT SERVICES - MRCC	General Fund	0	32,000	32,000
					0	32,000	32,000
			Total for Reporting Level		**42,200**	**233,025**	**275,225**
			Total for DEPT OF CORRECTIONS AND REHAB		**42,200**	**233,025**	**275,225**

Equipment Over $5000

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
NDSP - Lift Station Furnance	3	77	PLANT SERVICES - PEN	General Fund	8,250	0	8,250
NDSP - Exhaust Fans - WCH	8	77	PLANT SERVICES - PEN		8,250	0	8,250
				General Fund	5,700	0	5,700
NDSP - Scissor Lift	9	77	PLANT SERVICES - PEN		5,700	0	5,700
				General Fund	16,000	0	16,000
NDSP - Riding Mower	15	77	PLANT SERVICES - PEN		16,000	0	16,000
				General Fund	14,500	0	14,500
NDSP - Articulating Lift	17	77	PLANT SERVICES - PEN		14,500	0	14,500
				General Fund	35,000	35,000	70,000
NDSP - Air Conditioning - RRI Warehouse	22	77	PLANT SERVICES - PEN		35,000	35,000	70,000
				General Fund	16,500	16,500	33,000
Total for Reporting Level					16,500	16,500	33,000
					95,950	**51,500**	**147,450**
Total for DEPT OF CORRECTIONS AND REHAB					**95,950**	**51,500**	**147,450**

Extraordinary Repairs

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-B-01-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
YCC - Roof Replacement (Vocational Bldg)	1	79	PLANT SERVICES - YCC	General Fund	0	202,230	202,230
					0	202,230	202,230
YCC - Roof Replacement (Maple Cottage)	2	79	PLANT SERVICES - YCC	General Fund	0	51,894	51,894
					0	51,894	51,894
YCC - Roof Replacement (Hickory Cottage)	3	79	PLANT SERVICES - YCC	General Fund	0	75,565	75,565
					0	75,565	75,565
YCC - Roof Replacement (Brown Cottage)	4	79	PLANT SERVICES - YCC	General Fund	0	129,961	129,961
					0	129,961	129,961
YCC - Parapet Repair (Gymnasium)	5	79	PLANT SERVICES - YCC	General Fund	0	35,000	35,000
					0	35,000	35,000
YCC - Demolition (Old Carpenter - Storage Bld	6	79	PLANT SERVICES - YCC	General Fund	0	95,000	95,000
					0	95,000	95,000
YCC - Filtration System, Floor Repair,Paint (	7	79	PLANT SERVICES - YCC	General Fund	0	70,750	70,750
					0	70,750	70,750
YCC - Reseal Floor, Wall Repairs (Gymnasium)	8	79	PLANT SERVICES - YCC	General Fund	0	15,000	15,000
					0	15,000	15,000
YCC - Safety Glass, Carpet (Admin - School)	9	79	PLANT SERVICES - YCC	General Fund	0	24,664	24,664
					0	24,664	24,664
YCC - Carpet, Miscellneous (Hickory Cottage)	10	79	PLANT SERVICES - YCC	General Fund	0	29,352	29,352
					0	29,352	29,352
YCC - Seal Block Exterior Bldg (Centennial Ha	11	79	PLANT SERVICES - YCC	General Fund	0	1,500	1,500
					0	1,500	1,500
YCC - Replace Carpet - Fence (Supt. Residence	12	79	PLANT SERVICES - YCC	General Fund	0	7,000	7,000
					0	7,000	7,000
	Total for Reporting Level				**0**	**737,916**	**737,916**
	Total for DEPT OF CORRECTIONS AND REHAB				**0**	**737,916**	**737,916**

Extraordinary Repairs

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Recommendatio		
YCC - Roof Replacement (Vocational Bldg)	1	79	PLANT SERVICES - YCC	General Fund	202,230	0	0
					202,230	0	0
YCC - Roof Replacement (Maple Cottage)	2	79	PLANT SERVICES - YCC	General Fund	51,894	0	0
					51,894	0	0
YCC - Roof Replacement (Hickory Cottage)	3	79	PLANT SERVICES - YCC	General Fund	75,565	0	0
					75,565	0	0
YCC - Roof Replacement (Brown Cottage)	4	79	PLANT SERVICES - YCC	General Fund	0	0	0
					0	0	0
YCC - Parapet Repair (Gymnasium)	5	79	PLANT SERVICES - YCC	General Fund	35,000	0	0
					35,000	0	0
YCC - Demolition (Old Carpenter - Storage Bld	6	79	PLANT SERVICES - YCC	General Fund	0	0	0
					0	0	0
YCC - Filtration System, Floor Repair,Paint (	7	79	PLANT SERVICES - YCC	General Fund	70,750	0	0
					70,750	0	0
YCC - Reseal Floor, Wall Repairs (Gymnasium)	8	79	PLANT SERVICES - YCC	General Fund	15,000	0	0
					15,000	0	0
YCC - Safety Glass, Carpet (Admin - School)	9	79	PLANT SERVICES - YCC	General Fund	24,664	0	0
					24,664	0	0
YCC - Carpet, Miscellneous (Hickory Cottage)	10	79	PLANT SERVICES - YCC	General Fund	29,352	0	0
					29,352	0	0
YCC - Seal Block Exterior Bldg (Centennial Ha	11	79	PLANT SERVICES - YCC	General Fund	1,500	0	0
					1,500	0	0
YCC - Replace Carpet - Fence (Supt. Residence	12	79	PLANT SERVICES - YCC	General Fund	7,000	0	0
					7,000	0	0
	Total for Reporting Level				**512,955**	**0**	**0**
	Total for DEPT OF CORRECTIONS AND REHAB				**512,955**	**0**	**0**

Equipment Over $5000

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
JRCC - Self Propelled Articulating Boom Lift	21	77	PLANT SERVICES - JRCC	General Fund	59,000	59,000	118,000
			Total for Reporting Level		59,000	59,000	118,000
			Total for DEPT OF CORRECTIONS AND REHAB		**59,000**	**59,000**	**118,000**
					59,000	**59,000**	**118,000**

Equipment Over $5000

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
MRCC - Utility Vehicle	4	77	PLANT SERVICES - MRCC	General Fund	15,000	0	15,000
					15,000	0	15,000
MRCC - Bobcat Machine	19	77	PLANT SERVICES - MRCC	General Fund	30,000	30,000	60,000
					30,000	30,000	60,000
Total for Reporting Level					**45,000**	**30,000**	**75,000**
Total for DEPT OF CORRECTIONS AND REHAB					**45,000**	**30,000**	**75,000**

Other Capital Payments

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
JRCC MRCC - Debt Service - 2003B (Phase II)	3	77	PLANT SERVICES - JRCC	General Fund	434,190	0	434,190
					434,190	0	434,190
JRCC - Debt Service - 2005A	4	77	PLANT SERVICES - JRCC	General Fund	78,476	0	78,476
					78,476	0	78,476
Total for Reporting Level					**512,666**	**0**	**512,666**
Total for DEPT OF CORRECTIONS AND REHAB					**512,666**	**0**	**512,666**

Other Capital Payments

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
NDSP - Debt Service - 1998B Bonds (Phase II C	1	77	PLANT SERVICES - PEN	General Fund	1,019,076	0	1,019,076
					1,019,076	0	1,019,076
NDSP - Debt Service - 2003A (Phase III Cnstr)	2	77	PLANT SERVICES - PEN	General Fund	1,002,963	0	1,002,963
					1,002,963	0	1,002,963
Total for Reporting Level					**2,022,039**	**0**	**2,022,039**
Total for DEPT OF CORRECTIONS AND REHAB					**2,022,039**	**0**	**2,022,039**

Other Capital Payments

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
JRCC MRCC - Debt Service - 2003B (Phase II)	3	77	PLANT SERVICES - MRCC	General Fund	17,958	0	17,958
					17,958	0	17,958
Total for Reporting Level					**17,958**	**0**	**17,958**
Total for DEPT OF CORRECTIONS AND REHAB					**17,958**	**0**	**17,958**

North Dakota Building Authority Debt Service for the Department of Corrections

Agency	2007-2009	2009-2011	2011-2013	2013-2015	2015-2017	2017-2019	2019-2021	2021-2023	2023-2025	Total
MRCC										
2003B - Energy Con	17,958	18,580	18,604	18,566	18,599	18,592	18,575	9,309		138,783
Penitentiary										
NDSP 1998B	1,019,076	956,448								1,975,524
NDSP 1993A (2003A)	1,002,963									1,002,963
RCC/MRCC 2003B	452,148	467,805	468,415	467,457	468,275	468,099	467,685	234,372		3,494,256
JRCC 2005A	78,476	329,362	329,285	329,349	329,191	329,418	329,381	329,320	164,611	2,548,393
YCC										
1998A	252,194	214,083	252,755	253,130	252,204	127,789				1,352,155
2000A	285,165	235,752	287,232	287,432	290,032	293,916				1,679,529
Total	3,107,980	2,222,030	1,356,291	1,355,934	1,358,301	1,237,814	815,641	573,001	164,611	12,191,603
10/4/2006										

DOCR – PRISONS DIVISIONS – FOOD SERVICES
2007-09 BUDGET DETAIL

Reporting Level: 530-500-20-10-20; 530-500-20-15-20; 530-500-20-20-20	
Program: FOOD SERVICES	

EXPLANATION OF PROGRAM COSTS

Food service provides, on a daily basis, three nutritious well-balanced meals to inmates of the DOCR, patients of the ND State Hospital, and on-duty staff.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	1,567,342	1,728,000	25%	160,658
Operating	3,983,763	5,203,714	75%	1,219,951
Capital	22,000	22,000	0%	-
Grants	-	-	0%	-
Total	**5,573,105**	**6,953,714**	**100%**	**1,380,609**
General	4,837,521	5,749,286	83%	911,765
Federal	-	-	0%	-
Special	735,584	1,204,428	17%	468,844
FTE	20.0	20.0		-

MATERIAL EXPENDITURES – (97% of budget)

Salary and Fringe – $1,728,000 – 25% of budget
- Food Service Director II - 2.0 fte
- Food Service Director I - 4.0 fte
- Food Service Operations Supervisor – 12.0 fte
- Correctional Officer - 2.0 fte

Food and Clothing - $4,933,488 – 79% of budget
- Food purchases for DOCR and NDSH
- NDSH - $1,204,428

SIGNIFICANT CHANGES

Salary and Fringe – $160,658
- 4% & 4% compensation adjustment
- Health insurance increase

Food and Clothing - $791,259
- Increased food costs - $1.27 per DOCR meal; $2.64 per NDSH meal
- Increased number of meals served

2005 – 2007 Budget

As of 11/06, 77% of this budget cost center has been expended. Anticipate 108% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FOOD SERVICES PROGRAM - PEN
Reporting Level: 01-530-500-20-10-20-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	225,486	129,547	115,649	245,196	280,584	35,388
TEMPORARY SALARIES	513000	7,835	4,870	12,633	17,503	11,016	(6,487)
OVERTIME	514000	19,307	12,000	31,131	43,131	27,144	(15,987)
FRINGE BENEFITS	516000	88,592	50,897	48,665	99,562	118,306	18,744
TRAVEL	521000	361	244	7	251	500	249
SUPPLIES - IT SOFTWARE	531000	0	0	499	499	0	(499)
SUPPLY/MATERIAL-PROFESSIONAL	532000	151	108	392	500	500	0
FOOD AND CLOTHING	533000	1,324,846	742,286	733,683	1,475,969	1,606,923	130,954
BLDG, GROUND, MAINTENANCE	534000	51,657	29,956	32,450	62,406	60,000	(2,406)
MISCELLANEOUS SUPPLIES	535000	3,932	2,808	13,754	16,562	10,000	(6,562)
OFFICE SUPPLIES	536000	1,529	779	341	1,120	2,500	1,380
POSTAGE	541000	0	0	0	0	0	0
PRINTING	542000	29	16	184	200	0	(200)
IT EQUIP UNDER $5,000	551000	0	0	0	0	0	0
OTHER EQUIP UNDER $5,000	552000	13,074	4,838	4,762	9,600	5,200	(4,400)
OFFICE EQUIP & FURN SUPPLIES	553000	3,024	1,712	1,688	3,400	0	(3,400)
INSURANCE	571000	0	0	0	0	0	0
RENTALS/LEASES-EQUIP & OTHER	581000	0	0	0	0	0	0
RENTALS/LEASES - BLDG/LAND	582000	0	0	0	0	0	0
REPAIRS	591000	8,500	3,877	7,123	11,000	11,000	0
SALARY INCREASE	599110	0	0	0	0	17,060	17,060
BENEFIT INCREASE	599160	0	0	0	0	2,886	2,886
IT - DATA PROCESSING	601000	0	0	0	0	0	0
IT-COMMUNICATIONS	602000	0	0	0	0	0	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FOOD SERVICES PROGRAM - PEN
Reporting Level: 01-530-500-20-10-20-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
PROFESSIONAL DEVELOPMENT	611000	784	644	156	800	1,000	200
OPERATING FEES AND SERVICES	621000	4,750	1,358	142	1,500	8,000	6,500
FEES - PROFESSIONAL SERVICES	623000	0	0	0	0	0	0
MEDICAL, DENTAL AND OPTICAL	625000	126	57	43	100	0	(100)
OTHER CAPITAL PAYMENTS	683000	0	0	0	0	0	0
EXTRAORDINARY REPAIRS	684000	0	0	0	0	0	0
EQUIPMENT OVER $5000	691000	0	0	22,000	22,000	22,000	0
PRISONS DIVISION	77	1,753,983	985,997	1,025,302	2,011,299	2,184,619	173,320
MEANS OF FUNDING							
STATE GENERAL FUND	001	1,753,983	985,997	1,025,302	2,011,299	2,184,619	173,320
General Fund	GEN	1,753,983	985,997	1,025,302	2,011,299	2,184,619	173,320
EXPENDITURES							
TOTAL EXPENDITURES		1,753,983	985,997	1,025,302	2,011,299	2,184,619	173,320
MEANS OF FUNDING							
TOTAL FUNDING		1,753,983	985,997	1,025,302	2,011,299	2,184,619	173,320
AUTHORIZED EMPLOYEES							
FTE		3.50	4.00	0.00	4.00	4.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FOOD SERVICES PROGRAM - JRCC
Reporting Level: 01-530-500-20-15-20-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	521,555	302,107	323,618	625,725	631,248	5,523
OVERTIME	514000	35,173	22,868	24,190	47,058	48,648	1,590
FRINGE BENEFITS	516000	248,500	143,906	153,010	296,916	331,606	34,690
TRAVEL	521000	127	86	114	200	2,000	1,800
SUPPLIES - IT SOFTWARE	531000	138	161	339	500	325	(175)
SUPPLY/MATERIAL-PROFESSIONAL	532000	23	16	84	100	100	0
FOOD AND CLOTHING	533000	2,168,225	1,207,940	696,810	1,904,750	2,949,326	1,044,576
BLDG, GROUND, MAINTENANCE	534000	41,234	22,987	7,013	30,000	40,000	10,000
MISCELLANEOUS SUPPLIES	535000	22,263	17,043	1,262	18,305	15,001	(3,304)
OFFICE SUPPLIES	536000	9,290	4,580	1,420	6,000	6,000	0
POSTAGE	541000	0	0	0	0	0	0
PRINTING	542000	0	0	0	0	0	0
IT EQUIP UNDER $5,000	551000	0	0	0	0	0	0
OTHER EQUIP UNDER $5,000	552000	6,199	4,331	3,669	8,000	0	(8,000)
OFFICE EQUIP & FURN SUPPLIES	553000	260	147	353	500	0	(500)
INSURANCE	571000	0	0	0	0	0	0
RENTALS/LEASES-EQUIP & OTHER	581000	0	0	0	0	0	0
RENTALS/LEASES - BLDG/LAND	582000	0	0	0	0	0	0
REPAIRS	591000	10,946	2,893	5,107	8,000	15,000	7,000
SALARY INCREASE	599110	0	0	0	0	39,857	39,857
BENEFIT INCREASE	599160	0	0	0	0	6,814	6,814
IT - DATA PROCESSING	601000	0	0	0	0	0	0
IT-COMMUNICATIONS	602000	0	0	0	0	0	0
PROFESSIONAL DEVELOPMENT	611000	160	133	367	500	500	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FOOD SERVICES PROGRAM - JRCC
Reporting Level: 01-530-500-20-15-20-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	3,736	1,328	1,172	2,500	6,500	4,000
FEES - PROFESSIONAL SERVICES	623000	0	0	0	0	0	0
OTHER CAPITAL PAYMENTS	683000	0	0	0	0	0	0
PRISONS DIVISION	77	3,067,829	1,730,526	1,218,528	2,949,054	4,092,925	1,143,871
MEANS OF FUNDING							
STATE GENERAL FUND	001	2,440,769	1,363,753	849,717	2,213,470	2,888,497	675,027
General Fund	GEN	2,440,769	1,363,753	849,717	2,213,470	2,888,497	675,027
DEPT OF CORRECTIONS OPER - 379	379	627,060	366,773	368,811	735,584	1,204,428	468,844
Special Funds	SPEC	627,060	366,773	368,811	735,584	1,204,428	468,844
EXPENDITURES							
TOTAL EXPENDITURES		3,067,829	1,730,526	1,218,528	2,949,054	4,092,925	1,143,871
MEANS OF FUNDING							
TOTAL FUNDING		3,067,829	1,730,526	1,218,528	2,949,054	4,092,925	1,143,871
AUTHORIZED EMPLOYEES							
FTE		14.00	14.00	0.00	14.00	14.00	0.00
VACANT		0.00	0.00	0.00	0.00	0.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FOOD SERVICES PROGRAM - MRCC
Reporting Level: 01-530-500-20-20-20-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	113,423	65,388	68,004	133,392	136,008	2,616
OVERTIME	514000	6,032	4,008	3,144	7,152	8,256	1,104
FRINGE BENEFITS	516000	43,910	25,277	26,429	51,706	58,900	7,194
TRAVEL	521000	0	0	0	0	0	0
SUPPLIES - IT SOFTWARE	531000	0	0	0	0	0	0
SUPPLY/MATERIAL-PROFESSIONAL	532000	0	0	0	0	0	0
FOOD AND CLOTHING	533000	246,603	137,124	257,960	395,084	437,239	42,155
BLDG, GROUND, MAINTENANCE	534000	10,133	3,806	194	4,000	4,000	0
MISCELLANEOUS SUPPLIES	535000	3,988	3,071	1,747	4,818	6,818	2,000
OFFICE SUPPLIES	536000	194	113	87	200	382	182
POSTAGE	541000	0	0	0	0	0	0
PRINTING	542000	0	0	0	0	0	0
IT EQUIP UNDER $5,000	551000	0	0	0	0	0	0
OTHER EQUIP UNDER $5,000	552000	1,312	916	12,584	13,500	11,900	(1,600)
OFFICE EQUIP & FURN SUPPLIES	553000	0	0	0	0	0	0
UTILITIES	561000	227	262	138	400	0	(400)
INSURANCE	571000	0	0	0	0	0	0
RENTALS/LEASES-EQUIP & OTHER	581000	0	0	0	0	0	0
RENTALS/LEASES - BLDG/LAND	582000	0	0	0	0	0	0
REPAIRS	591000	2,190	1,023	977	2,000	2,500	500
SALARY INCREASE	599110	0	0	0	0	8,269	8,269
BENEFIT INCREASE	599160	0	0	0	0	1,398	1,398
IT - DATA PROCESSING	601000	0	0	0	0	0	0
IT-COMMUNICATIONS	602000	0	0	0	0	0	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: FOOD SERVICES PROGRAM - MRCC
Reporting Level: 01-530-500-20-20-20-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
PROFESSIONAL DEVELOPMENT	611000	0	0	0	0	0	0
OPERATING FEES AND SERVICES	621000	135	80	120	200	200	0
FEES - PROFESSIONAL SERVICES	623000	0	0	250	250	250	0
MEDICAL, DENTAL AND OPTICAL	625000	53	24	26	50	50	0
OTHER CAPITAL PAYMENTS	683000	0	0	0	0	0	0
PRISONS DIVISION	77	428,200	241,092	371,660	612,752	676,170	63,418
MEANS OF FUNDING							
STATE GENERAL FUND	001	428,200	241,092	371,660	612,752	676,170	63,418
General Fund	GEN	428,200	241,092	371,660	612,752	676,170	63,418
EXPENDITURES							
TOTAL EXPENDITURES		428,200	241,092	371,660	612,752	676,170	63,418
MEANS OF FUNDING							
TOTAL FUNDING		428,200	241,092	371,660	612,752	676,170	63,418
AUTHORIZED EMPLOYEES							
FTE		2.00	2.00	0.00	2.00	2.00	0.00

	Estimated Cost Per Meal		
		FY07	FY08
	DOCR	1.24	1.30
	NDSH / TRCC	2.57	2.70
	NDSH / TRCC Paper	0.32	0.32

	Total Meals					Estimated Cost			
	NDSP	JRCC	NDSH	TRCC	MRCC	NDSP	JRCC	NDSH	MRCC
July-07	53,661	38,781	16,973	8,370	14,601	$ 66,486	$ 72,260	$ 49,093	$ 18,091
August-07	53,661	38,781	16,973	8,370	14,601	$ 66,486	$ 72,260	$ 49,093	$ 18,091
September-07	51,930	37,530	16,973	8,100	14,130	$ 64,341	$ 69,929	$ 49,093	$ 17,507
October-07	53,661	38,781	16,973	8,370	14,601	$ 66,486	$ 72,260	$ 49,093	$ 18,091
November-07	51,930	37,530	16,973	8,100	14,130	$ 64,341	$ 69,929	$ 49,093	$ 17,507
December-07	53,661	38,781	16,973	8,370	14,601	$ 66,486	$ 72,260	$ 49,093	$ 18,091
January-08	53,661	38,781	16,973	8,370	14,601	$ 66,486	$ 72,260	$ 49,093	$ 18,091
February-08	50,199	36,279	16,973	7,830	13,659	$ 62,197	$ 67,598	$ 49,093	$ 16,924
March-08	53,661	38,781	16,973	8,370	14,601	$ 66,486	$ 72,260	$ 49,093	$ 18,091
April-08	51,930	37,530	16,973	8,100	14,130	$ 64,341	$ 69,929	$ 49,093	$ 17,507
May-08	53,661	38,781	16,973	8,370	14,601	$ 66,486	$ 72,260	$ 49,093	$ 18,091
June-08	51,930	37,530	16,973	8,100	14,130	$ 64,341	$ 69,929	$ 49,093	$ 17,507
July-08	53,661	38,781	16,973	8,370	14,601	$ 69,810	$ 75,739	$ 51,276	$ 18,995
August-08	53,661	38,781	16,973	8,370	14,601	$ 69,810	$ 75,739	$ 51,276	$ 18,995
September-08	51,930	37,530	16,973	8,100	14,130	$ 67,558	$ 73,296	$ 51,276	$ 18,382
October-08	53,661	38,781	16,973	8,370	14,601	$ 69,810	$ 75,739	$ 51,276	$ 18,995
November-08	51,930	37,530	16,973	8,100	14,130	$ 67,558	$ 73,296	$ 51,276	$ 18,382
December-08	53,661	38,781	16,973	8,370	14,601	$ 69,810	$ 75,739	$ 51,276	$ 18,995
January-09	53,661	38,781	16,973	8,370	14,601	$ 69,810	$ 75,739	$ 51,276	$ 18,995
February-09	48,468	35,028	16,973	7,560	13,188	$ 63,054	$ 68,409	$ 51,276	$ 17,157
March-09	53,661	38,781	16,973	8,370	14,601	$ 69,810	$ 75,739	$ 51,276	$ 18,995
April-09	51,930	37,530	16,973	8,100	14,130	$ 67,558	$ 73,296	$ 51,276	$ 18,382
May-09	53,661	38,781	16,973	8,370	14,601	$ 69,810	$ 75,739	$ 51,276	$ 18,995
June-09	51,930	37,530	16,973	8,100	14,130	$ 67,558	$ 73,296	$ 51,276	$ 18,382
	1,265,361	**914,481**	**407,340**	**197,370**	**344,301**	**$ 1,606,923**	**$ 1,744,898**	**$ 1,204,428**	**$ 437,239**

Prisons Division - Food Services			
Increased Food Cost			
Est. 05-07 No. of Meals	2,695,645		
05-07 Budgeted Meal Cost	1.14		
		3,073,035	
Est. 05-07 No. of Meals	2,695,645		
07-09 Budgeted Meal Cost	1.27		
		3,423,469	
Attributable to Increased Food Cost			**350,434**
Increased Meals			
Est. 07-09 No. of Meals	2,721,513		
Est. 05-07 No. of Meals	2,695,645		
Increased No. of Meals		25,868	
07-09 Budgeted Meal Cost		1.27	
Attributable to Increased No. of Meals			**32,852**
TRCC Budget Change (NDSH Rate vs. DOCR Rate)			
Est. 07-09 No. of TRCC Meals		197,370	
Change in Meal Cost ($2.96 vs. $1.14)		1.82	
Attributable to TRCC Change			**359,213**
NDSH Budget Change			**468,844**
Total Budget Change			**1,211,344**

DOCR – PRISONS DIVISIONS – SECURITY / SUPERVISION
2007-09 BUDGET DETAIL

Reporting Level: 530-500-20-10-40; 530-500-20-15-40; 530-500-20-20-40; 500-20-25-10	
Program: SECURITY / SUPERVISION	

EXPLANATION OF PROGRAM COSTS

Security / supervision program provides for a safe and secure correctional environment for the public, staff and inmates.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	25,262,898	27,809,026	71%	2,546,128
Operating	6,569,249	11,057,169	28%	4,487,920
Capital	63,975	163,000	0%	99,025
Grants	-	-	0%	-
Total	**31,896,122**	**39,029,195**	**100%**	**7,133,073**
General	31,584,544	38,969,195	100%	7,384,651
Federal	309,223	60,000	0%	(249,223)
Special	2,511	-	0%	(2,511)
FTE	275.00	280.00		5.00

MATERIAL EXPENDITURES – (96% of budget)

Salary and Fringe – $27,809,026 – 71% of budget
- Chief of Security – 2.0 fte
- Correctional Unit Manager – 3.0 fte
- Correctional Case Manager – 15.0 fte
- Correctional Case Worker – 38.0 fte
- Institutional Recreation Specialist – 2.0 fte
- Correctional Officer – 212.0 fte
- Correctional Officer Trainee – 8.0 fte

Operating Fees and Services - $9,712,097 – 25% of budget
- DWCRC
- County Jails

SIGNIFICANT CHANGES

Salary and Fringe – $2,546,128
- 4% & 4% compensation adjustment
- Health insurance increase
- New FTE – 5.0 JRCC lieutenant positions (CO III)

Equipment – $251,573
See attached

Operating Fees and Services - $4,067,201
Contract inmate housing

2005 – 2007 Budget

As of 11/06, 77% of this budget cost center has been expended. Anticipate 112% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: SECURITY / SUPERVISION - PEN
Reporting Level: 01-530-500-20-10-40-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	6,690,913	3,863,307	4,110,406	7,973,713	8,029,392	55,679
TEMPORARY SALARIES	513000	458,007	254,115	411,830	665,945	609,792	(56,153)
OVERTIME	514000	516,476	351,665	399,295	750,960	696,792	(54,168)
FRINGE BENEFITS	516000	2,650,554	1,526,856	1,600,636	3,127,492	3,606,986	479,494
TRAVEL	521000	75,913	42,080	22,920	65,000	100,000	35,000
SUPPLIES - IT SOFTWARE	531000	1,182	1,377	1,123	2,500	2,500	0
SUPPLY/MATERIAL-PROFESSIONAL	532000	16,734	10,661	339	11,000	20,000	9,000
FOOD AND CLOTHING	533000	309,271	181,514	178,486	360,000	300,000	(60,000)
BLDG, GROUND, MAINTENANCE	534000	165,169	88,802	46,198	135,000	185,000	50,000
MISCELLANEOUS SUPPLIES	535000	37,601	16,407	3,593	20,000	50,000	30,000
OFFICE SUPPLIES	536000	34,746	19,061	5,939	25,000	30,000	5,000
POSTAGE	541000	2,906	1,362	638	2,000	2,500	500
PRINTING	542000	27,003	8,011	3,989	12,000	12,000	0
IT EQUIP UNDER $5,000	551000	2,692	4,091	909	5,000	6,500	1,500
OTHER EQUIP UNDER $5,000	552000	1,067	744	1,256	2,000	142,928	140,928
OFFICE EQUIP & FURN SUPPLIES	553000	2,524	1,428	1,572	3,000	600	(2,400)
INSURANCE	571000	0	0	0	0	0	0
RENTALS/LEASES-EQUIP & OTHER	581000	0	0	0	0	0	0
REPAIRS	591000	11,276	4,691	3,309	8,000	15,000	7,000
SALARY INCREASE	599110	0	0	0	0	487,138	487,138
BENEFIT INCREASE	599160	0	0	0	0	82,429	82,429
IT - DATA PROCESSING	601000	1,776	1,931	569	2,500	3,690	1,190
IT-COMMUNICATIONS	602000	1,115	417	518	935	902	(33)
PROFESSIONAL DEVELOPMENT	611000	17,211	11,030	3,970	15,000	25,000	10,000

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: SECURITY / SUPERVISION - PEN
Reporting Level: 01-530-500-20-10-40-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	70,507	55,549	14,451	70,000	120,000	50,000
FEES - PROFESSIONAL SERVICES	623000	76,417	34,188	10,812	45,000	70,000	25,000
MEDICAL, DENTAL AND OPTICAL	625000	2,829	1,221	279	1,500	1,500	0
EQUIPMENT OVER $5000	691000	26,696	14,639	14,336	28,975	27,000	(1,975)
PRISONS DIVISION	77	11,200,585	6,495,147	6,837,373	13,332,520	14,627,649	1,295,129
MEANS OF FUNDING							
RESIDENTIAL SUBSTANCE ABUSE TRMT	P108	0	200,083	62,814	262,897	0	(262,897)
VOI/TIS-5TH & 6TH JRCC	P161	82,021	0	0	0	0	0
COG. TRAINING - BCI	P176	0	3,974	0	3,974	0	(3,974)
Federal Funds	FED	82,021	204,057	62,814	266,871	0	(266,871)
STATE GENERAL FUND	001	11,117,431	6,288,579	6,774,559	13,063,138	14,627,649	1,564,511
General Fund	GEN	11,117,431	6,288,579	6,774,559	13,063,138	14,627,649	1,564,511
DEPT OF CORRECTIONS OPER - 379	379	1,133	2,511	0	2,511	0	(2,511)
Special Funds	SPEC	1,133	2,511	0	2,511	0	(2,511)
EXPENDITURES							
TOTAL EXPENDITURES		11,200,585	6,495,147	6,837,373	13,332,520	14,627,649	1,295,129
MEANS OF FUNDING							
TOTAL FUNDING		11,200,585	6,495,147	6,837,373	13,332,520	14,627,649	1,295,129
AUTHORIZED EMPLOYEES							
FTE		125.95	128.00	0.00	128.00	128.00	0.00
VACANT		0.00	0.00	0.00	0.00	0.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: SECURITY/SUPERVISION - JRCC
Reporting Level: 01-530-500-20-15-40-00-00000000

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EXPENDITURES							
SALARIES - PERMANENT	511000	5,744,904	3,311,762	3,545,097	6,856,859	7,249,944	393,085
SALARIES - OTHER	512000	0	0	0	0	0	0
TEMPORARY SALARIES	513000	152,591	84,603	178,794	263,397	206,304	(57,093)
OVERTIME	514000	248,965	162,898	266,856	429,754	337,368	(92,386)
FRINGE BENEFITS	516000	2,347,665	1,349,179	1,437,865	2,787,044	3,346,211	559,167
TRAVEL	521000	101,402	58,428	1,572	60,000	120,000	60,000
SUPPLIES - IT SOFTWARE	531000	404	470	30	500	2,195	1,695
SUPPLY/MATERIAL-PROFESSIONAL	532000	25,528	16,679	3,321	20,000	25,000	5,000
FOOD AND CLOTHING	533000	62,613	33,269	6,731	40,000	77,500	37,500
BLDG, GROUND, MAINTENANCE	534000	55,836	34,460	5,540	40,000	65,000	25,000
MISCELLANEOUS SUPPLIES	535000	1,589	1,124	1,276	2,400	2,400	0
OFFICE SUPPLIES	536000	3,621	1,832	1,168	3,000	6,000	3,000
POSTAGE	541000	246	132	68	200	200	0
PRINTING	542000	0	0	0	0	0	0
IT EQUIP UNDER $5,000	551000	1,550	2,356	2,644	5,000	11,075	6,075
OTHER EQUIP UNDER $5,000	552000	5,718	3,994	1,386	5,380	17,000	11,620
OFFICE EQUIP & FURN SUPPLIES	553000	6,319	4,141	859	5,000	7,500	2,500
INSURANCE	571000	0	0	0	0	0	0
RENTALS/LEASES - BLDG/LAND	582000	68	164	36	200	200	0
REPAIRS	591000	17,398	8,821	1,179	10,000	15,000	5,000
SALARY INCREASE	599110	0	0	0	0	418,687	418,687
BENEFIT INCREASE	599160	0	0	0	0	70,851	70,851
IT - DATA PROCESSING	601000	0	0	0	0	3,690	3,690
IT-COMMUNICATIONS	602000	2,233	781	219	1,000	8,287	7,287

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: SECURITY/SUPERVISION - JRCC
Reporting Level: 01-530-500-20-15-40-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
PROFESSIONAL DEVELOPMENT	611000	5,486	4,076	924	5,000	5,000	0
OPERATING FEES AND SERVICES	621000	5,227	3,299	201	3,500	3,500	0
FEES - PROFESSIONAL SERVICES	623000	8,928	3,387	613	4,000	4,000	0
MEDICAL, DENTAL AND OPTICAL	625000	35	16	34	50	50	0
EQUIPMENT OVER $5000	691000	0	0	25,000	25,000	112,000	87,000
PRISONS DIVISION	77	8,798,326	5,085,871	5,481,413	10,567,284	12,114,962	1,547,678
MEANS OF FUNDING							
SCAAP-BJA	P133	0	340	2,012	2,352	0	(2,352)
Federal Funds	FED	0	340	2,012	2,352	0	(2,352)
STATE GENERAL FUND	001	8,798,326	5,085,531	5,479,401	10,564,932	12,114,962	1,550,030
General Fund	GEN	8,798,326	5,085,531	5,479,401	10,564,932	12,114,962	1,550,030
DEPT OF CORRECTIONS OPER - 379	379	0	0	0	0	0	0
Special Funds	SPEC	0	0	0	0	0	0
EXPENDITURES							
TOTAL EXPENDITURES		8,798,326	5,085,871	5,481,413	10,567,284	12,114,962	1,547,678
MEANS OF FUNDING							
TOTAL FUNDING		8,798,326	5,085,871	5,481,413	10,567,284	12,114,962	1,547,678
AUTHORIZED EMPLOYEES							
FTE		119.02	120.00	0.00	120.00	125.00	5.00
VACANT		0.00	0.00	0.00	0.00	0.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: SECURITY/SUPERVISION - MRCC
Reporting Level: 01-530-500-20-20-40-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	1,438,310	829,258	841,341	1,670,599	1,712,952	42,353
TEMPORARY SALARIES	513000	28,677	17,947	12,349	30,296	23,799	(6,497)
OVERTIME	514000	86,029	53,840	37,048	90,888	110,904	20,016
FRINGE BENEFITS	516000	527,991	303,833	312,118	615,951	697,702	81,751
TRAVEL	521000	150	101	399	500	500	0
SUPPLIES - IT SOFTWARE	531000	113	131	369	500	300	(200)
SUPPLY/MATERIAL-PROFESSIONAL	532000	522	372	228	600	600	0
FOOD AND CLOTHING	533000	1,117	696	804	1,500	1,500	0
BLDG, GROUND, MAINTENANCE	534000	813	342	906	1,248	1,000	(248)
MISCELLANEOUS SUPPLIES	535000	64	56	44	100	100	0
OFFICE SUPPLIES	536000	631	304	296	600	600	0
POSTAGE	541000	0	0	0	0	0	0
PRINTING	542000	0	0	0	0	0	0
IT EQUIP UNDER $5,000	551000	1,942	0	0	0	0	0
OTHER EQUIP UNDER $5,000	552000	0	0	0	0	0	0
OFFICE EQUIP & FURN SUPPLIES	553000	445	252	248	500	500	0
INSURANCE	571000	0	0	0	0	0	0
RENTALS/LEASES-EQUIP & OTHER	581000	0	0	0	0	0	0
REPAIRS	591000	276	82	158	240	240	0
SALARY INCREASE	599110	0	0	0	0	104,149	104,149
BENEFIT INCREASE	599160	0	0	0	0	17,626	17,626
IT - DATA PROCESSING	601000	0	0	0	0	0	0
IT-COMMUNICATIONS	602000	1,257	456	444	900	1,015	115
PROFESSIONAL DEVELOPMENT	611000	0	0	0	0	0	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: SECURITY/SUPERVISION - MRCC
Reporting Level: 01-530-500-20-20-40-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	305	0	0	0	0	0
FEES - PROFESSIONAL SERVICES	623000	473	201	199	400	400	0
MEDICAL, DENTAL AND OPTICAL	625000	77	35	65	100	100	0
EQUIPMENT OVER $5000	691000	0	0	10,000	10,000	24,000	14,000
PRISONS DIVISION	77	2,089,192	1,207,906	1,217,016	2,424,922	2,697,987	273,065
MEANS OF FUNDING							
RESIDENTIAL SUBSTANCE ABUSE TRMT	P108	0	0	0	0	0	0
SCAAP-BJA	P133	0	0	0	0	0	0
COG. TRAINING - BCI	P176	0	0	0	0	0	0
Federal Funds	FED	0	0	0	0	0	0
STATE GENERAL FUND	001	2,089,192	1,207,906	1,217,016	2,424,922	2,697,987	273,065
General Fund	GEN	2,089,192	1,207,906	1,217,016	2,424,922	2,697,987	273,065
DEPT OF CORRECTIONS OPER - 379	379	0	0	0	0	0	0
Special Funds	SPEC	0	0	0	0	0	0
EXPENDITURES							
TOTAL EXPENDITURES		2,089,192	1,207,906	1,217,016	2,424,922	2,697,987	273,065
MEANS OF FUNDING							
TOTAL FUNDING		2,089,192	1,207,906	1,217,016	2,424,922	2,697,987	273,065
AUTHORIZED EMPLOYEES							
FTE		26.00	27.00	0.00	27.00	27.00	0.00
VACANT		0.00	0.00	0.00	0.00	0.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: SECURITY/SUPERVISION - CONTRACT
Reporting Level: 01-530-500-20-25-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	6,848,256	5,038,574	532,822	5,571,396	9,588,597	4,017,201
PRISONS DIVISION	77	6,848,256	5,038,574	532,822	5,571,396	9,588,597	4,017,201
MEANS OF FUNDING							
DETENTION SERVICES - FED	P021	0	0	20,000	20,000	60,000	40,000
SCAAP-BJA	P133	0	12,611	7,389	20,000	0	(20,000)
Federal Funds	FED	0	12,611	27,389	40,000	60,000	20,000
STATE GENERAL FUND	001	6,848,256	5,025,963	505,433	5,531,396	9,528,597	3,997,201
General Fund	GEN	6,848,256	5,025,963	505,433	5,531,396	9,528,597	3,997,201
EXPENDITURES							
TOTAL EXPENDITURES		6,848,256	5,038,574	532,822	5,571,396	9,588,597	4,017,201
MEANS OF FUNDING							
TOTAL FUNDING		6,848,256	5,038,574	532,822	5,571,396	9,588,597	4,017,201

2007 - 2009 Estimated DOCR Male Inmate Housing

	Est. Inmate Population \1	Interstate Compact	Temp Leave	Inmate Pop to House	DOCR Beds \2	BTC \3	TRCC \4	NCCRC \5	Transition	County Jail	Total Housed
July-07	**1,263**	17	16	**1,230**	1,011	105	72	25	-	17	1,230
August-07	**1,267**	17	16	**1,234**	1,011	105	72	25	-	21	1,234
September-07	**1,271**	17	16	**1,238**	1,011	105	72	25	-	25	1,238
October-07	**1,275**	17	16	**1,242**	1,011	105	72	25	-	29	1,242
November-07	**1,279**	17	17	**1,245**	1,011	105	72	25	-	32	1,245
December-07	**1,283**	17	17	**1,249**	1,011	105	72	25	-	36	1,249
January-08	**1,286**	18	16	**1,252**	1,011	105	72	25	10	29	1,252
February-08	**1,290**	18	16	**1,256**	1,011	105	72	25	20	23	1,256
March-08	**1,294**	18	16	**1,260**	1,011	105	72	25	30	17	1,260
April-08	**1,298**	18	16	**1,264**	1,011	105	72	25	40	11	1,264
May-08	**1,302**	18	16	**1,268**	1,011	105	72	25	40	15	1,268
June-08	**1,306**	18	16	**1,272**	1,011	105	72	25	40	19	1,272
July-08	**1,308**	18	16	**1,274**	1,011	105	72	25	40	21	1,274
August-08	**1,312**	18	16	**1,278**	1,011	105	72	25	40	25	1,278
September-08	**1,316**	18	17	**1,281**	1,011	105	72	25	40	28	1,281
October-08	**1,320**	18	17	**1,285**	1,011	105	72	25	40	32	1,285
November-08	**1,324**	18	17	**1,289**	1,011	105	72	25	40	36	1,289
December-08	**1,328**	18	17	**1,293**	1,011	105	72	25	40	40	1,293
January-09	**1,331**	18	17	**1,296**	1,011	105	72	25	40	43	1,296
February-09	**1,335**	18	17	**1,300**	1,011	105	72	25	40	47	1,300
March-09	**1,339**	18	17	**1,304**	1,011	105	72	25	40	51	1,304
April-09	**1,343**	18	17	**1,308**	1,011	105	72	25	40	55	1,308
May-09	**1,347**	18	17	**1,312**	1,011	105	72	25	40	59	1,312
June-09	**1,351**	18	17	**1,316**	1,011	105	72	25	40	63	1,316
										$ 1,412,280	

1 - Estimated annual growth rate - 3.5%

2 - DOCR Beds	
NDSP Beds	550
Temp / Vacant Beds	(43)
Total NDSP	**507**
JRCC Beds	405
Temp / Vacant Beds	(46)
Total JRCC	**359**
MRCC Beds	150
Temp / Vacant Beds	(5)
Total MRCC	**145**
Total DOCR Beds	**1,011**

\3 - **BTC** - Bismarck Transistion Center - transition, assesment, and relapse services

\4 - **TRCC** - Tompkins Rehabilitation and Correctional Center - treatment services

\5 - **NCCRC** - North Central Correctional and Rehabiliation Center - treatment services

2007 - 2009 Estimated DOCR Female Inmate Housing

Date	Est. Inmate Population \1	Temp Leave / Int. Compact	Inmate Pop to House	TRCC \2	Transition / Community Placement	DWCRC \3	County Jail	Total Housed
July-07	**192**	2	**190**	24	60	106	-	190
August-07	**194**	2	**192**	24	60	108	-	192
September-07	**195**	2	**193**	24	60	109	-	193
October-07	**197**	3	**194**	24	60	110	-	194
November-07	**199**	3	**196**	24	60	112	-	196
December-07	**200**	3	**197**	24	60	113	-	197
January-08	**202**	3	**199**	24	60	115	-	199
February-08	**204**	3	**201**	24	60	117	-	201
March-08	**205**	3	**202**	24	60	118	-	202
April-08	**207**	3	**204**	24	60	120	-	204
May-08	**208**	3	**205**	24	60	121	-	205
June-08	**210**	3	**207**	24	60	123	-	207
July-08	**211**	3	**208**	24	60	124	-	208
August-08	**213**	3	**210**	24	60	126	-	210
September-08	**214**	3	**211**	24	60	126	1	211
October-08	**216**	3	**213**	24	60	126	3	213
November-08	**218**	3	**215**	24	60	126	5	215
December-08	**219**	3	**216**	24	60	126	6	216
January-09	**221**	3	**218**	24	60	126	8	218
February-09	**223**	3	**220**	24	60	126	10	220
March-09	**224**	3	**221**	24	60	126	11	221
April-09	**226**	3	**223**	24	60	126	13	223
May-09	**228**	3	**225**	24	60	126	15	225
June-09	**229**	3	**226**	24	60	126	16	226
							$ 160,440	

\1 - Estimated annual growth rate - 9.6%

\2 - **TRCC** - Tompkins Rehabilitation and Correctional Center - treatement services

\3 - **DWCRC** - Dakota Womens Correctional and Rehabilitation Center

Dakota Womens Correctional and Rehabilitation Center (DWCRC) 2007 - 2009 Requested Budget	
Description	**2007 - 2009**
Payroll Expenses	$ 4,777,725
Administrative Expenses	262,530
Computer Services	82,061
Building Expense	610,924
Inmate Expense	249,291
Education Expense	95,683
Treatment / Vocation Expense	132,892
Case Management	8,070
Security System	171,986
Vehicle	67,341
Food Expense	430,081
Facility Renovation	287,000
Medical Fund	345,049
Industry	104,641
Debt Service	330,605
Total	**$ 7,955,877**

Equipment Over $5000

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
NDSP - Small Baggage Screening Machine	14	77	SECURITY / SUPERVISION - PEN	General Fund	27,000	0	27,000
					27,000	0	27,000
			Total for Reporting Level		**27,000**	**0**	**27,000**
			Total for DEPT OF CORRECTIONS AND REHAB		**27,000**	**0**	**27,000**

Equipment Over $5000

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
JRCC - Surveillance Cameras	5	77	SECURITY/SUPERVISION - JRCC	General Fund	15,000	0	15,000
					15,000	0	15,000
JRCC - Line Scan 222	7	77	SECURITY/SUPERVISION - JRCC	General Fund	20,000	0	20,000
					20,000	0	20,000
JRCC - Digital Video Recorders	13	77	SECURITY/SUPERVISION - JRCC	General Fund	32,000	0	32,000
					32,000	0	32,000
JRCC - GE Ion Track	18	77	SECURITY/SUPERVISION - JRCC	General Fund	45,000	45,000	90,000
					45,000	45,000	90,000
	Total for Reporting Level				**112,000**	**45,000**	**157,000**
	Total for DEPT OF CORRECTIONS AND REHAB				**112,000**	**45,000**	**157,000**

Equipment Over $5000

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optional
MRCC - Security Cameras	10	77	SECURITY/SUPERVISION - MRCC	General Fund	24,000	0	24,000
					24,000	0	24,000
	Total for Reporting Level				**24,000**	**0**	**24,000**
	Total for DEPT OF CORRECTIONS AND REHAB				**24,000**	**0**	**24,000**

DOCR – PRISONS DIVISIONS – MEDICAL SERVICES
2007-09 BUDGET DETAIL

Reporting Level: 530-500-20-10-25; 530-500-20-15-25; 530-500-20-20-25; 500-20-25-20	
Program: MEDICAL SERVICES	

EXPLANATION OF PROGRAM COSTS

Medical services program accounts for the cost of medical services provided to inmates at the community standard of health care (on-site and off-site services, drugs and supplies). DWCRC off-site medical and pharmacy are budgeted and paid directly by the DOCR.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	3,352,131	3,924,293	32%	572,162
Operating	5,697,656	8,392,241	67%	2,694,585
Capital	-	140,458	1%	140,458
Grants	-	-	0%	-
Total	**9,049,787**	**12,456,992**	**100%**	**3,407,205**
General	9,049,787	12,456,992	100%	3,407,205
Federal	-	-	0%	-
Special	-	-	0%	-
FTE	26.0	28.5		2.5

MATERIAL EXPENDITURES – (97% of budget)

Salary and Fringe – $3,924,293 – 32% of budget
- Medical Director - 1.0 fte
- Physician - 1.0 fte
- Dentist – 1.0 fte
- Pharmacist - 2.0 fte
- Nurse Practioner – 1.0 fte
- Register Nurse – 13.5 fte
- Licensed Practical Nurse – 3.0 fte
- Pharmacy Technician – 1.0 fte
- Dental Assistant – 1.0 fte
- Office Assistant – 4.0 fte

IT Contractual Services - $1,014,630 – 8% of budget
- Inmate medical records system

Professional Services - $4,014,743 – 32% of budget
- Inmate medical services / procedures (processed thru MMIS)

Medical provider contracts

Medical, Dental and Optical - $3,170,175 – 25% of budget

Drugs and medical supplies

SIGNIFICANT CHANGES

Salary and Fringe – $572,162

4% & 4% compensation adjustment

Health insurance increase

2.5 temp fte to permanent status

IT Contractual Services - $999,330

Inmate medical records system

Professional Services - $541,833

Increased number of inmates

Medical need of inmates

Increased cost of obtaining medical services

Medical Dental and Optical - $1,118,252

Increased number of inmates

Medical need of inmates

Increased cost of obtaining drugs and medical supplies

2005 – 2007 Budget

As of 11/06, 76% of this budget cost center has been expended. Anticipate 107% expended at the end of the biennium.

DOCR - Adult Services
Estimated 2005 - 2007 Deficiency

Contract Housing		
05-07 Female Inmate Housing Budget Amount		$ 5,814,450
Current Cost Estimate:		
DWCRC: *Actual daily rate ($89.41) greater than budgeted daily rate ($79.65) by $9.76.* *Current estimate of 05-07 average daily population (120) exceeds 05-07 budgeted daily population (100) by an average of 20*	7,778,692	
County Jail: *Current estimate of 05-07 average daily population housed in county jails (8) exceeds the budgeted average daily population (0) by an average of 8.*	243,852	
Total Current Estimate Female Inmate Housing Cost		8,022,545
Estimated Female Housing Shortfall		**$ (2,208,095)**
05-07 Male Contract Housing Budget Amount		$ 2,023,533
Current Cost Estimate:		
County Jail / Out-of-State (Appleton): *Current estimate of 05-07 average daily population housed in county jails and out-of-state (63) exceeds the budgeted average daily population (55) by an average of 8.*	2,306,352	
Half-Way House (Bismarck / Fargo): *Current estimate of 05-07 average daily population housed in a half-way housing setting exceeds the budgeted average daily population by 34.*	1,082,057	
NCCRC (Rugby): *Actual daily treatment rate ($85.00) exceeds budget treatment rate ($77.00) by $8.00* *Current estimate of average daily population in treatment (37) exceeds budgeted average daily population (25) by an average of 12.*	331,840	
Total Current Estimate Male Housing Cost		3,720,249
Estimated Male Housing Shortfall		**$ (1,696,716)**

- *Let's review some charts. (Copies of data are also in your packet.) Key things to consider include:*
  1. *Impact of parole – growing rapidly*
  2. *Impact of our assessment center program – reducing the number of offenders going to prison*
  3. *Court's increased use of felony probation sentences*

III) North Dakota offender demographics (as of December 31, 2006)

A. We serve 4,818 offenders*.
- 4,233 are on probation (court jurisdiction)
- 372 are on parole (Parole Board jurisdiction)
- 589 are interstate transfer cases (Interstate Compact jurisdiction)

B. There is a strong relationship between the prison's population and the population that we manage:

Type	Field Services	Prison
• Homicide	33	116
• Sex offense	300	213
• Robbery	39	26
• Assault	533	346
• Burglary	502	121
• Theft	724	222
• Drugs	2,165	1,127
• Weapons	71	46

  - 47% have split sentences that require us to manage them after their release from prison
  - Approximately 45-50% of prison "new arrivals" are probation revocation cases
  - 61% of inmates were released on parole supervision

**Offenders may have multiple supervision types. The total number of supervision types may be greater than the total number of offenders served.*

IV) The building blocks of our success!

A. Effective assessment strategies (that provide the court, the Parole and Pardon Advisory Boards, as well as the department, prompt information concerning offender criminal records and future criminal behavior risk factors):
   1. Use of risk predicting assessment tools such as:
      - LSI-R (all offenders)
      - MnSOST-R, Static 99, Acute 2000, Stable 2000 (sex offenders)
   2. Use of sentencing reports prepared between January 1, 2005 – December 31, 2006:
      - 2,191 Parole/Pardon Advisory Board sentencing reports
      - 1,092 pre-sentence reports
   3. Department of Corrections Case Planning Committee

   "We provide decision makers with the information they need in order to make good decisions!"

B. Evidence-based treatment and transition programming (that effectively reduces offender future risk):
   1. Tompkins Rehabilitation and Corrections Center
   2. Transition programming for men (BTC)
   3. Transition programming for women (Centre, Inc.)
   4. Re-entry programming
   5. ½ way and ¼ house placement
   6. Department of Human Services programming
   7. In-patient treatment (North Central Correctional Rehab Center)
   8. Teen Challenge
   9. Assessment center programming
   10. Proposed transition program to be sited in the Red River Valley

C. Thoughtful Parole Board interventions that effectively assist the department in managing its inmate population (supported by our Institutional Offender Services Program – IOSP):
   1. The Institutional Offender Services Program (IOSP) develops sentencing reports. The reports are utilized by the Parole and Pardon Advisory Boards, as well as the department.
   2. IOSP is the administrative arm of the Pardon Advisory Board and the Parole Board.
      - North Dakota was second in the nation with a 17% increase in the number of people on parole in 2005.
      - Parole revocation – 21% in 2005 compared to a national average of 55%.

      "We are making more people attractive for release on parole; they are succeeding!"

D. Aggressive supervision/security measures (that reduce recidivism and protects the public):
   1. Goal orientated/outcome based case planning
   2. Drug Court program
   3. Drug and alcohol testing
   4. Surveillance program
   5. GPS and traditional electronic monitoring
   6. Home visits
   7. Project Safe Neighborhood program
   8. Polygraph
   9. Operation Falcon/UVAP warrants
   10. Sex-offender Specialist program

E. Empathetic victim programming (that ensures that victim issues are met):
   1. Manage VOCA/CVA programs.
   2. Manage Crime Victims Compensation program.
   3. Maintain a victim coordinator on staff to assist victims, the department, and the parole and pardon process.
      - This reflects the victim coordinator's activity for the period January 1, 2005 – December 31, 2006.
        i. Served 1,971 victims
        ii. Provided 3,162 separate victim services
   4. Holding offenders fiscally responsible.
      - For court-ordered fiscal obligations. This reflects collections from cases terminated during January 1, 2005 – December 31, 2006.
        i. $2,924,176 restitution
        ii. $221,972 court costs
        iii. $454,060 fines
        iv. $678,328 fees
        v. $4,278,536 total
      - For direct fiscal payments to the division. This reflects collections from January 1, 2005 – December 31, 2006.
        i. $2,252,753 supervision fees
        ii. $114,402 interstate compact return fund
        iii. $2,367,155 total

F. Serious consideration of future concerns for corrections in North Dakota:
   1. Caseload and delivery systems are heavily burdened and they may fail in the future.
   2. Revocation rates for those under supervision will rise if workload issues are not addressed.
   3. Less people will be attractive for parole release if workloads are not stabilized.

V) We are proud of what we do!

A. Our staff is making a difference; they do a great job! Staff manages a large and risky population of offenders efficiently and effectively.
B. Victims of crime, and the public at large, are well served by the Field Services Division.
C. Our work is nationally recognized. We consult with other states on "outcome based" corrections program designs. We are also leaders on matters concerning the federal Interstate Compact for the Supervision of Adult Offenders.
D. Our programming has reduced the growth of the cost of North Dakota corrections this biennium. The proposed budget for '07-'09 will accelerate our favorable impact on the department's budget!

ATTACHMENTS INCLUDED IN THE PACKET:

Left side:
1. Division of Field Services Program Descriptions
2. Charts (8)

Right side:
1. Judge's Testimonials (Judge Foughty and Judge Wefald)
2. Parole/Probation Officer Testimonials
3. Magazine Article – A Call for Evidence-Based Policy
4. Sex Offender Program Description
5. Magazine Article – Managing Adult Sex Offenders in the Community
6. ND Teen Challenge Program Description

Separate handouts during testimony:
1. Population of community offenders
2. Caseload averages

Population of community based offenders without inmate offenders*

	Body Count	Offender Growth	Percentage Growth
12/31/2004	4,074		
12/31/2005	4,443	369	9.06%
12/31/2006	4,818	375	8.44%
3/1/2007	4,916	98	

* As of 12/31/2006 we managed 160 inmates in Transition or Treatment programming.

Caseloads on December 31st of the following years -
9% projected increase for 2007 & 2008

	2004	2005	2006	2007		2008
Adjusted Offenders	4,074	3,963	4,358	4,792		5,264
Average Caseload	95	108	119	118	* 120	129

Since 2004 the Division has implemented new programming:

GPS programming now is offered in 4 communities

The Assessment Center has required staff to spend more time developing prison diversion planning.

DOCR			
Adult Services			
Field Services Division	**2005-07 Approp**	**2007-09 Exec Rec**	**2007-09 House**
Division Administration	760,851	1,093,190	924,412
Institutional Offender Services	706,903	702,520	702,520
Interstate Compact	165,000	173,422	173,422
Supervision	8,126,893	9,926,763	9,455,816
Treatment Services	13,114,081	20,062,388	19,962,388
Victim Services	3,609,713	3,424,390	3,424,390
Central Office Allocation	595,252	570,413	570,413
Total JCS	**27,078,693**	**35,953,086**	**35,213,361**
General Funds	19,877,378	30,466,199	29,650,470
Federal Funds	3,818,756	2,683,996	2,683,996
Special Funds	3,382,559	2,802,891	2,878,895
FTE	95.61	105.81	101.31

DOCR

Adult Services

Field Services Division	2005-07 Approp	2007-09 Exec Rec	Change	%
Division Administration	760,851	1,093,190	332,339	43.7%
Institutional Offender Services	706,903	702,520	(4,383)	-0.6%
Interstate Compact	165,000	173,422	8,422	5.1%
Supervision	8,126,893	9,926,763	1,799,870	22.1%
Treatment Services	13,114,081	20,062,388	6,948,307	53.0%
Victim Services	3,609,713	3,424,390	(185,323)	-5.1%
Central Office Allocation	595,252	570,413	(24,839)	-4.2%
Total JCS	**27,078,693**	**35,953,086**	**8,874,393**	**32.8%**
General Funds	19,877,378	30,466,199	10,588,821	53.3%
Federal Funds	3,818,756	2,683,996	(1,134,760)	-29.7%
Special Funds	3,382,559	2,802,891	(579,668)	-17.1%
FTE	95.61	105.81	10.20	

Agency Name: DEPT OF CORRECTIONS AND REHAB
Reporting Level: FIELD SERVICES

1 Object/Revenue Description	Code	2 2007-09 Total Budget Changes	3 2007-09 Budget Recommendation	4	5	6	7
Change Package Description:							
Type: A Inflationary/Workload Changes							
Number: 53004							
Group: A							
EXPENDITURES							
TEMPORARY SALARIES	513000	62,500	62,500	0	0	0	0
FRINGE BENEFITS	516000	19,289	19,289	0	0	0	0
TRAVEL	521000	25,731	25,731	0	0	0	0
SUPPLIES - IT SOFTWARE	531000	(6,991)	(6,991)	0	0	0	0
SUPPLY/MATERIAL-PROFESSIONAL	532000	48	48	0	0	0	0
FOOD AND CLOTHING	533000	877	877	0	0	0	0
MISCELLANEOUS SUPPLIES	535000	60	60	0	0	0	0
OFFICE SUPPLIES	536000	660	660	0	0	0	0
POSTAGE	541000	2,952	2,952	0	0	0	0
PRINTING	542000	666	666	0	0	0	0
IT EQUIP UNDER $5,000	551000	22,291	22,291	0	0	0	0
OFFICE EQUIP & FURN SUPPLIES	553000	335	335	0	0	0	0
INSURANCE	571000	14,403	14,403	0	0	0	0
RENTALS/LEASES-EQUIP & OTHER	581000	324	324	0	0	0	0
RENTALS/LEASES - BLDG/LAND	582000	14,433	14,433	0	0	0	0
REPAIRS	591000	18	18	0	0	0	0
IT - DATA PROCESSING	601000	1,652	1,652	0	0	0	0
IT-COMMUNICATIONS	602000	(5,900)	(5,900)	0	0	0	0
IT CONTRACTUAL SERVICES AND RE	603000	1,280	1,280	0	0	0	0
PROFESSIONAL DEVELOPMENT	611000	2,533	2,533	0	0	0	0
OPERATING FEES AND SERVICES	621000	3,420,910	3,420,910	0	0	0	0
FEES - PROFESSIONAL SERVICES	623000	(148,481)	(148,481)	0	0	0	0
GRANTS, BENEFITS & CLAIMS	712000	(178,933)	(178,933)	0	0	0	0
FIELD SERVICES	74	3,250,657	3,250,657				
EXPENDITURE TOTALS		3,250,657	3,250,657				

Agency Name: DEPT OF CORRECTIONS AND REHAB
Reporting Level: FIELD SERVICES

1 Object/Revenue Description	Code	2 2007-09 Total Budget Changes	3 2007-09 Budget Recommendation	4	5	6	7
Change Package Type: A **Number:** 53004 **Group:** A **Description:** Inflationary/Workload Changes							
MEANS OF FUNDING							
STATE GENERAL FUND	001	3,269,060	3,269,060	0	0	0	0
General Fund	74	3,269,060	3,269,060				
DEPT OF CORRECTIONS OPER - 379	379	(18,403)	(18,403)	0	0	0	0
Special Funds	74	(18,403)	(18,403)				
TOTAL FUNDING		3,250,657	3,250,657				
Change Package Type: A **Number:** 53005 **Group:** A **Description:** Funding Source							
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	(328,073)	(328,073)	0	0	0	0
GRANTS, BENEFITS & CLAIMS	712000	(206,755)	(206,755)	0	0	0	0
FIELD SERVICES	74	(534,828)	(534,828)				
EXPENDITURE TOTALS		(534,828)	(534,828)				
MEANS OF FUNDING							
STATE GENERAL FUND	001	969,987	969,987	0	0	0	0
General Fund	74	969,987	969,987				
DEPT OF CORRECTIONS OPER - 379	379	(321,468)	(321,468)	0	0	0	0
Special Funds	74	(321,468)	(321,468)				

DOCR – FIELD SERVICES DIVISION
2007-09 BUDGET DETAIL

Reporting Level: 530-500-10-10	
Program: DIVISION ADMINISTRATION	

EXPLANATION OF PROGRAM COSTS

The division administration program accounts for the costs related to the management and administration of resources directed at the field serviced division.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Ex Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	523,673	820,550	75%	296,877
Operating	237,178	272,640	25%	35,462
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**760,851**	**1,093,190**	**100%**	**332,339**
General	587,608	754,669	69%	167,061
Federal	-	-	0%	-
Special	173,243	338,521	31%	165,278
FTE	5.50	5.50		-

MATERIAL EXPENDITURES – (94% of budget)

Salary and Fringe – $820,550 – 75% of budget
- FSD director – 1.0
- Program managers – 2.0
- Administrative assistant – 1.0
- Civil SO supervision – 1.0
- Treatment pilot program manager - .5

Travel - $26,577 – 2% of budget
- Motor pool, employee reimbursable travel (meals, lodging), air transportation

Professional Supplies and Materials - $21,000 – 2% of budget

Postage - $22,180 – 2% of budget

Insurance – $26,911 – 2% of budget
- Contents insurance for regional offices

Dues and professional development - $87,361 – 8% of budget

Quarterly in-service staff training, membership fees (Peace Officers, National Association of Probation Executives, Paroling Authorities Int.), Interstate compact dues

SIGNIFICANT CHANGES

Salary and Fringe – $296,877

4% & 4% compensation adjustment
Health insurance increase
Temp salary increase – electronic monitoring

Dues and Professional Development - $36,500

Interstate compact dues

2005 – 2007 Budget

As of 11/06, 63% of this budget cost center has been expended. Anticipate 100% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DIVISION ADMINISTRATION - FS
Reporting Level: 01-530-500-10-10-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	470,075	199,248	208,368	407,616	521,676	114,060
TEMPORARY SALARIES	513000	960	1,341	2,159	3,500	65,260	61,760
FRINGE BENEFITS	516000	123,810	54,759	57,798	112,557	195,605	83,048
TRAVEL	521000	30,463	11,067	15,510	26,577	26,577	0
SUPPLIES - IT SOFTWARE	531000	4,522	174	658	832	349	(483)
SUPPLY/MATERIAL-PROFESSIONAL	532000	14,228	9,252	11,748	21,000	21,000	0
FOOD AND CLOTHING	533000	18,970	3,490	4,510	8,000	8,000	0
MISCELLANEOUS SUPPLIES	535000	6,001	1,128	1,956	3,084	3,084	0
OFFICE SUPPLIES	536000	4,551	5,602	5,876	11,478	11,478	0
POSTAGE	541000	22,796	9,750	12,430	22,180	22,180	0
PRINTING	542000	3,759	391	796	1,187	1,187	0
IT EQUIP UNDER $5,000	551000	7,739	0	377	377	3,627	3,250
OTHER EQUIP UNDER $5,000	552000	1,534	2,487	2,508	4,995	4,995	0
OFFICE EQUIP & FURN SUPPLIES	553000	0	0	997	997	997	0
INSURANCE	571000	27,731	11,437	15,474	26,911	26,911	0
RENTALS/LEASES-EQUIP & OTHER	581000	3,327	1,250	2,340	3,590	3,590	0
RENTALS/LEASES - BLDG/LAND	582000	0	300	300	600	600	0
REPAIRS	591000	1,234	135	707	842	842	0
SALARY INCREASE	599110	0	0	0	0	32,462	32,462
BENEFIT INCREASE	599160	0	0	0	0	5,547	5,547
IT - DATA PROCESSING	601000	17,189	4,671	6,765	11,436	8,467	(2,969)
IT-COMMUNICATIONS	602000	8,615	3,554	5,123	8,677	7,841	(836)
IT CONTRACTUAL SERVICES AND RE	603000	0	0	0	0	0	0
PROFESSIONAL DEVELOPMENT	611000	57,897	23,531	27,330	50,861	87,361	36,500

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: DIVISION ADMINISTRATION - FS
Reporting Level: 01-530-500-10-10-10-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	7,262	4,890	6,075	10,965	10,965	0
FEES - PROFESSIONAL SERVICES	623000	500	884	2,238	3,122	3,122	0
MEDICAL, DENTAL AND OPTICAL	625000	19,805	9,470	9,997	19,467	19,467	0
FIELD SERVICES	74	852,968	358,811	402,040	760,851	1,093,190	332,339
MEANS OF FUNDING							
BULLET PROOF VEST	P166	5,539	0	0	0	0	0
REENTRY GRANT	P181	33	0	0	0	0	0
Federal Funds	FED	5,572	0	0	0	0	0
STATE GENERAL FUND	001	830,668	351,770	235,838	587,608	754,669	167,061
General Fund	GEN	830,668	351,770	235,838	587,608	754,669	167,061
DEPT OF CORRECTIONS OPER - 379	379	16,728	7,041	166,202	173,243	338,521	165,278
Special Funds	SPEC	16,728	7,041	166,202	173,243	338,521	165,278
EXPENDITURES							
TOTAL EXPENDITURES		852,968	358,811	402,040	760,851	1,093,190	332,339
MEANS OF FUNDING							
TOTAL FUNDING		852,968	358,811	402,040	760,851	1,093,190	332,339
AUTHORIZED EMPLOYEES							
FTE		5.00	5.49	0.00	5.49	5.50	0.01

DOCR – FIELD SERVICES DIVISION
2007-09 BUDGET DETAIL

Reporting Level: 530-500-10-10-15	
Program: VICTIM SERVICES	

EXPLANATION OF PROGRAM COSTS

The victim services program accounts for and manages direct victim assistance, victim compensation, and grant assistance programming.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	204,890	226,322	7%	21,432
Operating	21,665	21,665	1%	-
Capital			0%	-
Grants	3,383,158	3,176,403	93%	(206,755)
Total	**3,609,713**	**3,424,390**	**100%**	**(185,323)**
General	300,629	279,927	8%	(20,702)
Federal	2,865,087	2,682,680	78%	(182,407)
Special	443,997	461,783	13%	17,786
FTE	2.00	2.00		-

MATERIAL EXPENDITURES – (99% of budget)

Salary and Fringe – $226,322 – 6% of budget
Program managers – 2.0

Grants, Benefits & Claims - $3,176,403 – 93% of budget
Victim compensation payments – medical and death benefits
Grant funding to victim advocate programs and organizations

SIGNIFICANT CHANGES

Salary and Fringe – $21,432
4% & 4% compensation adjustment
Health insurance increase

Grants, Benefits & Claims - $(206,755)
Reflects available crime victim funding

2005 – 2007 Budget

As of 11/06, 64% of this budget cost center has been expended. Anticipate 100% expended at the end of the biennium.

NOTE: Crime victim compensation (CVC) current funding is not adequate to meet current need. The 2005-07 budget provides for a total of $426,403 in crime victim compensation payments. The 2005-07 projected need for crime victim compensation payments totals $958,695. The difference between these amounts represents a funding deficiency that is not represented in the current DOCR deficiency request. The current practice regarding these payments is when the budgeted amount for the biennium is met; any additional claims are held and not paid until the start of the next biennium. Considering the 05-07 CVC funding deficiency noted above and the 07-09 CVC budget request of $426,403, it is likely that CVC claims received and approved in the 07-09 biennium would go unpaid until the 09-11 biennium.

In an attempt to "get in front" of the CVC problem the DOCR respectfully requests that the DOCR be given the authority to use $515,855 of general funds which were appropriated to the DOCR in SB2341 by the 2005 Legislative Assembly. Due to the fact federal funding for the proposed treatment pilot project described in SB2341 was not received, the corresponding general funds of $515,855 remain unspent. This amount is not included in the current DOCR deficiency request.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: VICTIMS SERVICES - FS
Reporting Level: 01-530-500-10-10-15-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	81,600	80,808	81,330	162,138	168,072	5,934
FRINGE BENEFITS	516000	13,908	20,729	22,023	42,752	46,302	3,550
TRAVEL	521000	5,572	2,108	3,533	5,641	5,641	0
SUPPLIES - IT SOFTWARE	531000	0	40	41	81	81	0
SUPPLY/MATERIAL-PROFESSIONAL	532000	0	1,299	1,342	2,641	2,641	0
FOOD AND CLOTHING	533000	45	0	50	50	50	0
MISCELLANEOUS SUPPLIES	535000	0	0	0	0	0	0
OFFICE SUPPLIES	536000	702	358	366	724	724	0
POSTAGE	541000	0	367	636	1,003	1,003	0
PRINTING	542000	630	0	0	0	0	0
INSURANCE	571000	83	60	52	112	112	0
RENTALS/LEASES-EQUIP & OTHER	581000	2,764	1,250	1,435	2,685	2,685	0
REPAIRS	591000	227	70	179	249	249	0
SALARY INCREASE	599110	0	0	0	0	10,220	10,220
BENEFIT INCREASE	599160	0	0	0	0	1,728	1,728
IT - DATA PROCESSING	601000	638	316	378	694	694	0
IT-COMMUNICATIONS	602000	2,458	861	2,376	3,237	3,237	0
PROFESSIONAL DEVELOPMENT	611000	4,057	2,324	2,224	4,548	4,548	0
OPERATING FEES AND SERVICES	621000	255	0	0	0	0	0
GRANTS, BENEFITS & CLAIMS	712000	3,583,680	1,399,080	1,984,078	3,383,158	3,176,403	(206,755)
FIELD SERVICES	74	3,696,619	1,509,670	2,100,043	3,609,713	3,424,390	(185,323)
MEANS OF FUNDING							
FY 01 FED VOCA GRANT	P068	2,909,176	923,283	1,755,804	2,679,087	2,514,680	(164,407)
FY 2000 FEDERAL CVC GRANT	P068	233,001	93,819	92,181	186,000	168,000	(18,000)
Federal Funds	FED	3,142,177	1,017,102	1,847,985	2,865,087	2,682,680	(182,407)

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: VICTIMS SERVICES - FS
Reporting Level: 01-530-500-10-10-15-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
MEANS OF FUNDING							
STATE GENERAL FUND	001	118,633	110,590	190,039	300,629	279,927	(20,702)
General Fund	GEN	118,633	110,590	190,039	300,629	279,927	(20,702)
CRIME VICTIMS GIFT FUND - 372	372	82,692	33,359	10,641	44,000	44,000	0
DEPT OF CORRECTIONS OPER - 379	379	353,117	348,619	51,378	399,997	417,783	17,786
Special Funds	SPEC	435,809	381,978	62,019	443,997	461,783	17,786
EXPENDITURES							
TOTAL EXPENDITURES		3,696,619	1,509,670	2,100,043	3,609,713	3,424,390	(185,323)
MEANS OF FUNDING							
TOTAL FUNDING		3,696,619	1,509,670	2,100,043	3,609,713	3,424,390	(185,323)
AUTHORIZED EMPLOYEES							
FTE		2.00	2.00	0.00	2.00	2.00	0.00

DOCR – FIELD SERVICES DIVISION
2007-09 BUDGET DETAIL

Reporting Level: 530-500-10-10-18	
Program: INSTITUTIONAL OFFENDER SERVICES	

EXPLANATION OF PROGRAM COSTS

The institutional offender services program provides information and management support to the classification committee, case planning committee, and ND Parole and Probation Advisory Board. Responsible for completion of the DOCR sentencing report and coordinates community placements.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	566,383	596,774	85%	30,391
Operating	140,520	105,746	15%	(34,774)
Capital			0%	-
Grants	-	-	0%	-
Total	**706,903**	**702,520**	**100%**	**(4,383)**
General	635,921	642,180	91%	6,259
Federal	-	-	0%	-
Special	70,982	60,340	9%	(10,642)
FTE	6.00	6.00		-

MATERIAL EXPENDITURES – (96% of budget)

Salary and Fringe – $596,774 – 85% of budget
- Program manager – 1.0 FTE
- Community Corrections Agent – 4.0 FTE
- Administrative Staff Officer – 1.0 FTE
- Parole Board Members
- Pardon Advisory Board Members

Travel - $28,407 – 4% of budget
- Employee and board member travel, motor pool

Dues and Professional Development - $50,480 – 7% of budget
- Membership fees – Paroling Authorities International, Peace Officers Assoc.
- Staff development

SIGNIFICANT CHANGES

Salary and Fringe – $30,391
- 4% & 4% compensation adjustment
- Health insurance increase
- Eliminate temp salary (internal accounting change)

Dues and Professional Development - $(36,500)
- Internal accounting change – Interstate compact fees to administration

2005 – 2007 Budget

As of 11/06, 72% of this budget cost center has been expended. Anticipate 100% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: INSTITUTIONAL OFFENDER SERVICES PRGM - FS
Reporting Level: 01-530-500-10-10-18-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	382,193	202,058	226,050	428,108	430,800	2,692
SALARIES - OTHER	512000	0	0	0	0	0	0
TEMPORARY SALARIES	513000	71,098	3,927	5,844	9,771	0	(9,771)
FRINGE BENEFITS	516000	114,867	60,763	67,741	128,504	137,438	8,934
TRAVEL	521000	24,737	11,121	17,286	28,407	28,407	0
SUPPLIES - IT SOFTWARE	531000	1,098	148	351	499	297	(202)
SUPPLY/MATERIAL-PROFESSIONAL	532000	169	0	0	0	0	0
FOOD AND CLOTHING	533000	941	234	513	747	747	0
MISCELLANEOUS SUPPLIES	535000	0	0	0	0	0	0
OFFICE SUPPLIES	536000	1,296	1,777	2,115	3,892	3,892	0
POSTAGE	541000	760	615	820	1,435	1,435	0
PRINTING	542000	1,155	236	624	860	860	0
IT EQUIP UNDER $5,000	551000	6,968	103	227	330	256	(74)
OFFICE EQUIP & FURN SUPPLIES	553000	0	336	472	808	808	0
INSURANCE	571000	2,771	179	220	399	399	0
RENTALS/LEASES-EQUIP & OTHER	581000	2,889	1,250	1,684	2,934	2,934	0
REPAIRS	591000	272	147	252	399	399	0
SALARY INCREASE	599110	0	0	0	0	24,405	24,405
BENEFIT INCREASE	599160	0	0	0	0	4,131	4,131
IT - DATA PROCESSING	601000	7,842	4,104	2,957	7,061	8,146	1,085
IT-COMMUNICATIONS	602000	6,464	2,764	2,860	5,624	6,541	917
PROFESSIONAL DEVELOPMENT	611000	4,710	42,386	44,594	86,980	50,480	(36,500)
OPERATING FEES AND SERVICES	621000	3,414	49	96	145	145	0
MEDICAL, DENTAL AND OPTICAL	625000	0	0	0	0	0	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: INSTITUTIONAL OFFENDER SERVICES PRGM - FS
Reporting Level: 01-530-500-10-10-18-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
FIELD SERVICES	74	633,644	332,197	374,706	706,903	702,520	(4,383)
MEANS OF FUNDING							
FY 01 FED VOCA GRANT	P066	25,596	0	0	0	0	0
REENTRY GRANT	P181	664	0	0	0	0	0
Federal Funds	FED	26,260	0	0	0	0	0
STATE GENERAL FUND	001	529,801	332,197	303,724	635,921	642,180	6,259
General Fund	GEN	529,801	332,197	303,724	635,921	642,180	6,259
DEPT OF CORRECTIONS OPER - 379	379	77,583	0	70,982	70,982	60,340	(10,642)
Special Funds	SPEC	77,583	0	70,982	70,982	60,340	(10,642)
EXPENDITURES							
TOTAL EXPENDITURES		633,644	332,197	374,706	706,903	702,520	(4,383)
MEANS OF FUNDING							
TOTAL FUNDING		633,644	332,197	374,706	706,903	702,520	(4,383)
AUTHORIZED EMPLOYEES							
FTE		4.90	6.00	0.00	6.00	6.00	0.00

DOCR – FIELD SERVICES DIVISION
2007-09 BUDGET DETAIL

Reporting Level: 530-500-10-10-18	
Program: INTERSTATE COMPACT	

EXPLANATION OF PROGRAM COSTS

The interstate compact return program provides for the return of offenders living outside of the State who have violated the terms of their supervision.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	31,838	40,260	23%	8,422
Operating	133,162	133,162	77%	-
Capital			0%	-
Grants	-	-	0%	-
Total	**165,000**	**173,422**	**100%**	**8,422**
General	-	660	0%	660
Federal	-	-	0%	-
Special	165,000	172,762	100%	7,762
FTE	-	-		-

MATERIAL EXPENDITURES – (100% of budget)

Salary and Fringe – $40,260 – 23% of budget
Temporary Transport Officers

Travel - $124,000 – 72% of budget
Transport officer meals and lodging, motor pool

Operating Fees and Services - $8,819 – 5% of budget
Return of offenders by law enforcement (county sheriff, US Marshals Service)

SIGNIFICANT CHANGES

Salary and Fringe – $8,422
Increase in number of transports

2005 – 2007 Budget

As of 11/06, 72% of this budget cost center has been expended. Anticipate 100% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: INTERSTATE COMPACT - FS
Reporting Level: 01-530-500-10-10-19-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	3,763	272	273	545	600	55
TEMPORARY SALARIES	513000	8,137	8,192	22,051	30,243	36,000	5,757
FRINGE BENEFITS	516000	1,721	519	531	1,050	3,660	2,610
TRAVEL	521000	6,783	7,478	116,522	124,000	124,000	0
SUPPLIES - IT SOFTWARE	531000	0	0	0	0	99	99
FOOD AND CLOTHING	533000	0	0	0	0	79	79
BLDG, GROUND, MAINTENANCE	534000	15	0	55	55	55	0
POSTAGE	541000	0	23	87	110	110	0
IT-COMMUNICATIONS	602000	62	8	170	178	0	(178)
OPERATING FEES AND SERVICES	621000	5,878	2,515	6,304	8,819	8,819	0
FIELD SERVICES	74	26,359	19,007	145,993	165,000	173,422	8,422
MEANS OF FUNDING							
STATE GENERAL FUND	001	681	0	0	0	660	660
General Fund	GEN	681	0	0	0	660	660
PROBATION VIOLATION TRANSP - 321	321	25,332	19,007	145,993	165,000	172,762	7,762
DEPT OF CORRECTIONS OPER - 379	379	346	0	0	0	0	0
Special Funds	SPEC	25,678	19,007	145,993	165,000	172,762	7,762
EXPENDITURES							
TOTAL EXPENDITURES		26,359	19,007	145,993	165,000	173,422	8,422
MEANS OF FUNDING							
TOTAL FUNDING		26,359	19,007	145,993	165,000	173,422	8,422

DOCR – FIELD SERVICES DIVISION
2007-09 BUDGET DETAIL

Reporting Level: 530-500-10-10-20	
Program: SUPERVISION	

EXPLANATION OF PROGRAM COSTS

The supervision program provides for the traditional parole and probation services – supervision of offenders in a community setting. The nature and intensity of the supervision is based on the demonstrated needs and risks of the offender.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	6,809,573	8,277,375	83%	1,467,802
Operating	1,317,320	1,649,388	17%	332,068
Capital			0%	-
Grants	-	-	0%	-
Total	**8,126,893**	**9,926,763**	**100%**	**1,799,870**
General	6,877,547	9,034,612	91%	2,157,065
Federal	-	-	0%	-
Special	1,249,346	892,151	9%	(357,195)
FTE	68.35	75.35		7.00

MATERIAL EXPENDITURES – (93% of budget)

Salary and Fringe – $8,277,375 – 83% of budget
- Program managers – 4.0 fte
- Parole officers – 54.75 fte
- Community corrections agents – 13.6 fte
- Administrative assistants – 3.0 fte

Travel - $395,577 – 4% of budget
- Employee travel (meals, lodging), motor pool

IT Equipment Under $5,000 - $255,234 – 3% of budget
- Radio replacement – digital - $243,000
- New fte and miscellaneous - $12,234

Rental / Leases – Bldg / Land - $315,866 – 3% of budget
- Regional office rent payments
  - Williston - $396 / month
  - Bismarck - $1,710 / month

Dickinson - $878 / month
Mandan - $634 / month
Minot - $802 / month
Oakes - $113 / month
Washburn - $113 / month
Jamestown - $472 / month
Devils Lake - $591 / month
Fargo - $2,842 / month
South Fargo - $1,815 / month
Grand Forks - $1,605 / month
Rolla - $566 / month
Wahpeton - $623 / month

SIGNIFICANT CHANGES

Salary and Fringe – $1,467,802
- New parole officer positions – 7.0 fte
- 4% and 4% compensation adjustment
- Health insurance increase

IT Equipment Under $5,000 - $251,750
- Radio replacement – digital

2005 – 2007 Budget

As of 11/06, 64% of this budget cost center has been expended. Anticipate 100% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: SUPERVISION - FS
Reporting Level: 01-530-500-10-10-20-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	3,950,131	2,265,158	2,468,766	4,733,924	5,450,750	716,826
TEMPORARY SALARIES	513000	372,422	123,768	204,730	328,498	238,344	(90,154)
FRINGE BENEFITS	516000	1,405,837	842,149	905,002	1,747,151	2,234,250	487,099
TRAVEL	521000	391,667	189,260	201,817	391,077	395,577	4,500
SUPPLIES - IT SOFTWARE	531000	17,916	4,603	7,287	11,890	11,323	(567)
SUPPLY/MATERIAL-PROFESSIONAL	532000	657	1,071	793	1,864	1,864	0
FOOD AND CLOTHING	533000	15,272	9,837	14,923	24,760	25,560	800
BLDG, GROUND, MAINTENANCE	534000	261	0	144	144	144	0
MISCELLANEOUS SUPPLIES	535000	13,987	2,325	3,488	5,813	5,813	0
OFFICE SUPPLIES	536000	16,335	17,769	19,721	37,490	37,490	0
POSTAGE	541000	23,983	11,589	14,582	26,171	26,171	0
PRINTING	542000	10,422	1,490	7,334	8,824	8,824	0
IT EQUIP UNDER $5,000	551000	13,602	0	3,484	3,484	255,234	251,750
OFFICE EQUIP & FURN SUPPLIES	553000	229	1,337	1,368	2,705	2,705	0
UTILITIES	561000	5,499	2,937	3,048	5,985	5,985	0
INSURANCE	571000	23,797	787	924	1,711	1,711	0
RENTALS/LEASES-EQUIP & OTHER	581000	5,079	7,423	7,751	15,174	15,174	0
RENTALS/LEASES - BLDG/LAND	582000	230,331	144,139	157,287	301,426	315,866	14,440
REPAIRS	591000	14,506	6,606	8,323	14,929	14,929	0
SALARY INCREASE	599110	0	0	0	0	302,780	302,780
BENEFIT INCREASE	599160	0	0	0	0	51,251	51,251
IT - DATA PROCESSING	601000	115,430	56,140	104,692	160,832	140,499	(20,333)
IT-COMMUNICATIONS	602000	83,956	47,577	47,040	94,617	87,981	(6,636)
PROFESSIONAL DEVELOPMENT	611000	13,138	5,367	8,007	13,374	13,374	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: SUPERVISION - FS
Reporting Level: 01-530-500-10-10-20-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	9,669	6,247	14,400	20,647	20,647	0
FEES - PROFESSIONAL SERVICES	623000	114,595	16,873	31,614	48,487	41,487	(7,000)
MEDICAL, DENTAL AND OPTICAL	625000	107,083	57,281	68,635	125,916	125,916	0
SPECIAL LINE OTHER	709000	0	0	0	0	95,114	95,114
FIELD SERVICES	74	6,955,804	3,821,733	4,305,160	8,126,893	9,926,763	1,799,870
MEANS OF FUNDING							
STATE GENERAL FUND	001	6,281,881	3,486,005	3,391,542	6,877,547	9,034,612	2,157,065
General Fund	GEN	6,281,881	3,486,005	3,391,542	6,877,547	9,034,612	2,157,065
DEPT OF CORRECTIONS OPER - 379	379	673,923	335,728	913,618	1,249,346	892,151	(357,195)
Special Funds	SPEC	673,923	335,728	913,618	1,249,346	892,151	(357,195)
EXPENDITURES							
TOTAL EXPENDITURES		6,955,804	3,821,733	4,305,160	8,126,893	9,926,763	1,799,870
MEANS OF FUNDING							
TOTAL FUNDING		6,955,804	3,821,733	4,305,160	8,126,893	9,926,763	1,799,870
AUTHORIZED EMPLOYEES							
FTE		57.85	68.35	0.00	68.35	75.35	7.00

DOCR – FIELD SERVICES DIVISION
2007-09 BUDGET DETAIL

Reporting Level: 530-500-10-10-25	
Program: TREATMENT	

EXPLANATION OF PROGRAM COSTS

The treatment program accounts for programming and treatment services provided to offenders / inmates outside of the traditional prison setting. This budget cost center includes funding for transition, addiction treatment, drug court, half-way and quarter house programming, electronic monitoring and faith based programming.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	1,436,038	1,820,309	9%	384,271
Operating	11,499,110	18,242,079	91%	6,742,969
Capital			0%	-
Grants	178,933	-	0%	(178,933)
Total	**13,114,081**	**20,062,388**	**100%**	**6,948,307**
General	10,891,602	19,183,738	96%	8,292,136
Federal	953,669	1,316	0%	(952,353)
Special	1,268,810	877,334	4%	(391,476)
FTE	11.00	14.00		3.00

MATERIAL EXPENDITURES – (96% of budget)

Salary and Fringe – $1,820,309 – 9% of budget
- Program managers – 6.0 fte
- Parole officers – 6.0 fte
- Correctional case managers – 2.0 fte

Operating Fees and Services - $17,399,133 – 87% of budget
- Offender / inmate treatment and programming (see attached)

SIGNIFICANT CHANGES

Salary and Fringe – $394,271
- New parole officer positions (drug court) – 3.0 fte
- 4% and 4% compensation adjustment
- Health insurance increase

Operating Fees and Services - $6,671,884

Full biennium funding

Bismarck Transition Center (Assessment and Relapse)
North Central Rehabilitation and Correctional Center
Half-way House

Program Expansion

Female Transition / Community Placement
Male Transition (40 beds)

Professional Services –

NOTE: In error, $200,000 of funding for Youth Correctional Center (YCC) mental health services programming (psychologist, psychiatrist and licensed addiction counselor) is included in the Field Services line item. To correct this error, the DOCR respectfully requests the transfer of $200,000 of general funds from the Field Services line item to the Youth Correctional Center line item.

Program Evaluation (TRCC, Male / Female Transition, Assessment) - $200,000

Drug Court Implementation – (3 new drug courts) - $150,000

Program Training / Miscellaneous - $58,995

2005 – 2007 Budget

As of 11/06, 68% of this budget cost center has been expended. Anticipate 103% expended at the end of the biennium.

Medical		
05-07 "Outside" Medical Budget Amount		$ 4,929,873
Current Cost Estimate:		
Current 05-07 estimated "outside" medical daily rate ($5.13) exceeds budgeted "outside" medical rate ($4.85) by $.28. *Current estimated average daily population for which DOCR is medically responsible (1,427) exceeds the budget average daily population for which DOCR is medically responsible (1,391) by 36.*		
Total Current Estimate "Outside" Medical Cost		5,504,911
Estimated "Outside" Medical Shortfall		**$ (575,038)**
Meals		
05-07 Meal Budget Amount (Excluding NDSH Meals)		$ 3,080,476
Current Cost Estimate:		
Current 05-07 estimated number of meals served (2,761,590) exceeds the budget number of meals served (2,695,645) by 65,945 *Current 05-07 estimated cost per meal ($1.18) exceeds the budgeted cost per meal ($1.14) by $.04*		
Total Current Estimate Meal Cost (Excluding NDSH Meals)		3,269,283
Estimated Meal Shortfall		**$ (188,807)**
Sex Offender Supervision		
05-07 General Fund Budget		$ -
Current Cost Estimate:		
2 FTE Parole Officers - Sex Offender Specialist hired in FY07 to address sex offender supervison needs in Minot and Jamestown FTE authorized by 05 legislature		
Total Current Estimate Sex Offender Specialists		140,000
Estimated Utility Shortfall		**$ (140,000)**
Total Estimated Adult Services Deficiency		**$ (4,808,655)**

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: MEDICAL SERVICES PROGRAM - PEN
Reporting Level: 01-530-500-20-10-25-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	964,759	551,870	902,057	1,453,927	1,522,702	68,775
TEMPORARY SALARIES	513000	111,083	67,829	99,181	167,010	66,327	(100,683)
OVERTIME	514000	18,083	11,042	16,146	27,188	25,344	(1,844)
FRINGE BENEFITS	516000	298,940	170,741	243,230	413,971	487,266	73,295
TRAVEL	521000	19,323	10,990	4,010	15,000	30,000	15,000
SUPPLIES - IT SOFTWARE	531000	1,363	1,587	913	2,500	3,200	700
SUPPLY/MATERIAL-PROFESSIONAL	532000	1,955	1,336	164	1,500	3,000	1,500
FOOD AND CLOTHING	533000	5,164	3,139	1,861	5,000	6,500	1,500
BLDG, GROUND, MAINTENANCE	534000	12,340	7,090	2,910	10,000	15,000	5,000
MISCELLANEOUS SUPPLIES	535000	1,771	1,463	347	1,810	3,500	1,690
OFFICE SUPPLIES	536000	10,060	5,343	3,157	8,500	8,500	0
POSTAGE	541000	0	0	0	0	0	0
PRINTING	542000	12,490	5,654	2,846	8,500	8,500	0
IT EQUIP UNDER $5,000	551000	251	382	2,608	2,990	0	(2,990)
OTHER EQUIP UNDER $5,000	552000	17,641	7,693	2,307	10,000	4,575	(5,425)
OFFICE EQUIP & FURN SUPPLIES	553000	5,194	3,507	1,243	4,750	11,975	7,225
INSURANCE	571000	0	0	0	0	0	0
RENTALS/LEASES-EQUIP & OTHER	581000	5,393	2,333	2,667	5,000	6,000	1,000
REPAIRS	591000	4,742	2,408	1,592	4,000	4,000	0
SALARY INCREASE	599110	0	0	0	0	86,071	86,071
BENEFIT INCREASE	599160	0	0	0	0	13,176	13,176
IT - DATA PROCESSING	601000	0	0	0	0	0	0
IT-COMMUNICATIONS	602000	0	0	5,280	5,280	0	(5,280)
IT CONTRACTUAL SERVICES AND RE	603000	3,124	4,118	5,476	9,594	528,316	518,722

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: MEDICAL SERVICES PROGRAM - PEN
Reporting Level: 01-530-500-20-10-25-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
PROFESSIONAL DEVELOPMENT	611000	5,376	4,284	806	5,090	20,000	14,910
OPERATING FEES AND SERVICES	621000	6,061	4,830	346	5,176	15,000	9,824
FEES - PROFESSIONAL SERVICES	623000	3,222,464	1,353,953	446,047	1,800,000	1,783,377	(16,623)
MEDICAL, DENTAL AND OPTICAL	625000	1,850,283	726,942	378,397	1,105,339	1,361,385	256,046
EQUIPMENT OVER $5000	691000	0	0	0	0	65,458	65,458
PRISONS DIVISION	77	6,577,860	2,948,534	2,123,591	5,072,125	6,079,172	1,007,047
MEANS OF FUNDING							
SCAAP-BJA	P133	420	0	0	0	0	0
Federal Funds	FED	420	0	0	0	0	0
STATE GENERAL FUND	001	6,570,323	2,948,534	2,123,591	5,072,125	6,079,172	1,007,047
General Fund	GEN	6,570,323	2,948,534	2,123,591	5,072,125	6,079,172	1,007,047
DEPT OF CORRECTIONS OPER - 379	379	7,117	0	0	0	0	0
Special Funds	SPEC	7,117	0	0	0	0	0
EXPENDITURES							
TOTAL EXPENDITURES		6,577,860	2,948,534	2,123,591	5,072,125	6,079,172	1,007,047
MEANS OF FUNDING							
TOTAL FUNDING		6,577,860	2,948,534	2,123,591	5,072,125	6,079,172	1,007,047
AUTHORIZED EMPLOYEES							
FTE		10.20	14.13	0.00	14.13	16.13	2.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: MEDICAL SERVICES PROGRAM - JRCC
Reporting Level: 01-530-500-20-15-25-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	728,363	414,930	385,231	800,161	988,750	188,589
TEMPORARY SALARIES	513000	39,302	22,774	20,071	42,845	54,552	11,707
OVERTIME	514000	22,180	12,811	11,290	24,101	30,360	6,259
FRINGE BENEFITS	516000	243,274	139,602	143,370	282,972	348,551	65,579
TRAVEL	521000	942	636	2,364	3,000	3,000	0
SUPPLIES - IT SOFTWARE	531000	23	27	23	50	0	(50)
SUPPLY/MATERIAL-PROFESSIONAL	532000	926	660	1,340	2,000	2,000	0
FOOD AND CLOTHING	533000	1,673	917	1,083	2,000	2,000	0
BLDG, GROUND, MAINTENANCE	534000	6,916	4,080	3,920	8,000	8,000	0
MISCELLANEOUS SUPPLIES	535000	232	201	299	500	500	0
OFFICE SUPPLIES	536000	2,960	1,490	710	2,200	2,200	0
PRINTING	542000	429	227	473	700	700	0
IT EQUIP UNDER $5,000	551000	0	0	425	425	0	(425)
OTHER EQUIP UNDER $5,000	552000	15,245	7,409	6,591	14,000	2,500	(11,500)
OFFICE EQUIP & FURN SUPPLIES	553000	8,247	4,668	2,332	7,000	250	(6,750)
UTILITIES	561000	0	0	2,200	2,200	0	(2,200)
RENTALS/LEASES-EQUIP & OTHER	581000	3,684	1,990	2,010	4,000	4,000	0
REPAIRS	591000	3,504	1,354	446	1,800	3,500	1,700
SALARY INCREASE	599110	0	0	0	0	61,585	61,585
BENEFIT INCREASE	599160	0	0	0	0	9,552	9,552
IT - DATA PROCESSING	601000	0	0	0	0	0	0
IT-COMMUNICATIONS	602000	0	0	0	0	0	0
IT CONTRACTUAL SERVICES AND RE	603000	2,182	3,115	1,185	4,300	336,314	332,014
PROFESSIONAL DEVELOPMENT	611000	3,738	3,069	931	4,000	6,000	2,000

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: MEDICAL SERVICES PROGRAM - JRCC
Reporting Level: 01-530-500-20-15-25-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	4,089	3,012	688	3,700	6,500	2,800
FEES - PROFESSIONAL SERVICES	623000	416,582	173,836	990,333	1,164,169	1,368,604	204,435
MEDICAL, DENTAL AND OPTICAL	625000	1,104,165	423,686	371,729	795,415	963,979	168,564
EQUIPMENT OVER $5000	691000	0	0	0	0	75,000	75,000
PRISONS DIVISION	77	2,608,656	1,220,494	1,949,044	3,169,538	4,278,397	1,108,859
MEANS OF FUNDING							
SCAAP-BJA	P133	374	0	0	0	0	0
Federal Funds	FED	374	0	0	0	0	0
STATE GENERAL FUND	001	2,608,282	1,220,494	1,949,044	3,169,538	4,278,397	1,108,859
General Fund	GEN	2,608,282	1,220,494	1,949,044	3,169,538	4,278,397	1,108,859
EXPENDITURES							
TOTAL EXPENDITURES		2,608,656	1,220,494	1,949,044	3,169,538	4,278,397	1,108,859
MEANS OF FUNDING							
TOTAL FUNDING		2,608,656	1,220,494	1,949,044	3,169,538	4,278,397	1,108,859
AUTHORIZED EMPLOYEES							
FTE		8.98	11.02	0.00	11.02	11.02	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: MEDICAL SERVICES PROGRAM - MRCC
Reporting Level: 01-530-500-20-20-25-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	98,807	55,941	33,696	89,637	162,796	73,159
TEMPORARY SALARIES	513000	1,543	1,025	9,361	10,386	2,280	(8,106)
OVERTIME	514000	1,073	713	6,504	7,217	1,584	(5,633)
FRINGE BENEFITS	516000	23,524	13,404	19,312	32,716	53,547	20,831
TRAVEL	521000	0	0	384	384	0	(384)
SUPPLIES - IT SOFTWARE	531000	0	0	0	0	0	0
SUPPLY/MATERIAL-PROFESSIONAL	532000	153	109	81	190	190	0
FOOD AND CLOTHING	533000	297	185	215	400	400	0
BLDG, GROUND, MAINTENANCE	534000	516	329	271	600	600	0
MISCELLANEOUS SUPPLIES	535000	3	3	187	190	190	0
OFFICE SUPPLIES	536000	7	4	24	28	28	0
POSTAGE	541000	0	0	0	0	0	0
PRINTING	542000	0	0	432	432	100	(332)
IT EQUIP UNDER $5,000	551000	0	0	0	0	0	0
OTHER EQUIP UNDER $5,000	552000	0	0	0	0	5,245	5,245
OFFICE EQUIP & FURN SUPPLIES	553000	0	0	0	0	500	500
INSURANCE	571000	0	0	0	0	0	0
RENTALS/LEASES-EQUIP & OTHER	581000	0	0	0	0	0	0
REPAIRS	591000	0	0	218	218	1,500	1,282
SALARY INCREASE	599110	0	0	0	0	8,750	8,750
BENEFIT INCREASE	599160	0	0	0	0	1,100	1,100
IT - DATA PROCESSING	601000	0	0	0	0	0	0
IT-COMMUNICATIONS	602000	0	0	0	0	0	0
IT CONTRACTUAL SERVICES AND RE	603000	0	0	1,406	1,406	150,000	148,594

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: MEDICAL SERVICES PROGRAM - MRCC
Reporting Level: 01-530-500-20-20-25-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
PROFESSIONAL DEVELOPMENT	611000	0	0	910	910	0	(910)
OPERATING FEES AND SERVICES	621000	1,462	1,291	1,533	2,824	2,500	(324)
FEES - PROFESSIONAL SERVICES	623000	3,322	0	507,530	507,530	406,365	(101,165)
MEDICAL, DENTAL AND OPTICAL	625000	0	1,810	139,246	141,056	389,351	248,295
PRISONS DIVISION	77	130,707	74,814	721,310	796,124	1,187,026	390,902
MEANS OF FUNDING							
STATE GENERAL FUND	001	130,707	74,814	721,310	796,124	1,187,026	390,902
General Fund	GEN	130,707	74,814	721,310	796,124	1,187,026	390,902
EXPENDITURES							
TOTAL EXPENDITURES		130,707	74,814	721,310	796,124	1,187,026	390,902
MEANS OF FUNDING							
TOTAL FUNDING		130,707	74,814	721,310	796,124	1,187,026	390,902
AUTHORIZED EMPLOYEES							
FTE		0.80	0.85	0.00	0.85	1.35	0.50

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: MEDICAL SERVICES - CONTRACT
Reporting Level: 01-530-500-20-25-20-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
INSURANCE	571000	0	0	156	156	0	(156)
FEES - PROFESSIONAL SERVICES	623000	0	1,191	0	1,191	456,398	455,207
MEDICAL, DENTAL AND OPTICAL	625000	0	8,602	2,051	10,653	456,000	445,347
PRISONS DIVISION	77	0	9,793	2,207	12,000	912,398	900,398
MEANS OF FUNDING							
STATE GENERAL FUND	001	0	9,793	2,207	12,000	912,398	900,398
General Fund	GEN	0	9,793	2,207	12,000	912,398	900,398
EXPENDITURES							
TOTAL EXPENDITURES		0	9,793	2,207	12,000	912,398	900,398
MEANS OF FUNDING							
TOTAL FUNDING		0	9,793	2,207	12,000	912,398	900,398

2007-09 Estimated MMIS Billings
Inmate Population Medically Responsible

See Below	Est. Average Cost Per Billing	Est. increase in average billing	Ave Per Billing 2007-09	% of Pop Accessing Services on a Daily Basis
	$ 913	12%	$ 1,023	0.29%

	Estimated No. of MMIS Billing				Estimated MMIS Cost		
	Male	Female	Male	Female	Male	Female	Total
July-07	1,263	192	114	17	$ 116,121	$ 17,653	$ 133,773
August-07	1,267	194	114	17	$ 116,488	$ 17,806	$ 134,294
September-07	1,271	195	111	17	$ 113,086	$ 17,380	$ 130,466
October-07	1,275	197	115	18	$ 117,224	$ 18,112	$ 135,336
November-07	1,279	199	111	17	$ 113,798	$ 17,676	$ 131,475
December-07	1,283	200	115	18	$ 117,959	$ 18,419	$ 136,378
January-08	1,286	202	116	18	$ 118,235	$ 18,572	$ 136,807
February-08	1,290	204	108	17	$ 110,951	$ 17,503	$ 128,454
March-08	1,294	205	116	18	$ 118,971	$ 18,848	$ 137,818
April-08	1,298	207	113	18	$ 115,489	$ 18,373	$ 133,862
May-08	1,302	208	117	19	$ 119,706	$ 19,124	$ 138,830
June-08	1,306	210	114	18	$ 116,201	$ 18,640	$ 134,841
July-08	1,308	211	118	19	$ 120,258	$ 19,399	$ 139,657
August-08	1,312	213	118	19	$ 120,626	$ 19,553	$ 140,178
September-08	1,316	214	114	19	$ 117,090	$ 19,070	$ 136,161
October-08	1,320	216	119	19	$ 121,361	$ 19,859	$ 141,220
November-08	1,324	218	115	19	$ 117,802	$ 19,367	$ 137,169
December-08	1,328	219	119	20	$ 122,097	$ 20,166	$ 142,262
January-09	1,331	221	120	20	$ 122,372	$ 20,319	$ 142,691
February-09	1,335	223	108	18	$ 110,862	$ 18,491	$ 129,353
March-09	1,339	224	120	20	$ 123,108	$ 20,625	$ 143,733
April-09	1,343	226	117	20	$ 119,493	$ 20,108	$ 139,601
May-09	1,347	228	121	20	$ 123,843	$ 20,932	$ 144,775
June-09	1,351	229	118	20	$ 120,204	$ 20,405	$ 140,609
July-09					**$ 2,833,346**	**$ 456,398**	**$ 3,289,743**

NDSP	$ 1,420,877	$ 456,398	DWCRC
JRCC	$ 1,006,104		
MRCC	$ 406,365		

Values from MMIS spreadsheet used to compute above

	2005-07	2003-05	2003-07
Bien Beg Date	7/1/2005	7/1/2003	7/1/2003
Bien End Date	6/30/2007	6/30/2005	6/30/2007
Number of Cases (Inmates F	1,753.00	2,080.00	3,833.00
Last JV Date	9/19/2006	6/30/2005	9/19/2006
No of Days into Bien	446.00	731.00	1,177.00
Current Billings Per Day (CB	3.93	2.85	3.26
Total Current Cost	$ 1,600,693.68	$ 2,191,844.86	$ 3,792,538.55
Current Cost Per Day	3,589.00	2,998.42	3,222.21
Total Average Monthly Pop	21,048	29,847	50,895
Current Average Pop Per Da	1,433.48	1,243.61	1,315.68
% Pop Billed Per Day (CBPD	0.27%	0.23%	0.25%
05-07 Estimated Ave Monthl	1,391	-	1,391
Total Est Billed Population (E	1,083	-	978
Total Est Billed Amount (Bal	989,212.39	-	1,048,890.04
Total Estimated and Actual	$ 2,589,906.08	$ 2,191,844.86	$ 4,841,428.59

2007-09 Estimated Drug Cost			
Inmate Population Medically Responsible			
	Drugs and Supplies	FY 06 Average	Average Cost
	thru 6/30/06	Male Inmate Count	Per Inmate
		Med Responsible	Per Year
NDSP	779,835		
JRCC	462,194		
MRCC	1,467		
	1,243,495	1,245	**$ 999**
	Male	Female	
FY 2006	$ 999		
Est Inflation	4%		
2007-09 Est cost per inmate	**$ 1,039**		
FY07 Est Male Inmate Med Pop	1,285		
FY08 Est Male Inmate Med Pop	1,330		
	2,614		
2007-09 Estimated Cost	**$ 2,714,715**	**$ 456,000**	
NDSP	1,361,385	456,000	DWCRC
JRCC	963,979		
MRCC	389,351		

SYSCON JUSTICE SYSTEMS LTD.
SUMMARY COST SHEET

Client North Dakota DOC
Quote # **Q20070109KD**
Date: January 9, 2007 ***Quote Valid for 90 days from issue date***

Page 1: SUMMARY COST SHEET

SYSCON TAG Licenses	
Process Modules	
Integrated Microsoft Modules	11,375
Imaging Modules	14,675
Financial Modules	
Medical Modules	180,605
TOTAL TAG LICENSE	206,655
SYSCON Services	
PRIMs (Pre-implementation Studies)	55,000
Training	30,000
Workshops	14,000
Implementation Services	60,000
TOTAL SERVICE	159,000
SYSCON Expenses (Estimate)	
TOTAL EXPENSES	38,890
Other Services & Licenses	
Maintenance for 2 years	75,946
Customization & Enhancement	240,000
3rd Party Licenses	
TOTAL OTHER	315,946
TOTAL COST (ALL OF ABOVE)	**720,491**

SYSCON JUSTICE SYSTEMS LTD.
QUOTE FOR LICENSES.

Page 2: SYSCON LICENSING COSTS

Quote #: **Q20070109KD**

iTAG licenses for **15** concurrent user system — ***Quote Valid for 90 days from issue date***

#	Module	List Price	Disc	Disc Price
2.1	Core functionality module	not bid		
2.2	Legals Management	not bid		
2.3	Visits Management	not bid		
2.4	Property	not bid		
2.5	Incidents & Violations	not bid		
2.6	Transportation Log	not bid		
2.7	Mail Management	not bid		
2.8	Requests & Grievances	not bid		
2.9	Billing of Services	not bid		
2.10	Case Management	not bid		
2.11	Program Management	not bid		
2.12	Pre-Parole	not bid		
2.13	Arrest & Booking	not bid		
2.14	Sex Offender Registration	not bid		
2.15	**TOTAL PROCESS MODULE COST**			

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Integrated MS for **15** concurrent user system

#	Module	List Price	Disc Price
2.16	Integrated Word Processing	11,375	11,375
2.17	Integrated Outlook Calendar	not bid	
2.18	**TOTAL INTEGRATED MICROSOFT COST**		11,375

(customer must provide own Word and Outlook licenses) e&oe

iTAG Tech/Enb for **15** concurrent user system.

#	Module	# of stations	List Price	Disc Price
2.19	Facial Imaging for iTAG		not bid	
2.20	Fingerprint Option for iTAG		not bid	
	IDS Search and lineup module		not bid	
2.21	Automatic Triggers	n/a	8,145	8,145
2.22	Signature Capture	n/a	6,530	6,530
2.23	IriScan Option for TAG		not bid	
2.24	**TOTAL IMAGING COST**		**14,675**	**14,675**

e&oe

iTAG Licenses for concurrent user Financial sub-system.

#	Module	List Price	Disc Price
2.25	Trust Accounting	not bid	
2.26	Inmate Payroll	not bid	
2.27	Commissary	not bid	
2.28	**TOTAL FINANCIAL MODULES COST**		

e&oe

iTAG Licenses for **15** concurrent user Medical sub-system.

#	Module	List Price	Disc Price
2.29	EHR (Electronic Health Record) for iTAG	48,580	48,580
2.30	MAR (Medicine Administration Record for iTAG	48,580	48,580
2.31	Dental Module	24,290	24,290
2.32	CDSS (Isabel - 3rd party product)	10,575	10,575
2.33	Pharmacy for iTAG	48,580	48,580
2.34	**TOTAL MEDICAL MODULES COST**	**180,605**	**180,605**

e&oe

TOTAL SYSCON APPLICATION DISCOUNT COST	**206,655**

e&oe

Name: *Kevan Dobsin* ***Signature:*** *KDL* ***Date:*** *9-Jan-07*

Page 3: SYSCON SERVICES

Quote #: **Q20070109KD**

PRIMS - Pre-implementation Reports

Quote Valid for 90 days from issue date

The purpose of the PRIM is to ***document*** the clients ***business processes and/or requirements*** for each business area specified. The PRIM document will then ***map function points to business,*** highlighting requirements for ***BPR and/or enhancements/customization.*** The final PRIM document will include a ***final project plan*** and ***definitive additional costs (if any)*** for the client project.

#	Description	# of days	Cost
3.01	Process modules PRIM	0	
3.02	Financial Applications PRIM	0	
3.03	Medical Application PRIM	30	30,000
3.04	Interface PRIM	5	5,000
3.05	Reports PRIM	20	20,000
3.06	Conversion PRIM		
3.07	**TOTAL PRIM COST**	**55**	**55,000**

Training

Training is split both by ***function type*** (process modules; financial modules and Medical modules), as well as by ***training type*** such as end-user, system administrator and database administrator. Training is based on train the trainer maximizing ***knowledge transfer*** for ongoing operation of the system.

#	Description	# of days	Cost
3.08	Train the Trainer on Process Modules		
3.09	Train the Trainer on Financial Modules	0	
3.10	Train the Trainer on Medical Modules	30	30,000
3.15	**TOTAL TRAINING COST**	**30**	**30,000**

Workshops

Workshops include some ***setup*** in the pre-production environment. For example, system admin workshops may include setup of LOVs and system parameters in the relevant functional areas. Similarly, IWP workshops may include ***development*** of some templates.

#	Description	# of days	Cost
3.11	System Admin Workshop - Process Modules		
3.12	System Admin Workshop - Sentence Calculation	0	
3.13	System Admin Workshop - Financial Modules	0	
3.14	Data Model Workshop for Reports & Conversion	0	
3.15	System Admin Workshop - Medical Modules	10	10,000
3.16	Database Admin Workshop for DBAs (note 1 & 2))	4	4,000
3.17	**TOTAL WORKSHOP COST**	**14**	**14,000**

note 1: Database Admin training is at Syscon Office only.

note 2: Database admin training expenses is based on 1 people attending in Vancouver

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Implementation Services

Implementation services include the ***project governance*** as well as the ***physical installation*** of the product and supporting software components where supplied. "Go-live" support is provided to ensure a ***smooth transition of business*** to the new system with ***SJS subject matter experts physically on-site*** to assist endusers and IT staff with any issues.

#	Description	# of days	Cost
3.18	Project Management	20	20,000
3.19	Installation	10	10,000
3.20	"Go-live" support - Process Modules		
3.21	"Go-live" support - Financial Modules	0	
3.22	"Go-live" support - Medical Modules	30	30,000
3.23	**TOTAL IMPLEMENTATION SERVICES COST**	**60**	**60,000**

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TOTAL SYSCON SERVICE COST	**115,000**

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Name: Kevan Dobsin ***Signature:*** KDL ***Date:*** 9-Jan-07

Page 4: EXPENSES & MAINTENANCE.

Quote #: **Q20070109KD**

Expenses

Quote Valid for 90 days from issue date

#	Description	Cost
4.01	PRIM Expenses	13,260
4.02	TTT Training Expenses	13,260
4.03	Database Admin Training Expenses (Off-site) - Note 2	600
4.04	Project Management Expenses	2,340
4.05	Installation Expenses	2,720
4.06	"Go-live Support" Expenses	6,710
4.07	**TOTAL EXPENSES COST**	**38,890**

Note2: Database admin training expenses based on 1 people attending training in Vancouver

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Support & Maintenance - Note 3: Year 1 takes into account 3 month warranty.

#	Description	Year 1	Year 2	Year 3	Year 4	Year 5
4.08	Coverage = **12x7**					
4.09	Process Modules			not bid	not bid	not bid
4.10	Integrated MS products	1,792	2,389	not bid	not bid	not bid
4.11	Imaging Modules	2,311	3,082	not bid	not bid	not bid
4.12	Financial Modules			not bid	not bid	not bid
4.13	Medical Modules	28,445	37,927	not bid	not bid	not bid
4.14						
4.15	**TOTAL S & M**	**32,548**	**43,398**			

e&oe

SUPPORT & MAINTENANCE FOR 2 YRS TOTALS **75,946**

Name: *Kevan Dobsin* ***Signature:*** KDL ***Date:*** *9-Jan-07*

Page 5: OTHER SERVICES & 3RD PARTY LICENSES

Q20070109KD

Other Services

#	Description	Days	Cost
5.01	Anticipated Enhancements and Customizations	120.0	120,000
5.02	Remote Tablet, Laptop, & Handheld Enhancements	120.0	120,000
5.03			
5.04			
5.05			
5.06			
5.07			
5.08			
5.09			
5.10			
5.11			
5.12			
5.13			
5.14			
5.15			
5.16			
5.17			
5.18	**TOTAL OTHER SERVICES COST**		**240,000**

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3rd PARTY LICENSES

	Description	Cost
5.19	Tablets	
5.20	Handhelds	
5.21	Oracle Licensing	
5.22	Additional Server Hardware	
5.23	Workstations	
5.24		
5.25		
5.26		

Name: ***Kevan Dobsin*** ***Signature:*** KDL ***Date:*** ***9-Jan-07***

DOCR – PRISONS DIVISIONS – TRAINING PROGRAMS
2007-09 BUDGET DETAIL

Reporting Level: 530-500-20-10-50; 530-500-20-15-50; 530-500-20-20-50	
Program: TRAINING PROGRAMS	

EXPLANATION OF PROGRAM COSTS

Work program provides for pre-service and in-service employment training opportunities for prisons division staff.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	282,828	297,924	65%	15,096
Operating	70,552	102,515	22%	31,963
Capital	-	58,000	13%	58,000
Grants	-	-	0%	-
Total	**353,380**	**458,439**	**100%**	**105,059**
General	353,380	458,439	100%	105,059
Federal	-	-	0%	-
Special	-	-	0%	-
FTE	3.00	3.00		-

MATERIAL EXPENDITURES – (96% of budget)

Salary and Fringe - $297,924 – 65% of budget
- Training Officer – 2.0 fte
- Administrative Assistant – 1.0 fte

Travel - $35,500 – 8% of budget
- Motor pool, in-state / out of state employee reimbursable travel (meals, lodging), air transportation

Professional Supplies and Materials - $13,755 – 3% of budget
- Training specific materials

Dues and Professional Development - $36,500 – 8% of budget

Equipment Over $5,000 - $58,000 – 13% of budget
- Digital radio repeater
- Video conference equipment

SIGNIFICANT CHANGES

Salary and Fringe - $15,096
- 4% and 4% compensation adjustment
- Health insurance increase

Operating Expenses - $31,963
- Increased staff turnover = increase staff training

Equipment Over $5,000 - $58,000
- Digital radio repeater
- Video conference equipment

2005 – 2007 Budget

As of 11/06, 70% of this budget cost center has been expended. Anticipate 100% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TRAINING PROGRAMS - PEN
Reporting Level: 01-530-500-20-10-50-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	60,817	34,780	29,720	64,500	61,176	(3,324)
FRINGE BENEFITS	516000	23,611	13,382	11,661	25,043	27,282	2,239
TRAVEL	521000	18,135	12,249	2,751	15,000	25,000	10,000
SUPPLIES - IT SOFTWARE	531000	247	233	267	500	500	0
SUPPLY/MATERIAL-PROFESSIONAL	532000	2,473	1,763	1,492	3,255	3,255	0
FOOD AND CLOTHING	533000	575	287	213	500	500	0
BLDG, GROUND, MAINTENANCE	534000	596	326	42	368	500	132
MISCELLANEOUS SUPPLIES	535000	142	57	468	525	500	(25)
OFFICE SUPPLIES	536000	1,771	931	569	1,500	2,500	1,000
PRINTING	542000	2,841	1,515	985	2,500	3,000	500
OFFICE EQUIP & FURN SUPPLIES	553000	0	0	197	197	0	(197)
REPAIRS	591000	3,770	1,945	2,055	4,000	4,000	0
SALARY INCREASE	599110	0	0	0	0	3,854	3,854
BENEFIT INCREASE	599160	0	0	0	0	653	653
PROFESSIONAL DEVELOPMENT	611000	12,073	9,850	10,150	20,000	20,000	0
OPERATING FEES AND SERVICES	621000	160	132	236	368	350	(18)
MEDICAL, DENTAL AND OPTICAL	625000	248	114	136	250	250	0
EQUIPMENT OVER $5000	691000	0	0	0	0	48,000	48,000
PRISONS DIVISION	77	127,459	77,564	60,942	138,506	201,320	62,814
MEANS OF FUNDING							
STATE GENERAL FUND	001	127,161	77,564	60,942	138,506	201,320	62,814
General Fund	GEN	127,161	77,564	60,942	138,506	201,320	62,814
DEPT OF CORRECTIONS OPER - 379	379	298	0	0	0	0	0
Special Funds	SPEC	298	0	0	0	0	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TRAINING PROGRAMS - PEN
Reporting Level: 01-530-500-20-10-50-00-00000000

1 Object/Revenue Description / Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES						
TOTAL EXPENDITURES	127,459	77,564	60,942	138,506	201,320	62,814
MEANS OF FUNDING						
TOTAL FUNDING	127,459	77,564	60,942	138,506	201,320	62,814
AUTHORIZED EMPLOYEES						
FTE	1.00	1.00	0.00	1.00	1.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TRAINING PROGRAMS - JRCC
Reporting Level: 01-530-500-20-15-50-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	114,365	65,695	62,903	128,598	127,276	(1,322)
TEMPORARY SALARIES	513000	220	146	2,023	2,169	312	(1,857)
FRINGE BENEFITS	516000	42,694	24,390	23,794	48,184	53,318	5,134
TRAVEL	521000	3,082	2,221	4,604	6,825	10,000	3,175
SUPPLIES - IT SOFTWARE	531000	51	60	38	98	1,100	1,002
SUPPLY/MATERIAL-PROFESSIONAL	532000	649	332	2,086	2,418	10,000	7,582
BLDG, GROUND, MAINTENANCE	534000	419	268	4	272	500	228
MISCELLANEOUS SUPPLIES	535000	807	0	389	389	1,000	611
OFFICE SUPPLIES	536000	292	173	100	273	300	27
PRINTING	542000	0	0	280	280	500	220
OTHER EQUIP UNDER $5,000	552000	243	0	0	0	0	0
OFFICE EQUIP & FURN SUPPLIES	553000	357	0	147	147	0	(147)
REPAIRS	591000	0	0	468	468	500	32
SALARY INCREASE	599110	0	0	0	0	7,851	7,851
BENEFIT INCREASE	599160	0	0	0	0	1,330	1,330
PROFESSIONAL DEVELOPMENT	611000	7,440	6,022	260	6,282	15,000	8,718
OPERATING FEES AND SERVICES	621000	171	115	158	273	250	(23)
MEDICAL, DENTAL AND OPTICAL	625000	0	0	0	0	0	0
EQUIPMENT OVER $5000	691000	0	0	0	0	10,000	10,000
PRISONS DIVISION	77	170,790	99,422	97,254	196,676	239,237	42,561
MEANS OF FUNDING							
STATE GENERAL FUND	001	170,790	99,422	97,254	196,676	239,237	42,561
General Fund	GEN	170,790	99,422	97,254	196,676	239,237	42,561
EXPENDITURES							

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TRAINING PROGRAMS - JRCC
Reporting Level: 01-530-500-20-15-50-00-00000000

1 Object/Revenue Description / Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES						
TOTAL EXPENDITURES	170,790	99,422	97,254	196,676	239,237	42,561
MEANS OF FUNDING						
TOTAL FUNDING	170,790	99,422	97,254	196,676	239,237	42,561
AUTHORIZED EMPLOYEES						
FTE	1.84	1.84	0.00	1.84	1.84	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TRAINING PROGRAMS - MRCC
Reporting Level: 01-530-500-20-20-50-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	9,731	5,565	4,761	10,326	9,788	(538)
FRINGE BENEFITS	516000	3,775	2,140	1,868	4,008	4,362	354
TRAVEL	521000	0	0	1,488	1,488	500	(988)
SUPPLIES - IT SOFTWARE	531000	0	0	21	21	0	(21)
SUPPLY/MATERIAL-PROFESSIONAL	532000	0	0	527	527	500	(27)
BLDG, GROUND, MAINTENANCE	534000	0	0	60	60	60	0
MISCELLANEOUS SUPPLIES	535000	0	0	84	84	50	(34)
OFFICE SUPPLIES	536000	0	0	60	60	50	(10)
PRINTING	542000	0	0	170	170	150	(20)
OFFICE EQUIP & FURN SUPPLIES	553000	0	0	32	32	0	(32)
REPAIRS	591000	0	0	102	102	100	(2)
SALARY INCREASE	599110	0	0	0	0	617	617
BENEFIT INCREASE	599160	0	0	0	0	105	105
PROFESSIONAL DEVELOPMENT	611000	1,233	0	1,260	1,260	1,500	240
OPERATING FEES AND SERVICES	621000	56	49	11	60	100	40
MEDICAL, DENTAL AND OPTICAL	625000	0	0	0	0	0	0
PRISONS DIVISION	77	14,795	7,754	10,444	18,198	17,882	(316)
MEANS OF FUNDING							
STATE GENERAL FUND	001	14,795	7,754	10,444	18,198	17,882	(316)
General Fund	GEN	14,795	7,754	10,444	18,198	17,882	(316)
EXPENDITURES							
TOTAL EXPENDITURES		14,795	7,754	10,444	18,198	17,882	(316)
MEANS OF FUNDING							

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TRAINING PROGRAMS - MRCC
Reporting Level: 01-530-500-20-20-50-00-00000000

1 Object/Revenue Description / Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
MEANS OF FUNDING						
TOTAL FUNDING	14,795	7,754	10,444	18,198	17,882	(316)
AUTHORIZED EMPLOYEES						
FTE	0.16	0.16	0.00	0.16	0.16	0.00

Equipment Over $5000

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
NDSP - Repeater Digital Radio System	23	77	TRAINING PROGRAMS - PEN	General Fund	48,000	48,000	96,000
					48,000	48,000	96,000
	Total for Reporting Level				**48,000**	**48,000**	**96,000**
	Total for DEPT OF CORRECTIONS AND REHAB				**48,000**	**48,000**	**96,000**

Equipment Over $5000

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Request	2007-09 Optional Request	Request Plus Optionals
JRCC - Video Conference Equipment	11	77	TRAINING PROGRAMS - JRCC	General Fund	10,000	0	10,000
					10,000	0	10,000
			Total for Reporting Level		**10,000**	**0**	**10,000**
			Total for DEPT OF CORRECTIONS AND REHAB		**10,000**	**0**	**10,000**

Food and Clothing - $160,000 – 4% of budget
Central purchasing - warehouse

Building Grounds and Vehicle Maintenance - $167,335 – 4% of budget
Janitorial supplies
Miscellneous supplies
Central purchasing - warehouse

Office Supplies – $78,310 – 2% of budget

IT Data Processing - $199,027 – 5% of budget
ITD charges – device connections, wide area network access, data processing, miscellaneous charges

SIGNIFICANT CHANGES

Salary and Fringe – $277,920
4% & 4% compensation adjustment
Health insurance increase

Operating Expenses - $(649,599)
Internal accounting adjustments

2005 – 2007 Budget

As of 11/06, 60% of this budget cost center has been expended. Anticipate 85% expended at the end of the biennium. (reflects the internal accounting adjustments to be made with 07-09 budget – as noted above)

DOCR – PRISONS DIVISIONS – WORK PROGRAMS
2007-09 BUDGET DETAIL

Reporting Level: 530-500-20-10-45; 530-500-20-15-45; 530-500-20-20-45	
Program: WORK PROGRAMS	

EXPLANATION OF PROGRAM COSTS

Work program provides for inmate employment – meaningful work opportunities to teach job skills and work ethic.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	-	-	0%	-
Operating	812,911	830,000	100%	17,089
Capital	-		0%	-
Grants	-	-	0%	-
Total	**812,911**	**830,000**	**100%**	**17,089**
General	747,911	700,000	84%	(47,911)
Federal	-	-	0%	-
Special	65,000	130,000	16%	65,000
FTE	-	-		-

MATERIAL EXPENDITURES – (100% of budget)

Travel – $60,000 – 7% of budget
Motor pool

Operating Fees and Services - $770,000 – 93% of budget
Inmate payroll

SIGNIFICANT CHANGES

2005 – 2007 Budget

As of 11/06, 65% of this budget cost center has been expended. Anticipate 95% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: WORK PROGRAMS - PEN
Reporting Level: 01-530-500-20-10-45-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	246,590	184,079	134,217	318,296	400,000	81,704
PRISONS DIVISION	77	246,590	184,079	134,217	318,296	400,000	81,704
MEANS OF FUNDING							
STATE GENERAL FUND	001	246,590	184,079	134,217	318,296	400,000	81,704
General Fund	GEN	246,590	184,079	134,217	318,296	400,000	81,704
EXPENDITURES							
TOTAL EXPENDITURES		246,590	184,079	134,217	318,296	400,000	81,704
MEANS OF FUNDING							
TOTAL FUNDING		246,590	184,079	134,217	318,296	400,000	81,704

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: WORK PROGRAMS - JRCC
Reporting Level: 01-530-500-20-15-45-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	163,636	132,373	186,065	318,438	300,000	(18,438)
PRISONS DIVISION	77	163,636	132,373	186,065	318,438	300,000	(18,438)
MEANS OF FUNDING							
STATE GENERAL FUND	001	163,636	132,373	186,065	318,438	300,000	(18,438)
General Fund	GEN	163,636	132,373	186,065	318,438	300,000	(18,438)
EXPENDITURES							
TOTAL EXPENDITURES		163,636	132,373	186,065	318,438	300,000	(18,438)
MEANS OF FUNDING							
TOTAL FUNDING		163,636	132,373	186,065	318,438	300,000	(18,438)

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: WORK PROGRAMS - MRCC
Reporting Level: 01-530-500-20-20-45-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
TRAVEL	521000	49,691	29,925	26,842	56,767	60,000	3,233
OPERATING FEES AND SERVICES	621000	2,824	2,149	117,261	119,410	70,000	(49,410)
PRISONS DIVISION	77	52,515	32,074	144,103	176,177	130,000	(46,177)
MEANS OF FUNDING							
STATE GENERAL FUND	001	18,501	32,074	79,103	111,177	0	(111,177)
General Fund	GEN	18,501	32,074	79,103	111,177	0	(111,177)
DEPT OF CORRECTIONS OPER - 379	379	34,014	0	65,000	65,000	130,000	65,000
Special Funds	SPEC	34,014	0	65,000	65,000	130,000	65,000
EXPENDITURES							
TOTAL EXPENDITURES		52,515	32,074	144,103	176,177	130,000	(46,177)
MEANS OF FUNDING							
TOTAL FUNDING		52,515	32,074	144,103	176,177	130,000	(46,177)

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: WORK PROGRAMS - RRI
Reporting Level: 01-530-500-20-30-20-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	995,981	537,422	756,018	1,293,440	1,053,840	(239,600)
TEMPORARY SALARIES	513000	0	0	8,000	8,000	0	(8,000)
OVERTIME	514000	2,462	1,069	9,739	10,808	12,000	1,192
FRINGE BENEFITS	516000	319,599	167,769	344,612	512,381	472,402	(39,979)
TRAVEL	521000	6,999	6,110	3,890	10,000	15,000	5,000
SUPPLIES - IT SOFTWARE	531000	2,945	671	4,329	5,000	5,360	360
BLDG, GROUND, MAINTENANCE	534000	2,600,704	1,266,105	3,433,895	4,700,000	7,700,000	3,000,000
OFFICE SUPPLIES	536000	13,199	6,676	8,324	15,000	15,000	0
POSTAGE	541000	0	0	0	0	0	0
PRINTING	542000	208	78	122	200	200	0
IT EQUIP UNDER $5,000	551000	4,712	2,694	14,306	17,000	7,025	(9,975)
OTHER EQUIP UNDER $5,000	552000	49,562	26,154	30,846	57,000	57,000	0
UTILITIES	561000	91,604	56,433	43,567	100,000	125,000	25,000
INSURANCE	571000	21,482	10,853	21,147	32,000	25,000	(7,000)
RENTALS/LEASES-EQUIP & OTHER	581000	15,709	8,683	6,317	15,000	20,000	5,000
REPAIRS	591000	88,809	60,828	39,172	100,000	150,000	50,000
SALARY INCREASE	599110	0	0	0	0	62,916	62,916
BENEFIT INCREASE	599160	0	0	0	0	10,652	10,652
IT-COMMUNICATIONS	602000	9,339	4,353	7,647	12,000	9,168	(2,832)
PROFESSIONAL DEVELOPMENT	611000	4,807	1,188	1,812	3,000	5,000	2,000
OPERATING FEES AND SERVICES	621000	726,621	347,580	760,620	1,108,200	1,108,200	0
FEES - PROFESSIONAL SERVICES	623000	48,572	6,513	43,487	50,000	30,000	(20,000)
MISCELLANEOUS EXPENSES	631000	434,212	203,323	596,677	800,000	600,000	(200,000)
LAND AND BUILDINGS	682000	0	309,436	10,564	320,000	0	(320,000)

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: WORK PROGRAMS - RRI
Reporting Level: 01-530-500-20-30-20-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
EQUIPMENT OVER $5000	691000	126,714	0	668,000	668,000	498,500	(169,500)
PRISONS DIVISION	77	5,564,240	3,023,938	6,813,091	9,837,029	11,982,263	2,145,234
MEANS OF FUNDING							
PENITENTIARY INDUSTRIES - 365	365	5,564,240	3,023,938	6,813,091	9,837,029	11,982,263	2,145,234
Special Funds	SPEC	5,564,240	3,023,938	6,813,091	9,837,029	11,982,263	2,145,234
EXPENDITURES							
TOTAL EXPENDITURES		5,564,240	3,023,938	6,813,091	9,837,029	11,982,263	2,145,234
MEANS OF FUNDING							
TOTAL FUNDING		5,564,240	3,023,938	6,813,091	9,837,029	11,982,263	2,145,234
AUTHORIZED EMPLOYEES							
FTE		20.00	20.00	0.00	20.00	16.00	(4.00)
VACANT		0.00	0.00	0.00	0.00	0.00	0.00

Equipment Over $5000

00530 DEPT OF CORRECTIONS AND REHAB

Version: 2007-R-03-00530

Description	Priority	Line		Funding	2007-09 Budget Recommendatio		
RRI - Computer Numerical Control (CNC) Router	1	77	WORK PROGRAMS - RRI	Special Funds	195,000	0	0
					195,000	0	0
RRI - Brake Press	2	77	WORK PROGRAMS - RRI	Special Funds	135,000	0	0
					135,000	0	0
RRI - Hinge Die Set	3	77	WORK PROGRAMS - RRI	Special Funds	45,000	0	0
					45,000	0	0
RRI - Case Clamp and Dowel Insertion Machine	4	77	WORK PROGRAMS - RRI	Special Funds	20,500	0	0
					20,500	0	0
RRI - Automatic Mortise and Tenon Machine	5	77	WORK PROGRAMS - RRI	Special Funds	43,000	0	0
					43,000	0	0
RRI - Tube Bender	9	77	WORK PROGRAMS - RRI	Special Funds	40,000	0	0
					40,000	0	0
RRI - Water Jet Sign Stripping Machine	10	77	WORK PROGRAMS - RRI	Special Funds	20,000	0	0
					20,000	0	0
	Total for Reporting Level				**498,500**	**0**	**0**
	Total for DEPT OF CORRECTIONS AND REHAB				**498,500**	**0**	**0**

A Vocational Training Program That Works From Beginning To End

Photos by Clint S. Friel

The expanded vocational training building at Utah State Prison includes classrooms and work areas.

tructor Jay Miller works with inmates on a vocational training oject home.

Inmate Bradley James works on interior finishing.

ates take pride in their finished products, such as this completed home.

By Clint S. Friel

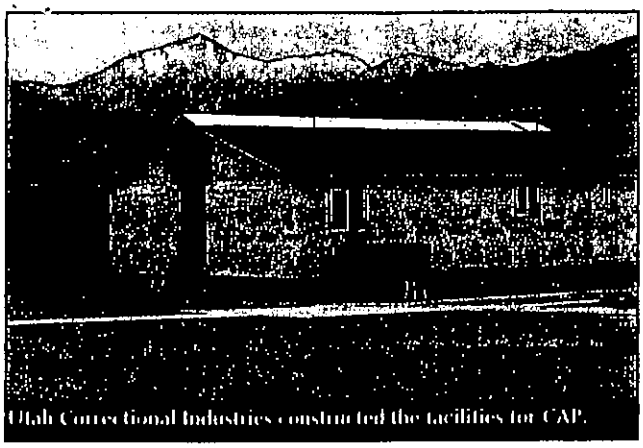
In 1988, James Evans was sentenced to prison for second-degree murder. Like many inmates, his education had been sketchy; he had completed only the third grade. Faced with a lengthy sentence, Evans decided to participate in the vocational training then available at the Utah State Prison. To date, Evans has completed training in building construction, construction management, architecture and an electrical apprenticeship. However, Evans is not scheduled for release until 2009.

Too many times, inmates graduate from programs, only to sit idle, waiting to complete their sentences. The longer the lag time between finishing the program and the day they are released, the less impact the program has on their eventual reentry into society. An ideal situation would be to have an inmate graduate from a program and then be released simultaneously, allowing the inmate to take full advantage of his or her newly acquired skills. This is easy to imagine, but difficult to implement.

It has proved a challenge to develop and coordinate a type of program that would help offenders use their abilities in a sufficient timeline and still maintain the security and operational needs of a prison. When administrators at the Utah State Prison at Draper first examined such a program, it soon became apparent that it would take more than just the Department of Corrections to solve this dilemma.

Expanding the Program

Vocational training, and specifically, a construction trades program, has been available in the Utah state correctional system since the mid-1980s. At that time, the Salt



Utah Correctional Industries constructed the facilities for CAP.

Lake Community College received a grant that enabled the department to develop an inmate building-construction program, which included an apprenticeship program. Upon completion of the program and after their release from prison, inmates were provided jobs by local labor organizations and the Utah Home Builder Association. Such inmates proved to have knowledge and skills above most workers they were competing with for jobs. However, there often remained a distinct lag time between graduation and release dates, a time that left inmates sitting idle and waiting.

In 1999, a joint operation was developed between the Utah Department of Corrections, Utah Correctional Industries (UCI), Salt Lake Community College and various other community organizations and members. This collaborative program was called the Construction Apprentice Program, or CAP.

The idea behind CAP was to provide offenders at one of the department's all-male facilities with opportunities for success from the time that they are committed until the time that they are released back into the community. When an inmate is first committed to prison, needs and aptitudes are identified in reception and orientation. If an inmate qualifies, as far as education level, skills, physical capabilities and other factors, he is offered the opportunity to enroll in a two-year vocational training college degree program in building trades. When inmates graduate from the training program, they are then placed in an apprenticeship program, where they are put to work building homes and earning apprentice hours toward their journeyman certification. Upon release, inmates receive approximately $1,200 worth of tools, and are assisted in finding a job through which they can make a living wage — making the transition from inmate to citizen and from a taxpayer expense to a contributor to society.

On paper, it sounds pretty easy and ideal; however, when you are dealing with entities and organizations outside of your control, along with the inevitable setbacks from inmates, staff, foul weather, public scrutiny and, of course, security, it can seem overwhelming.

When the process was initiated in 1999, Utah State Prison officials began, with their existing resources, the vocational training program available through Salt Lake Community College. The program then provided training in skills such as framing, cabinet making, plumbing, electrical and dry wall, interior finishing and business management. As a final project, the inmates would actually build homes within prison grounds, and upon completion, the college would transport them to predesignated sites.

The next step was to coordinate with UCI to take the program to another level. In Utah, UCI is not funded by the state, and is required to make a profit. In addition, inmates in UCI cannot take jobs that will have a negative impact on the private sector. Therefore, UCI researched the needs of the community, eliminating anything that might provide unfair competition with private contractors. Its research, conducted with the help of Salt Lake Community College, uncovered a need for low-income housing. Although Utah, like so many states, has experienced a housing boom, the low-income range was and is woefully under-serviced. This provided a niche for UCI.

Moving Forward

It took three years, from 1999 to 2002, to hold the necessary public hearings, meetings with local unions and other organizations, and to overcome governmental and community obstacles. But finally, permission was granted for the program to go forward. At this point, all that was needed was a work force.

Corrections professionals can understand the difficulty and uniqueness of having a work force of inmates. One has to deal with everything from release dates, gang affiliations, scheduled and unscheduled lockdowns, security checks, accounting for tools and equipment, conflicting time demands, counts, and more places to supervise and not enough staff to go around. One bad incident could put the whole program in jeopardy.

Over time, the inmates have become more invested in the program and do not want to see anything happen that might jeopardize the privileges associated with it.

In the beginning of the program, 20 to 25 medium-security inmates who had already graduated from vocational training were needed. However, with 40 inmates graduating each year, that requirement was not hard to meet.

A more difficult requirement was living space. It was apparent that the inmates involved in the program needed to be housed together to minimize the risk of tools and contraband finding their way into the institution. Therefore, if a tool did come up missing, it would be confined to a single area.

The solution to this requirement unexpectedly solidified the program. To provide room, the prison officials moved the current Salt Lake Community College vocational training to another site, with expanded classrooms and concrete pads for construction. As the new concrete pads were poured, additional pads right next to those for the vocational training were built. This provided space for the vocational training students to build their project homes

Inmate workers prepared a foundation for a new house.

on one set and for the UCI inmates to build homes for profit on the other. At that point, the two programs were easily combined into one extended program, taking an inmate from college directly into the work force.

Because participants in both areas were working side-by-side, they could be housed in the same facility, which made it possible to concentrate security resources. It also made it possible to designate that part of the prison as an honor area, where inmates were granted more privileges. As many who work in corrections know, when inmates have nothing, they have nothing to lose. By housing the inmates together and giving them more privileges, it became a more desirable place to live. It also meant that they would have more to lose if they elected to break the rules.

Over time, the inmates have become more invested in the program and do not want to see anything happen that might jeopardize the privileges associated with it. This has provided added assistance with the security and management of the inmates. Instead of fighting and resisting correctional officers, inmates are now working with the staff toward a common goal: their success and the success of the program.

Also noteworthy is that the inmates working for CAP are among the highest paid inmates in the institution, earning money that can be used for the cost of their education, saved to help with their transition into the community upon their release, or used to pay restitution or family support. This is another incentive to motivate the inmates to make the program a success.

Lessons Learned

Here are some guidelines that have proved effective in the apprentice program:

- House the inmates together (like a therapeutic community). Together, they share a common goal and motivations. Work and feeding times can be coordinated, as well as counts and security concerns.
- Make sure the inmates know and sign all rules unique to them and the penalties for breaking them. This can help prevent inmate ignorance or overzealous officers from sabotaging the program.
- Make it a desirable program, one that the inmates will see as valuable to them and their families. If they can see this as a way to stay out of prison, they also will have the support of their families — another great motivator.
- Give the inmates involved in the program added privileges. Keep in mind that if they have nothing, they have nothing to lose. Give them privileges for positive behavior and consequences for negative behavior (which can include laziness, being argumentative, producing poor product and being late for work). Along with the skills they are learning, inmates must be taught proper work habits and the expectations an employer will have of them.

Providing Opportunities for Success

Once the homes are built, they leave the secure perimeter of the prison and are moved to a predesignated site. A crew of 12 minimum-security inmates prepares the site beforehand, pouring the foundation, providing for the marriage of the home, the home setup and landscaping. When the home is finished, inspected and ready for sale, the Utah Housing Corp. takes care of the financing and selling of the house.

Inmates in the Salt Lake Community College building program complete an average of four to six homes each year. Last year, UCI inmates built four homes; this year, they expect to finish 10. UCI's goal in the future is to complete 50 homes yearly.

However, the main goal of CAP is, of course, to help inmates upon their release. As they build homes for UCI, they generate apprentice hours for their journeyman certification through Salt Lake Community College. Their instructors and job services staff actively help them find jobs on the outside. In fact, 90 percent of former inmate students are placed in good jobs.

In addition, some go beyond mere employment. "We have 10 graduates who now own their own construction businesses, and they employ up to 12 individuals," CAP instructor Jay Miller said.

And what about James Evans? An active participant in CAP, he says, "This program saved me from prison. If not for the program, I would have been sucked into the convict life." Instead, Evans already has received job offers as an electrical apprentice for when he is released. In the meantime, he continues to earn apprentice hours and hone his job skills working for UCI.

Now, when participants in CAP leave the prison, they take with them a college degree, work experience, apprentice hours, tools of their trade and a better than average opportunity to become contributing members of society.

Clint S. Friel has been the warden at the Utah State Prison at Draper since 2001, and has worked in corrections for 27 years.

DOCR – PRISONS DIVISIONS – EDUCATION SERVICES
2007-09 BUDGET DETAIL

Reporting Level: 530-500-20-10-35; 530-500-20-15-35; 530-500-20-20-35	
Program: EDUCATION SERVICES	

EXPLANATION OF PROGRAM COSTS

Treatment services program provides for adult education services in basic skills, adult literacy, and GED instruction / testing. Services provided include career and technical education opportunities (i.e. auto mechanics, carpentry, computer education).

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	696,689	769,458	72%	72,769
Operating	282,523	297,075	28%	14,552
Capital			0%	-
Grants	-	-	0%	-
Total	**979,212**	**1,066,533**	**100%**	**87,321**
General	656,264	1,066,533	100%	410,269
Federal	322,948	-	0%	(322,948)
Special	-	-	0%	-
FTE	6.75	7.00		0.25

MATERIAL EXPENDITURES – (95% of budget)

Salary and Fringe – $769,458 – 72% of budget
- Corrections Program Administrator - 2.0 fte
- Education Program Coordinator - 1.0 fte
- Instructor – 4.0 fte

Professional Supplies and Materials - $66,690 – 6% of budget
- Educational materials and supplies

Operating Fees and Services - $145,000 – 14% of budget
- Career and technical education programming

Professional Services - $31,000 – 3% of budget
- Instructors
- Educational consultants

SIGNIFICANT CHANGES

Salary and Fringe – $72,769
- 4% & 4% compensation adjustment
- Health insurance increase
- 0.25 temp fte to permanent status
  - Instructor

Federal Funding - $(322,948)
- Funding source uncertain replaced with general funds

2005 – 2007 Budget

As of 11/06, 69% of this budget cost center has been expended. Anticipate 100% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: EDUCATION SERVICES PROGRAM - PEN
Reporting Level: 01-530-500-20-10-35-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	217,856	124,871	114,488	239,359	277,644	38,285
TEMPORARY SALARIES	513000	10,737	6,398	3,354	9,752	0	(9,752)
FRINGE BENEFITS	516000	68,458	39,123	33,519	72,642	89,651	17,009
TRAVEL	521000	6,314	3,900	3,054	6,954	8,000	1,046
SUPPLIES - IT SOFTWARE	531000	3,027	3,525	3,125	6,650	7,000	350
SUPPLY/MATERIAL-PROFESSIONAL	532000	43,818	29,533	11,747	41,280	55,000	13,720
FOOD AND CLOTHING	533000	648	403	1,926	2,329	1,000	(1,329)
BLDG, GROUND, MAINTENANCE	534000	1,390	2,019	4,620	6,639	1,500	(5,139)
MISCELLANEOUS SUPPLIES	535000	78	68	2,491	2,559	500	(2,059)
OFFICE SUPPLIES	536000	6,997	3,968	32	4,000	7,500	3,500
POSTAGE	541000	43	0	20	20	0	(20)
PRINTING	542000	331	176	614	790	1,000	210
IT EQUIP UNDER $5,000	551000	0	0	0	0	1,000	1,000
OTHER EQUIP UNDER $5,000	552000	183	128	3,943	4,071	2,400	(1,671)
OFFICE EQUIP & FURN SUPPLIES	553000	0	0	990	990	0	(990)
RENTALS/LEASES-EQUIP & OTHER	581000	0	0	2,500	2,500	2,500	0
RENTALS/LEASES - BLDG/LAND	582000	0	0	0	0	0	0
REPAIRS	591000	2,267	1,170	3,410	4,580	2,500	(2,080)
SALARY INCREASE	599110	0	0	0	0	15,882	15,882
BENEFIT INCREASE	599160	0	0	0	0	2,684	2,684
IT - DATA PROCESSING	601000	322	348	348	696	738	42
IT-COMMUNICATIONS	602000	0	0	0	0	0	0
IT CONTRACTUAL SERVICES AND RE	603000	0	0	1,700	1,700	0	(1,700)
PROFESSIONAL DEVELOPMENT	611000	0	1,445	845	2,290	2,000	(290)

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: EDUCATION SERVICES PROGRAM - PEN
Reporting Level: 01-530-500-20-10-35-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	0	1,997	12,249	14,246	10,000	(4,246)
FEES - PROFESSIONAL SERVICES	623000	0	2,093	2,875	4,968	5,000	32
PRISONS DIVISION	77	362,469	221,165	207,850	429,015	493,499	64,484
MEANS OF FUNDING							
WIA JOB SERVICE-ADULT	P042	53,614	20,223	33,468	53,691	0	(53,691)
ADULT EDUC/PEN	P043	123,854	26,492	42,632	69,124	0	(69,124)
VOCATIONAL/TECH EDUCATION	P070	0	0	0	0	0	0
RESIDENTIAL SUBSTANCE ABUSE TRMT	P108	0	0	0	0	0	0
YOUTH TRAINING-US DEPT EDUC	P135	35,744	11,129	3,763	14,892	0	(14,892)
Federal Funds	FED	213,212	57,844	79,863	137,707	0	(137,707)
STATE GENERAL FUND	001	149,257	163,321	127,987	291,308	493,499	202,191
General Fund	GEN	149,257	163,321	127,987	291,308	493,499	202,191
DEPT OF CORRECTIONS OPER - 379	379	0	0	0	0	0	0
Special Funds	SPEC	0	0	0	0	0	0
EXPENDITURES							
TOTAL EXPENDITURES		362,469	221,165	207,850	429,015	493,499	64,484
MEANS OF FUNDING							
TOTAL FUNDING		362,469	221,165	207,850	429,015	493,499	64,484
AUTHORIZED EMPLOYEES							
FTE		3.36	3.37	0.00	3.37	3.62	0.25

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: EDUCATION SERVICES PROGRAM - JRCC
Reporting Level: 01-530-500-20-15-35-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	70,753	41,152	43,672	84,824	87,926	3,102
TEMPORARY SALARIES	513000	12,689	5,620	0	5,620	17,376	11,756
FRINGE BENEFITS	516000	27,185	15,596	15,778	31,374	36,066	4,692
TRAVEL	521000	1,085	733	267	1,000	1,000	0
SUPPLIES - IT SOFTWARE	531000	214	250	250	500	600	100
SUPPLY/MATERIAL-PROFESSIONAL	532000	7,771	3,743	4,260	8,003	10,000	1,997
FOOD AND CLOTHING	533000	0	0	0	0	0	0
BLDG, GROUND, MAINTENANCE	534000	25	16	484	500	100	(400)
MISCELLANEOUS SUPPLIES	535000	63	54	46	100	100	0
OFFICE SUPPLIES	536000	552	139	199	338	500	162
POSTAGE	541000	0	0	0	0	0	0
PRINTING	542000	0	0	0	0	0	0
IT EQUIP UNDER $5,000	551000	0	0	0	0	0	0
OTHER EQUIP UNDER $5,000	552000	461	322	178	500	0	(500)
OFFICE EQUIP & FURN SUPPLIES	553000	0	0	0	0	0	0
RENTALS/LEASES-EQUIP & OTHER	581000	0	0	0	0	0	0
RENTALS/LEASES - BLDG/LAND	582000	0	0	0	0	0	0
REPAIRS	591000	0	0	0	0	0	0
SALARY INCREASE	599110	0	0	0	0	5,345	5,345
BENEFIT INCREASE	599160	0	0	0	0	904	904
IT - DATA PROCESSING	601000	0	0	0	0	0	0
IT-COMMUNICATIONS	602000	0	0	0	0	0	0
IT CONTRACTUAL SERVICES AND RE	603000	0	0	0	0	0	0
PROFESSIONAL DEVELOPMENT	611000	472	387	113	500	1,000	500

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: EDUCATION SERVICES PROGRAM - JRCC
Reporting Level: 01-530-500-20-15-35-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	2,409	540	2,285	2,825	5,000	2,175
FEES - PROFESSIONAL SERVICES	623000	26,816	13,109	2,000	15,109	25,000	9,891
PRISONS DIVISION	77	150,495	81,661	69,532	151,193	190,917	39,724
MEANS OF FUNDING							
WIA JOB SERVICE-ADULT	P042	0	2,276	4,119	6,395	0	(6,395)
VOCATIONAL/TECH EDUCATION	P070	0	0	0	0	0	0
RESIDENTIAL SUBSTANCE ABUSE TRMT	P108	0	0	0	0	0	0
YOUTH TRAINING-US DEPT EDUC	P135	0	3,785	2,149	5,934	0	(5,934)
Federal Funds	FED	0	6,061	6,268	12,329	0	(12,329)
STATE GENERAL FUND	001	150,495	75,600	63,264	138,864	190,917	52,053
General Fund	GEN	150,495	75,600	63,264	138,864	190,917	52,053
DEPT OF CORRECTIONS OPER - 379	379	0	0	0	0	0	0
Special Funds	SPEC	0	0	0	0	0	0
EXPENDITURES							
TOTAL EXPENDITURES		150,495	81,661	69,532	151,193	190,917	39,724
MEANS OF FUNDING							
TOTAL FUNDING		150,495	81,661	69,532	151,193	190,917	39,724
AUTHORIZED EMPLOYEES							
FTE		1.20	1.20	0.00	1.20	1.20	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: EDUCATION SERVICES - MRCC
Reporting Level: 01-530-500-20-20-35-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	149,735	86,607	102,980	189,587	166,468	(23,119)
SALARIES - OTHER	512000	0	0	0	0	0	0
TEMPORARY SALARIES	513000	7,438	4,530	5,191	9,721	7,807	(1,914)
FRINGE BENEFITS	516000	42,607	24,609	29,201	53,810	49,702	(4,108)
TRAVEL	521000	0	0	585	585	585	0
SUPPLIES - IT SOFTWARE	531000	402	468	187	655	1,000	345
SUPPLY/MATERIAL-PROFESSIONAL	532000	2,462	388	1,302	1,690	1,690	0
FOOD AND CLOTHING	533000	0	0	221	221	221	0
BLDG, GROUND, MAINTENANCE	534000	4,643	1,768	2,042	3,810	3,810	0
MISCELLANEOUS SUPPLIES	535000	84	73	142	215	215	0
OFFICE SUPPLIES	536000	0	0	490	490	490	0
POSTAGE	541000	0	0	0	0	0	0
PRINTING	542000	0	0	210	210	210	0
IT EQUIP UNDER $5,000	551000	0	0	0	0	500	500
OTHER EQUIP UNDER $5,000	552000	234	0	190	190	3,800	3,610
OFFICE EQUIP & FURN SUPPLIES	553000	0	0	185	185	0	(185)
RENTALS/LEASES-EQUIP & OTHER	581000	0	0	0	0	0	0
RENTALS/LEASES - BLDG/LAND	582000	0	0	0	0	0	0
REPAIRS	591000	2,484	1,064	5	1,069	1,069	0
SALARY INCREASE	599110	0	0	0	0	10,267	10,267
BENEFIT INCREASE	599160	0	0	0	0	1,736	1,736
IT - DATA PROCESSING	601000	323	348	139	487	487	0
IT CONTRACTUAL SERVICES AND RE	603000	0	0	0	0	0	0
PROFESSIONAL DEVELOPMENT	611000	1,258	1,033	27	1,060	1,060	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: EDUCATION SERVICES - MRCC
Reporting Level: 01-530-500-20-20-35-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	76,432	57,378	76,339	133,717	130,000	(3,717)
FEES - PROFESSIONAL SERVICES	623000	0	0	1,302	1,302	1,000	(302)
PRISONS DIVISION	77	288,102	178,266	220,738	399,004	382,117	(16,887)
MEANS OF FUNDING							
WIA JOB SERVICE-ADULT	P042	0	11,824	21,873	33,697	0	(33,697)
ADULT EDUC/PEN	P043	55,418	18,986	31,400	50,386	0	(50,386)
VOCATIONAL/TECH EDUCATION	P070	0	23,272	43,026	66,298	0	(66,298)
RESIDENTIAL SUBSTANCE ABUSE TRMT	P108	0	0	0	0	0	0
YOUTH TRAINING-US DEPT EDUC	P135	0	16,599	5,932	22,531	0	(22,531)
Federal Funds	FED	55,418	70,681	102,231	172,912	0	(172,912)
STATE GENERAL FUND	001	229,909	107,585	118,507	226,092	382,117	156,025
General Fund	GEN	229,909	107,585	118,507	226,092	382,117	156,025
DEPT OF CORRECTIONS OPER - 379	379	2,775	0	0	0	0	0
Special Funds	SPEC	2,775	0	0	0	0	0
EXPENDITURES							
TOTAL EXPENDITURES		288,102	178,266	220,738	399,004	382,117	(16,887)
MEANS OF FUNDING							
TOTAL FUNDING		288,102	178,266	220,738	399,004	382,117	(16,887)
AUTHORIZED EMPLOYEES							
FTE		2.19	2.19	0.00	2.19	2.19	(0.01)

DOCR – PRISONS DIVISIONS – TREATMENT SERVICES
2007-09 BUDGET DETAIL

Reporting Level: 530-500-20-10-30; 530-500-20-15-30; 530-500-20-20-30	
Program: TREATMENT SERVICES	

EXPLANATION OF PROGRAM COSTS

Treatment services program provides for individualized treatment programming and case management services. Services provided include substance abuse, sex offender, anger management, domestic violence, mental health programming, grief therapy, and pastoral services.

BUDGET BY TRADITIONAL LINE

Description	2005-07 Budget	2007-09 Exec Rec	% of Exec Rec	Change From 05-07
Salary and Fringe	3,992,078	4,506,784	92%	514,706
Operating	365,138	385,338	8%	20,200
Capital			0%	-
Grants	-	-	0%	-
Total	**4,357,216**	**4,892,122**	**100%**	**534,906**
General	4,220,378	4,892,122	100%	671,744
Federal	136,838	-	0%	(136,838)
Special	-	-	0%	-
FTE	37.75	41.00		3.25

MATERIAL EXPENDITURES – (97% of budget)

Salary and Fringe – $4,506,784 – 92% of budget
- Treatment Director – Prisons - 1.0 fte
- Psychologist - 2.0 fte
- Clinician Supervisor – 2.0 fte
- Addiction Counselor - 13.0 fte
- Chaplain – 2.0 fte
- Social Worker – 7.0 fte
- Human Relations Counselor – 8.0 fte
- Correctional Case Worker – 2.0 fte
- Mental Health Care Specialist – 1.0 fte
- Administrative Assistant – 3.0 fte

Professional Services - $230,000 – 5% of budget
- Inmate assessments

SIGNIFICANT CHANGES

Salary and Fringe – $514,706
- 4% & 4% compensation adjustment
- Health insurance increase
- 3.25 temp fte to permanent status
  - Chaplain – 2.0 fte
  - Administrative Assistant – 1.25 fte

2005 – 2007 Budget

As of 11/06, 61% of this budget cost center has been expended. Anticipate 91% expended at the end of the biennium.

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TREATMENT SERVICES PROGRAM - PEN
Reporting Level: 01-530-500-20-10-30-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	1,097,129	627,414	870,157	1,497,571	1,678,160	180,589
TEMPORARY SALARIES	513000	177,139	111,017	118,680	229,697	112,857	(116,840)
OVERTIME	514000	3,615	2,265	2,423	4,688	4,656	(32)
FRINGE BENEFITS	516000	398,071	227,029	263,541	490,570	675,843	185,273
TRAVEL	521000	13,836	7,279	5,396	12,675	20,000	7,325
SUPPLIES - IT SOFTWARE	531000	1,880	1,920	1,440	3,360	3,500	140
SUPPLY/MATERIAL-PROFESSIONAL	532000	7,391	4,896	5,393	10,289	10,000	(289)
FOOD AND CLOTHING	533000	795	455	14,545	15,000	1,000	(14,000)
BLDG, GROUND, MAINTENANCE	534000	2,802	1,642	358	2,000	3,000	1,000
MISCELLANEOUS SUPPLIES	535000	17	14	1,255	1,269	500	(769)
OFFICE SUPPLIES	536000	9,630	5,568	1,432	7,000	10,000	3,000
POSTAGE	541000	83	44	184	228	100	(128)
PRINTING	542000	3,892	1,917	192	2,109	2,500	391
IT EQUIP UNDER $5,000	551000	1,463	2,224	2,701	4,925	0	(4,925)
OTHER EQUIP UNDER $5,000	552000	5,111	3,570	2,430	6,000	6,300	300
OFFICE EQUIP & FURN SUPPLIES	553000	10,142	5,740	4,260	10,000	3,600	(6,400)
RENTALS/LEASES-EQUIP & OTHER	581000	0	0	5,283	5,283	0	(5,283)
REPAIRS	591000	3,830	1,557	943	2,500	2,500	0
SALARY INCREASE	599110	0	0	0	0	96,699	96,699
BENEFIT INCREASE	599160	0	0	0	0	16,389	16,389
IT - DATA PROCESSING	601000	0	0	5,588	5,588	0	(5,588)
IT-COMMUNICATIONS	602000	1,706	633	3,181	3,814	1,382	(2,432)
IT CONTRACTUAL SERVICES AND RE	603000	0	0	3,355	3,355	12,504	9,149
PROFESSIONAL DEVELOPMENT	611000	8,349	6,538	19,027	25,565	25,000	(565)

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TREATMENT SERVICES PROGRAM - PEN
Reporting Level: 01-530-500-20-10-30-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
OPERATING FEES AND SERVICES	621000	3,325	2,959	2,726	5,685	5,500	(185)
FEES - PROFESSIONAL SERVICES	623000	228,299	94,767	55,233	150,000	225,000	75,000
MEDICAL, DENTAL AND OPTICAL	625000	120	56	44	100	0	(100)
PRISONS DIVISION	77	1,978,625	1,109,504	1,389,767	2,499,271	2,916,990	417,719
MEANS OF FUNDING							
RESIDENTIAL SUBSTANCE ABUSE TRMT	P108	477,031	96,113	40,725	136,838	0	(136,838)
SCAAP-BJA	P133	12,338	0	0	0	0	0
COG. TRAINING - BCI	P176	3,765	0	0	0	0	0
Federal Funds	FED	493,134	96,113	40,725	136,838	0	(136,838)
STATE GENERAL FUND	001	1,485,491	1,013,391	1,349,042	2,362,433	2,916,990	554,557
General Fund	GEN	1,485,491	1,013,391	1,349,042	2,362,433	2,916,990	554,557
EXPENDITURES							
TOTAL EXPENDITURES		1,978,625	1,109,504	1,389,767	2,499,271	2,916,990	417,719
MEANS OF FUNDING							
TOTAL FUNDING		1,978,625	1,109,504	1,389,767	2,499,271	2,916,990	417,719
AUTHORIZED EMPLOYEES							
FTE		19.47	21.42	0.00	21.42	23.42	2.00
VACANT		0.00	0.00	0.00	0.00	0.00	0.00

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TREATMENT SERVICES PROGRAM- JRCC
Reporting Level: 01-530-500-20-15-30-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	613,208	351,789	626,052	977,841	1,034,932	57,091
TEMPORARY SALARIES	513000	97,266	59,090	51,175	110,265	67,032	(43,233)
OVERTIME	514000	1,986	1,206	1,044	2,250	1,896	(354)
FRINGE BENEFITS	516000	233,044	134,775	187,758	322,533	403,923	81,390
TRAVEL	521000	8,515	5,519	2,481	8,000	5,000	(3,000)
SUPPLIES - IT SOFTWARE	531000	490	571	1,249	1,820	1,100	(720)
SUPPLY/MATERIAL-PROFESSIONAL	532000	3,745	2,670	3,774	6,444	6,500	56
BLDG, GROUND, MAINTENANCE	534000	1,480	913	1,087	2,000	2,000	0
MISCELLANEOUS SUPPLIES	535000	87	76	120	196	150	(46)
OFFICE SUPPLIES	536000	813	286	1,352	1,638	1,000	(638)
PRINTING	542000	0	0	0	0	0	0
IT EQUIP UNDER $5,000	551000	526	800	800	1,600	0	(1,600)
OTHER EQUIP UNDER $5,000	552000	286	200	200	400	0	(400)
OFFICE EQUIP & FURN SUPPLIES	553000	11,949	3,289	1,311	4,600	0	(4,600)
RENTALS/LEASES-EQUIP & OTHER	581000	0	0	0	0	0	0
REPAIRS	591000	301	155	1,412	1,567	1,500	(67)
SALARY INCREASE	599110	0	0	0	0	57,725	57,725
BENEFIT INCREASE	599160	0	0	0	0	9,770	9,770
IT - DATA PROCESSING	601000	0	0	0	0	0	0
IT-COMMUNICATIONS	602000	536	199	201	400	432	32
IT CONTRACTUAL SERVICES AND RE	603000	0	0	0	0	0	0
PROFESSIONAL DEVELOPMENT	611000	9,167	6,996	3,888	10,884	15,000	4,116
OPERATING FEES AND SERVICES	621000	1,521	956	718	1,674	2,500	826
FEES - PROFESSIONAL SERVICES	623000	0	0	0	0	0	0

Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TREATMENT SERVICES PROGRAM- JRCC
Reporting Level: 01-530-500-20-15-30-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
PRISONS DIVISION	77	984,920	569,490	884,622	1,454,112	1,610,460	156,348
MEANS OF FUNDING							
COG. TRAINING - BCI	P176	13,061	0	0	0	0	0
Federal Funds	FED	13,061	0	0	0	0	0
STATE GENERAL FUND	001	971,859	569,490	884,622	1,454,112	1,610,460	156,348
General Fund	GEN	971,859	569,490	884,622	1,454,112	1,610,460	156,348
EXPENDITURES							
TOTAL EXPENDITURES		984,920	569,490	884,622	1,454,112	1,610,460	156,348
MEANS OF FUNDING							
TOTAL FUNDING		984,920	569,490	884,622	1,454,112	1,610,460	156,348
AUTHORIZED EMPLOYEES							
FTE		8.11	13.11	0.00	13.11	14.11	1.00

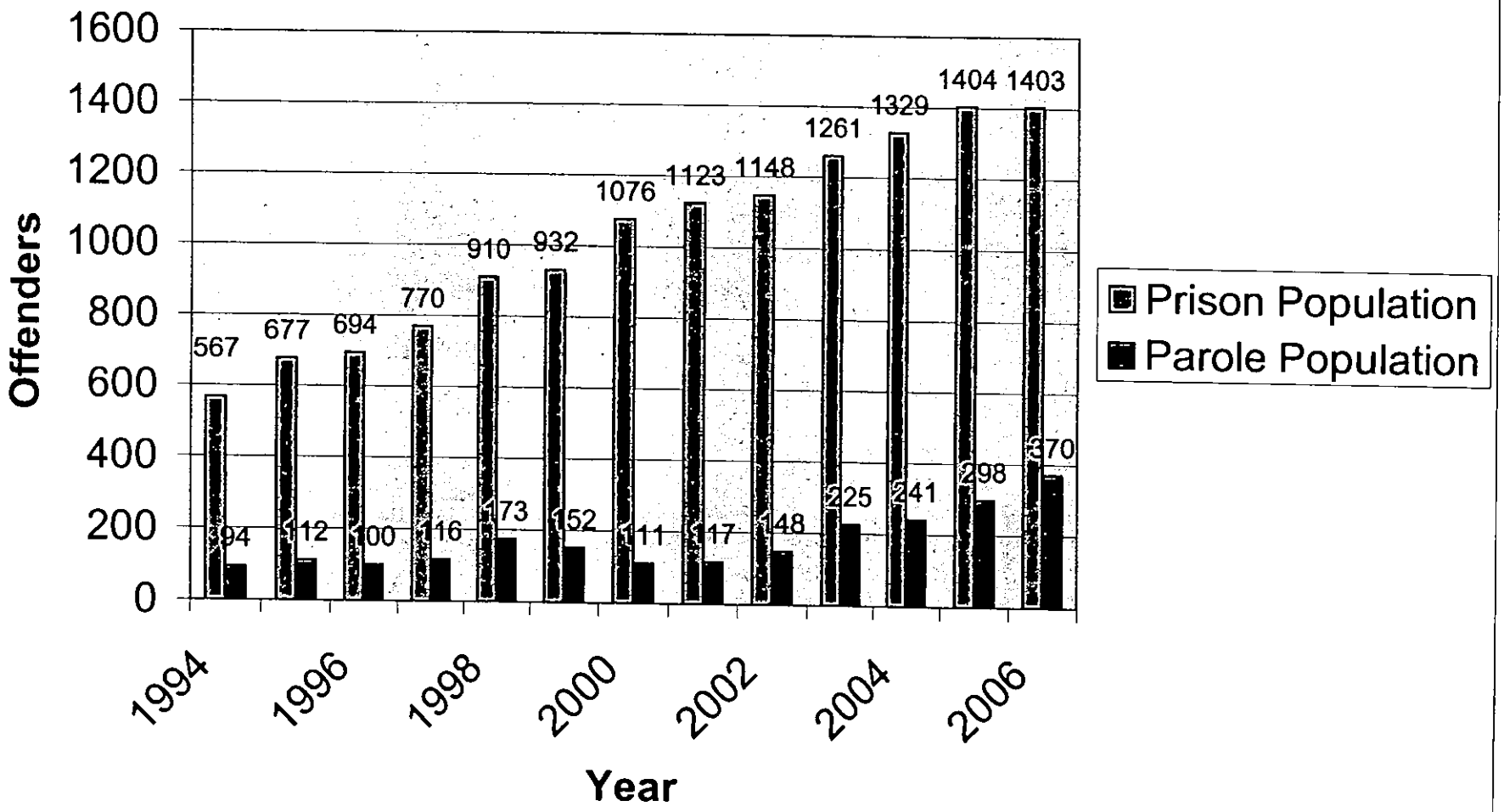
Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TREATMENT SERVICES PROGRAM - MRCC
Reporting Level: 01-530-500-20-20-30-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
SALARIES - PERMANENT	511000	161,855	92,536	159,471	252,007	231,240	(20,767)
TEMPORARY SALARIES	513000	3,340	2,084	4,105	6,189	3,120	(3,069)
FRINGE BENEFITS	516000	64,116	36,640	61,827	98,467	97,624	(843)
TRAVEL	521000	158	107	1,963	2,070	2,070	0
SUPPLIES - IT SOFTWARE	531000	86	100	740	840	200	(640)
SUPPLY/MATERIAL-PROFESSIONAL	532000	103	0	1,127	1,127	1,000	(127)
FOOD AND CLOTHING	533000	73	64	36	100	100	0
BLDG, GROUND, MAINTENANCE	534000	0	47	30	77	100	23
MISCELLANEOUS SUPPLIES	535000	0	0	0	0	0	0
OFFICE SUPPLIES	536000	616	365	684	1,049	1,000	(49)
POSTAGE	541000	0	0	24	24	25	1
PRINTING	542000	0	0	475	475	475	0
IT EQUIP UNDER $5,000	551000	0	0	2,925	2,925	0	(2,925)
OTHER EQUIP UNDER $5,000	552000	0	0	0	0	2,300	2,300
OFFICE EQUIP & FURN SUPPLIES	553000	183	104	2,146	2,250	0	(2,250)
RENTALS/LEASES-EQUIP & OTHER	581000	0	0	2,512	2,512	1,000	(1,512)
REPAIRS	591000	0	0	519	519	500	(19)
SALARY INCREASE	599110	0	0	0	0	12,759	12,759
BENEFIT INCREASE	599160	0	0	0	0	2,159	2,159
IT - DATA PROCESSING	601000	0	0	2,088	2,088	0	(2,088)
IT-COMMUNICATIONS	602000	0	0	3,553	3,553	0	(3,553)
IT CONTRACTUAL SERVICES AND RE	603000	0	0	1,221	1,221	1,000	(221)
PROFESSIONAL DEVELOPMENT	611000	0	0	5,475	5,475	2,500	(2,975)
OPERATING FEES AND SERVICES	621000	91	82	691	773	500	(273)

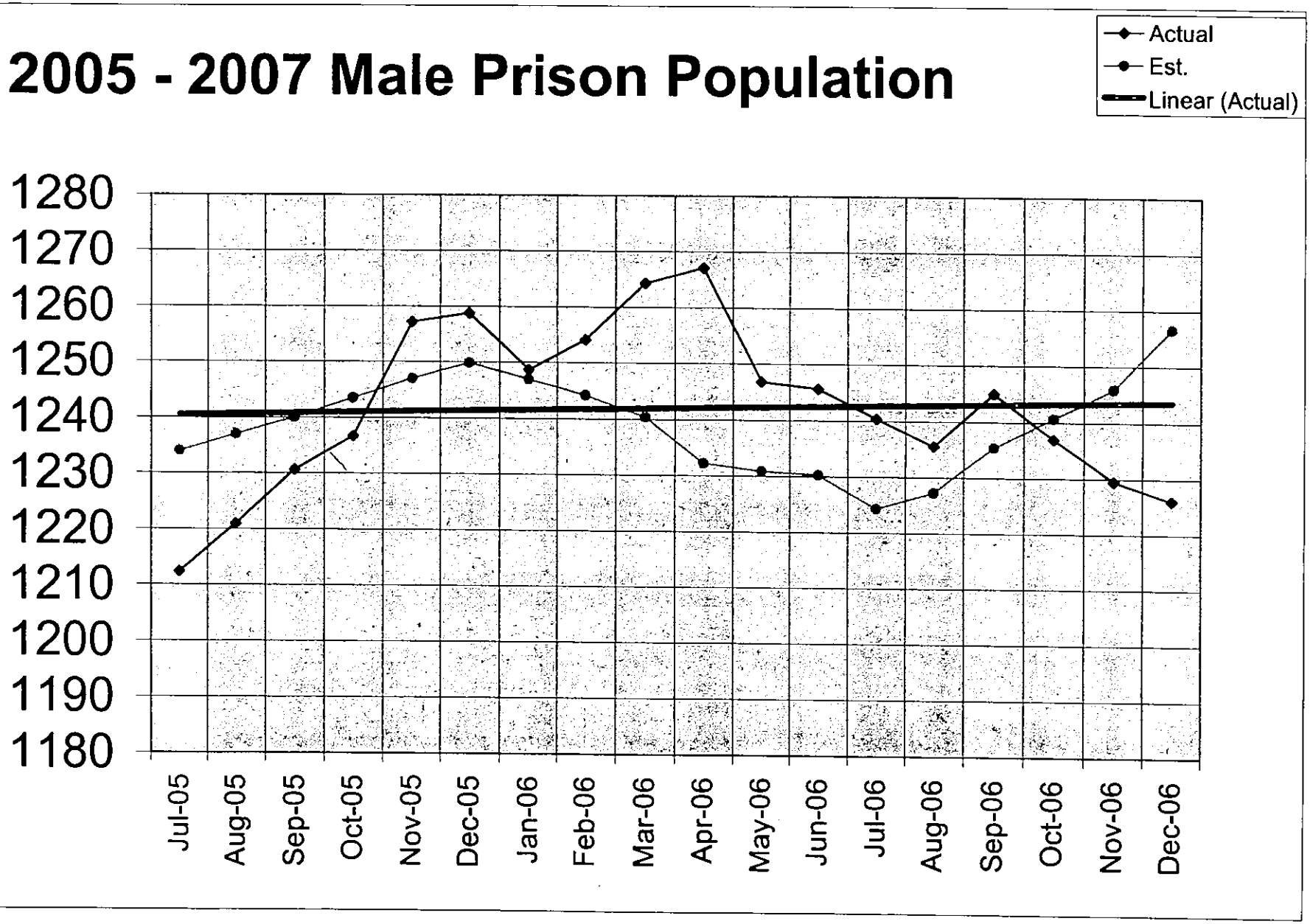
Agency Name: DEPT OF CORRECTIONS AND REHAB
Program: TREATMENT SERVICES PROGRAM - MRCC
Reporting Level: 01-530-500-20-20-30-00-00000000

1 Object/Revenue Description	Code	2 2003-05 Biennium Expenditures	3 2005-07 First Year Expenditures	4 2005-07 Biennium Balance	5 2005-07 Biennium Appropriation	6 2007-09 Budget Recommendation	7 Change from 2005-2007
EXPENDITURES							
FEES - PROFESSIONAL SERVICES	623000	0	0	20,092	20,092	5,000	(15,092)
PRISONS DIVISION	77	230,621	132,129	271,704	403,833	364,672	(39,161)
MEANS OF FUNDING							
STATE GENERAL FUND	001	230,621	132,129	271,704	403,833	364,672	(39,161)
General Fund	GEN	230,621	132,129	271,704	403,833	364,672	(39,161)
EXPENDITURES							
TOTAL EXPENDITURES		230,621	132,129	271,704	403,833	364,672	(39,161)
MEANS OF FUNDING							
TOTAL FUNDING		230,621	132,129	271,704	403,833	364,672	(39,161)
AUTHORIZED EMPLOYEES							
FTE		0.22	3.22	0.00	3.22	3.47	0.25

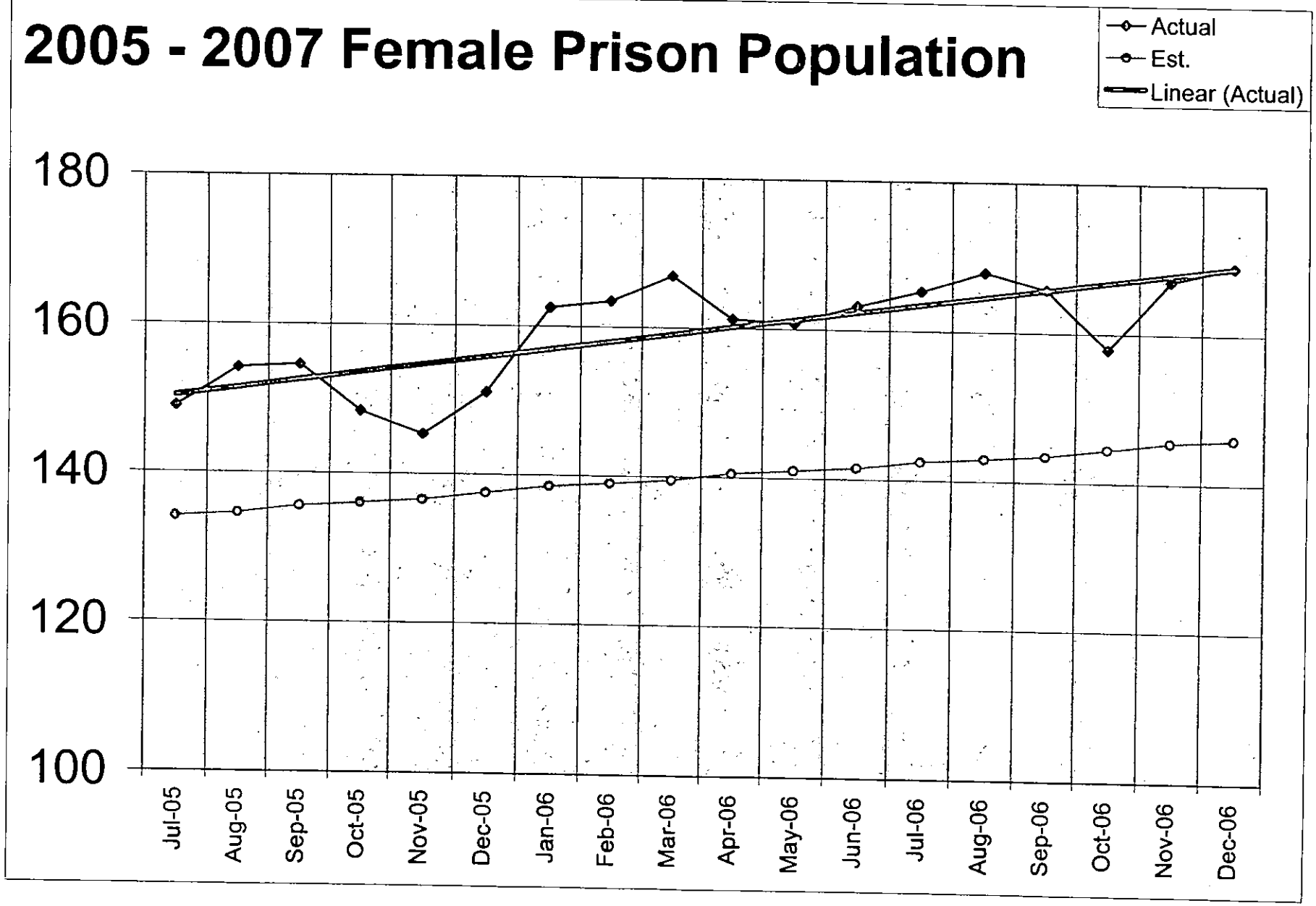
Prison and Parole Populations One Day Count (December 31)

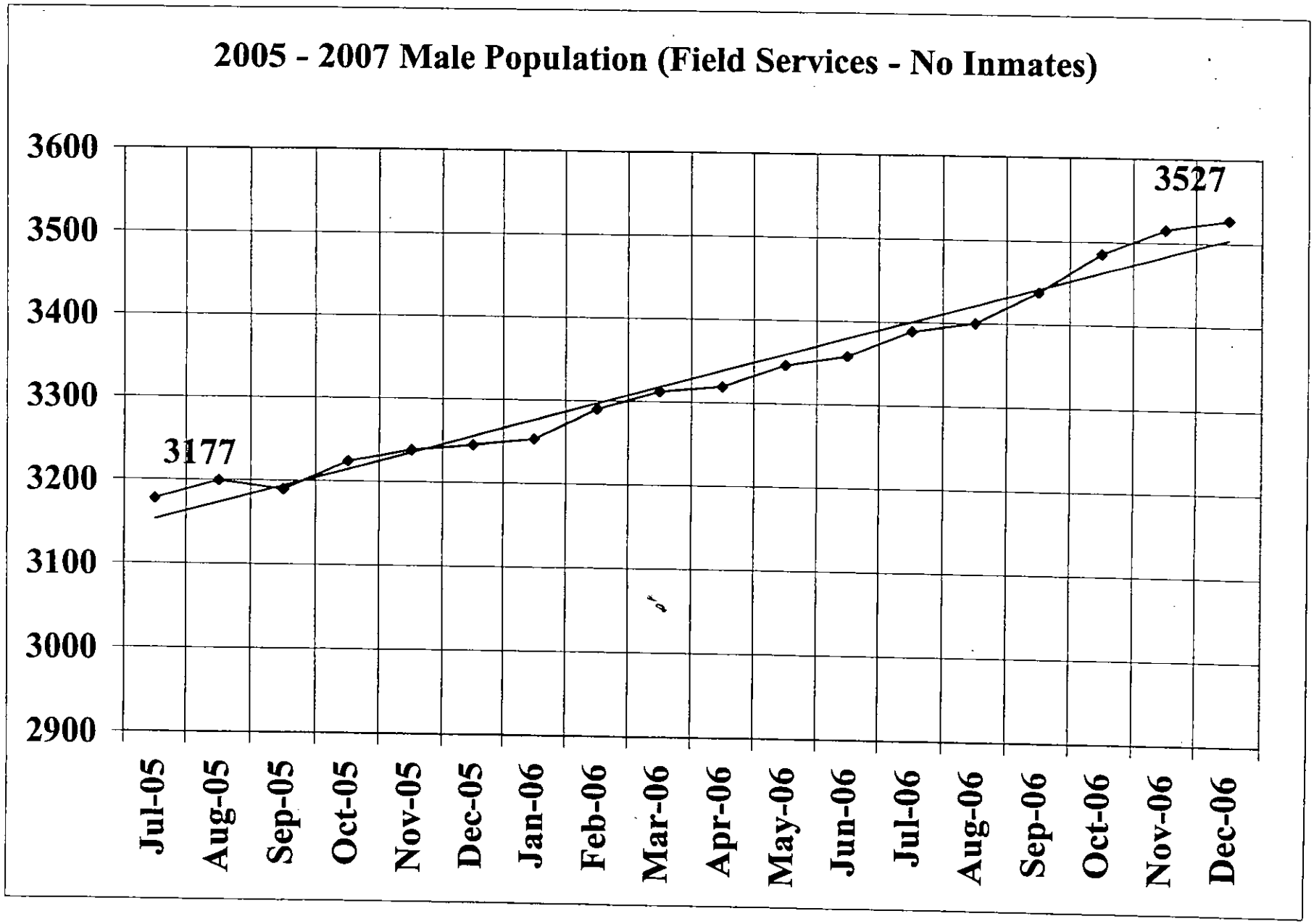


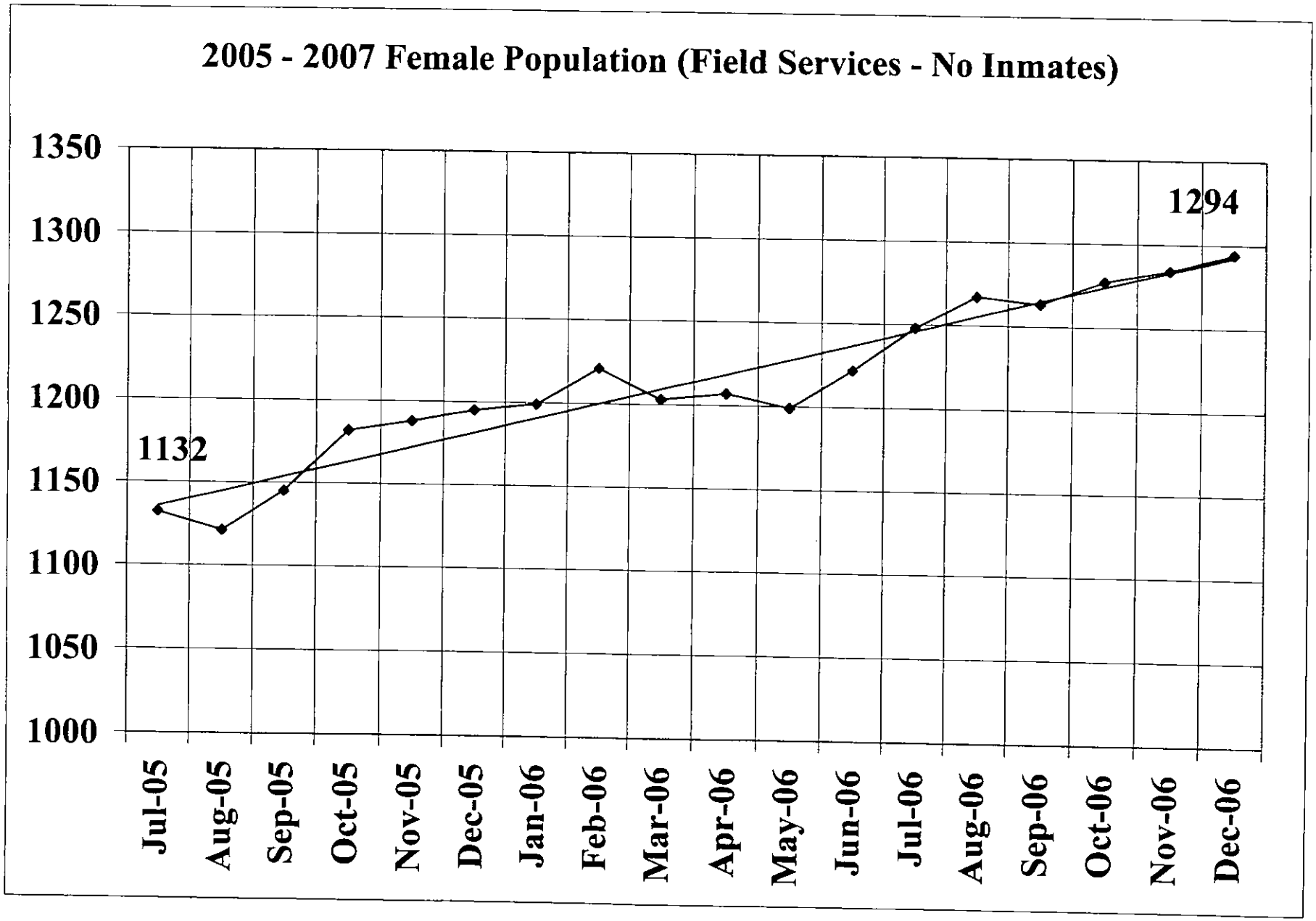
2005 - 2007 Male Prison Population

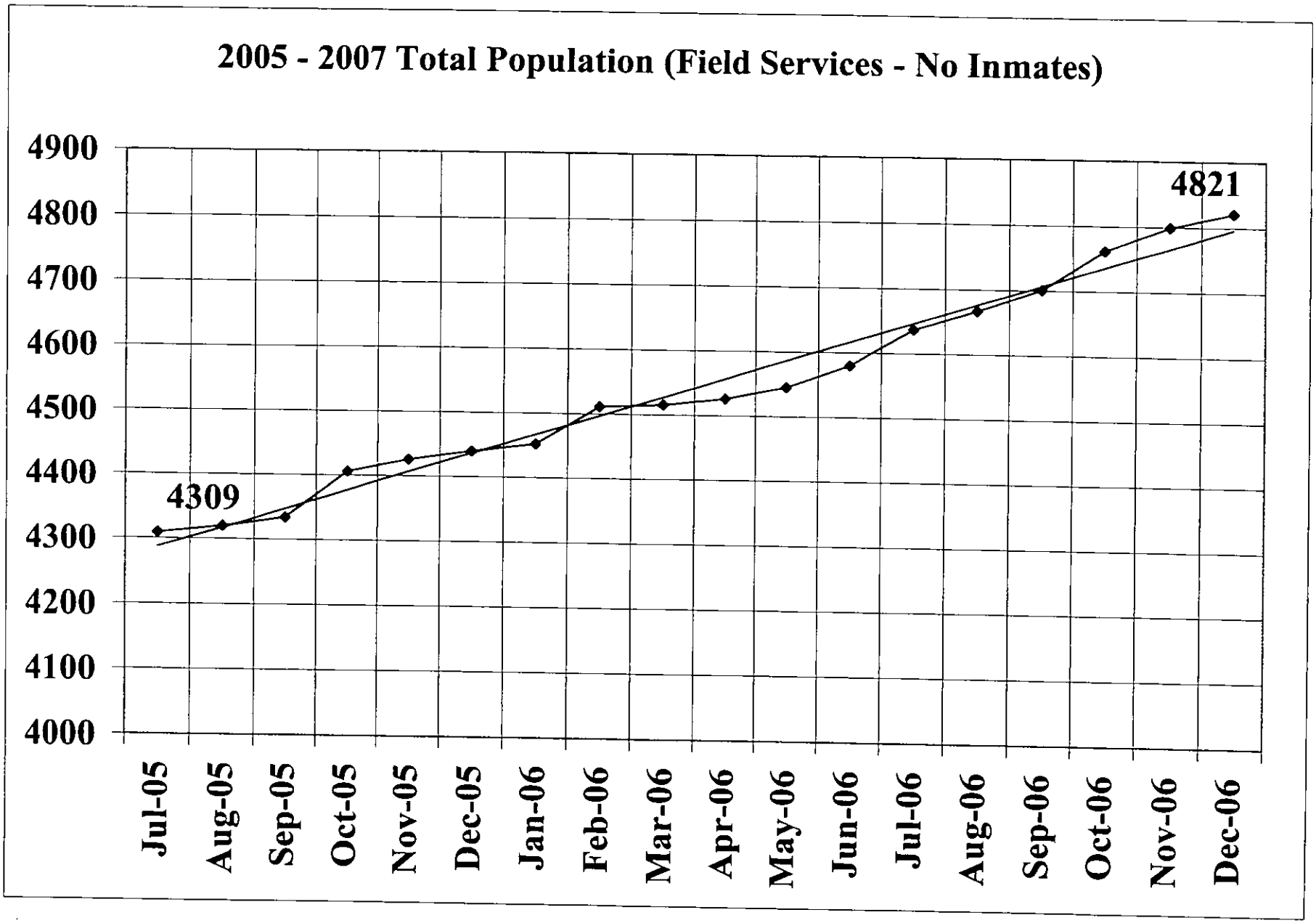


2005 - 2007 Female Prison Population

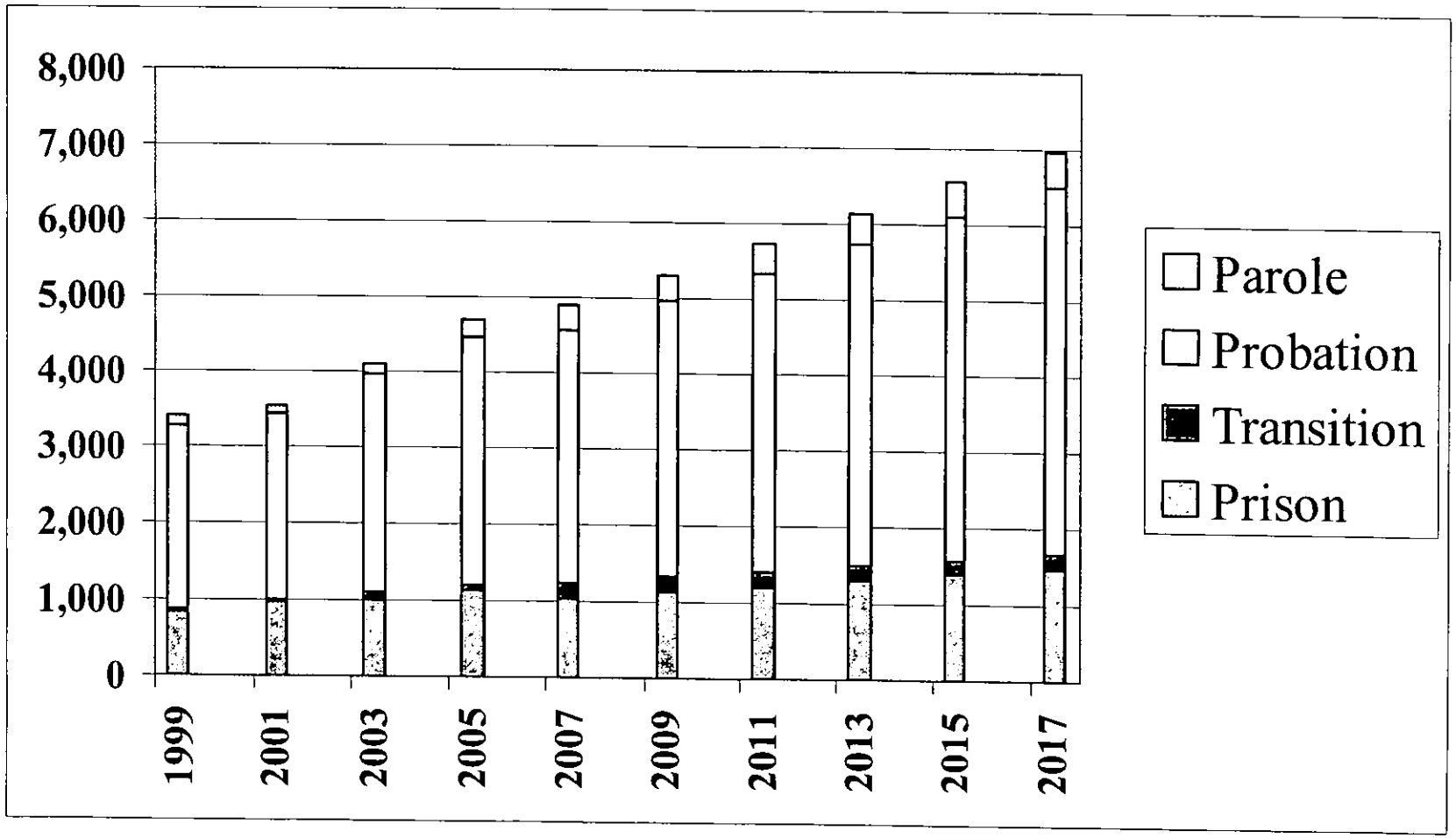



2005 - 2007 Male Population (Field Services - No Inmates)
3600
3500
3400
3300
3200
3100
3000
2900
3177
3527
Jul-05
Aug-05
Sep-05
Oct-05
Nov-05
Dec-05
Jan-06
Feb-06
Mar-06
Apr-06
May-06
Jun-06
Jul-06
Aug-06
Sep-06
Oct-06
Nov-06
Dec-06

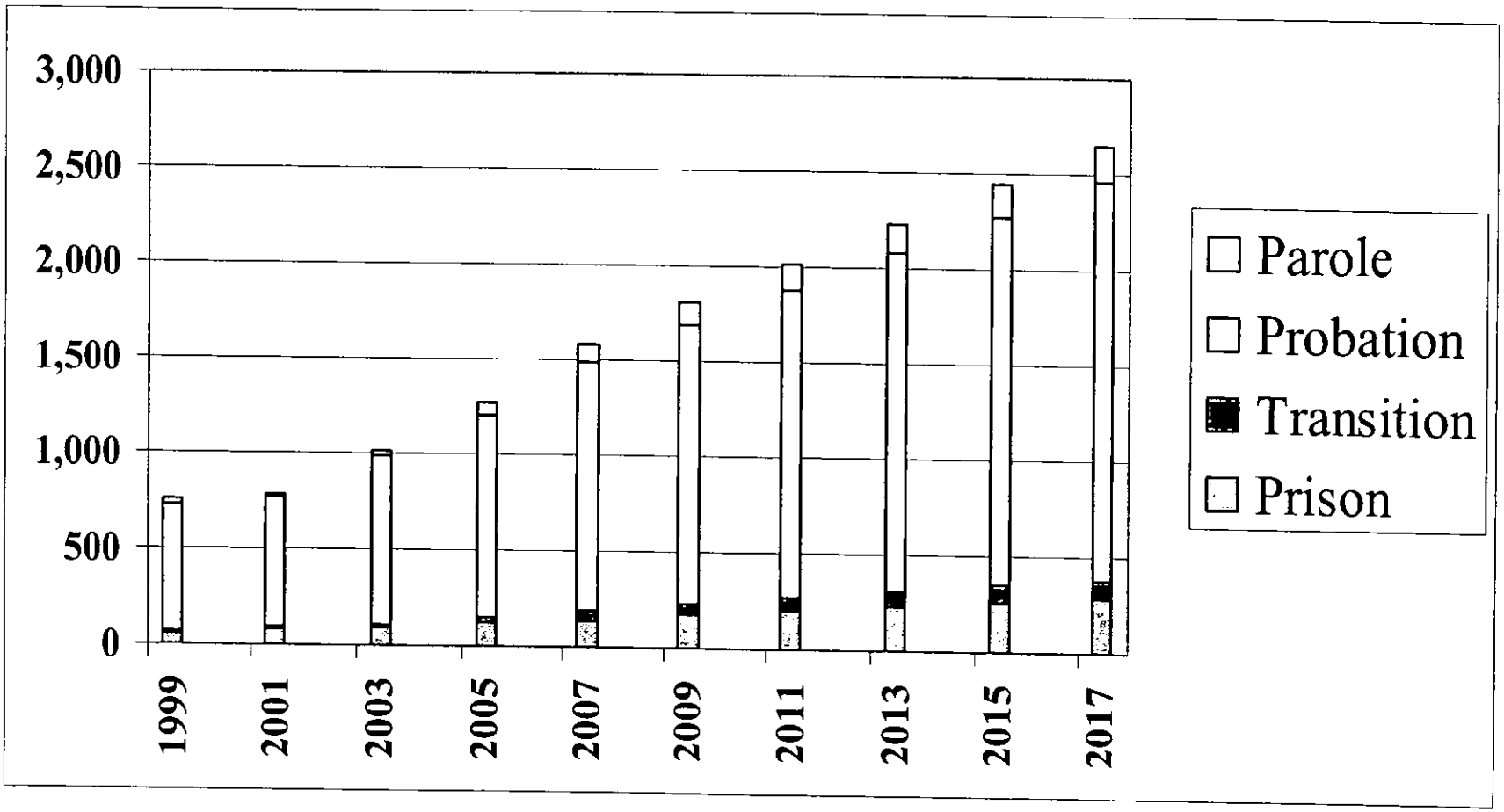

2005 - 2007 Female Population (Field Services - No Inmates)
1350
1300
1250
1200
1150
1100
1050
1000
1132
1294
Jul-05
Aug-05
Sep-05
Oct-05
Nov-05
Dec-05
Jan-06
Feb-06
Mar-06
Apr-06
May-06
Jun-06
Jul-06
Aug-06
Sep-06
Oct-06
Nov-06
Dec-06


2005 - 2007 Total Population (Field Services - No Inmates)
4900
4800
4700
4600
4500
4400
4300
4200
4100
4000
4309
4821
Jul-05
Aug-05
Sep-05
Oct-05
Nov-05
Dec-05
Jan-06
Feb-06
Mar-06
Apr-06
May-06
Jun-06
Jul-06
Aug-06
Sep-06
Oct-06
Nov-06
Dec-06

DOCR Adult Services
Male Population Trends



DOCR Adult Services
Female Population Trends



Projected Male Inmates 7/1/09 - 6/30/15

Based on 3% Growth Rate

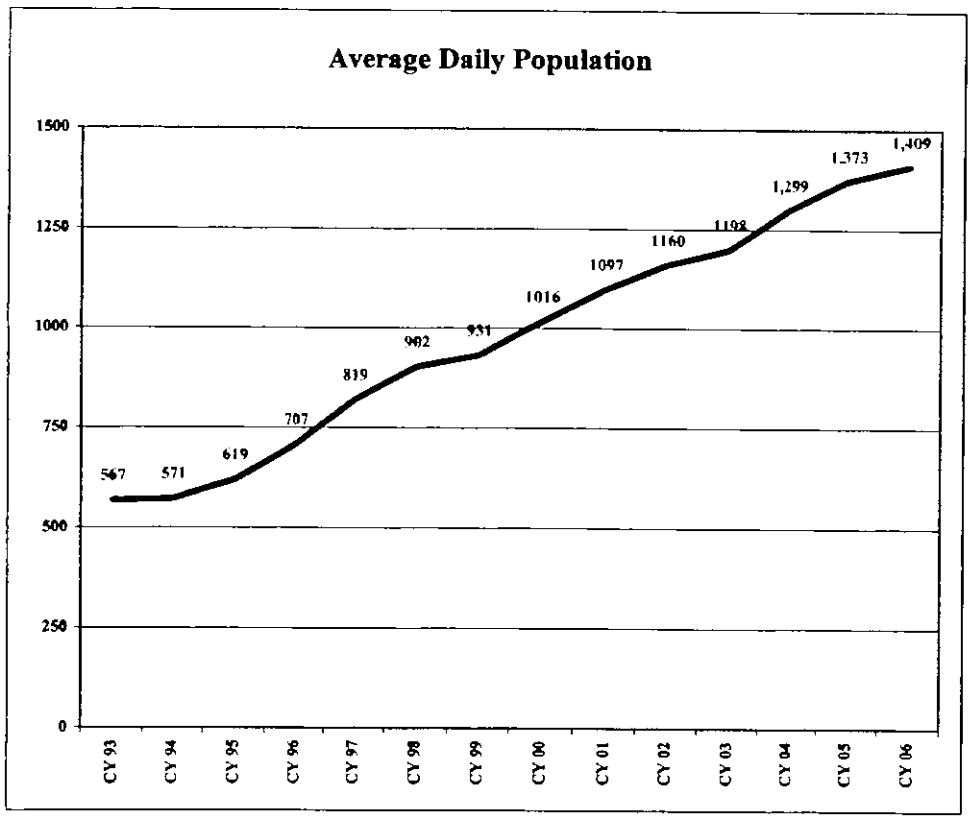
	Est. Inmate Population \1	Interstate Compact	Temp Leave	Inmate Pop to House	DOCR Beds \2	BTC \3	TRCC \4	NCCRC \5	Transition	Needed / (Vacant)	Total Housed
July-09	1,355	18	18	**1,319**	1,011	105	72	25	40	66	1,319
August-09	1,359	19	17	**1,323**	1,011	105	72	25	40	70	1,323
September-09	1,363	19	17	**1,327**	1,011	105	72	25	40	74	1,327
October-09	1,367	19	17	**1,331**	1,011	105	72	25	40	78	1,331
November-09	1,370	19	17	**1,334**	1,011	105	72	25	40	81	1,334
December-09	1,374	19	17	**1,338**	1,011	105	72	25	40	85	1,338
January-10	1,378	19	17	**1,342**	1,011	105	72	25	45	84	1,342
February-10	1,381	19	17	**1,345**	1,011	105	72	25	50	82	1,345
March-10	1,385	19	17	**1,349**	1,011	105	72	25	55	81	1,349
April-10	1,389	19	17	**1,353**	1,011	105	72	25	60	79	1,353
May-10	1,392	19	18	**1,355**	1,011	105	72	25	60	82	1,355
June-10	1,396	19	18	**1,359**	1,011	105	72	25	60	86	1,359
July-10	1,400	19	18	**1,363**	1,259	105	72	25	60	(158)	1,363
August-10	1,404	19	18	**1,367**	1,259	105	72	25	60	(154)	1,367
September-10	1,408	19	18	**1,371**	1,259	105	72	25	60	(150)	1,371
October-10	1,412	19	18	**1,375**	1,259	105	72	25	60	(147)	1,375
November-10	1,415	19	18	**1,378**	1,259	105	72	25	60	(143)	1,378
December-10	1,419	19	18	**1,382**	1,259	105	72	25	60	(139)	1,382
January-11	1,423	19	18	**1,386**	1,259	105	72	25	60	(135)	1,386
February-11	1,428	19	18	**1,391**	1,259	105	72	25	60	(130)	1,391
March-11	1,432	20	18	**1,394**	1,259	105	72	25	60	(127)	1,394
April-11	1,436	20	18	**1,398**	1,259	105	72	25	60	(124)	1,398
May-11	1,439	20	18	**1,401**	1,259	105	72	25	60	(120)	1,401
June-11	1,443	20	18	**1,405**	1,259	105	72	25	60	(116)	1,405
Average Total 09-11	***1,399***	***19***	***18***	***1,362***	***1,135***	***105***	***72***	***25***	***54***	***(29)***	***1,362***
July-11	1,447	20	18	**1,409**	1,259	105	72	25	60	(112)	1,409
August-11	1,451	20	18	**1,413**	1,259	105	72	25	60	(108)	1,413
September-11	1,455	20	18	**1,417**	1,259	105	72	25	60	(104)	1,417
October-11	1,459	20	18	**1,421**	1,259	105	72	25	60	(101)	1,421
November-11	1,462	20	18	**1,424**	1,259	105	72	25	60	(97)	1,424
December-11	1,466	20	19	**1,427**	1,259	105	72	25	60	(94)	1,427
January-12	1,470	20	19	**1,431**	1,259	105	72	25	65	(95)	1,431
February-12	1,473	20	19	**1,434**	1,259	105	72	25	70	(97)	1,434
March-12	1,477	20	19	**1,438**	1,259	105	72	25	75	(98)	1,438
April-12	1,481	20	19	**1,442**	1,259	105	72	25	80	(100)	1,442
May-12	1,484	20	19	**1,445**	1,259	105	72	25	80	(96)	1,445
June-12	1,488	20	19	**1,449**	1,259	105	72	25	80	(92)	1,449
July-12	1,492	20	19	**1,453**	1,259	105	72	25	80	(88)	1,453
August-12	1,496	20	19	**1,457**	1,259	105	72	25	80	(84)	1,457
September-12	1,500	20	19	**1,461**	1,259	105	72	25	80	(80)	1,461
October-12	1,504	21	18	**1,465**	1,259	105	72	25	80	(77)	1,465
November-12	1,507	21	19	**1,467**	1,259	105	72	25	80	(74)	1,467
December-12	1,511	21	19	**1,471**	1,259	105	72	25	80	(70)	1,471
January-13	1,515	21	19	**1,475**	1,259	105	72	25	80	(66)	1,475

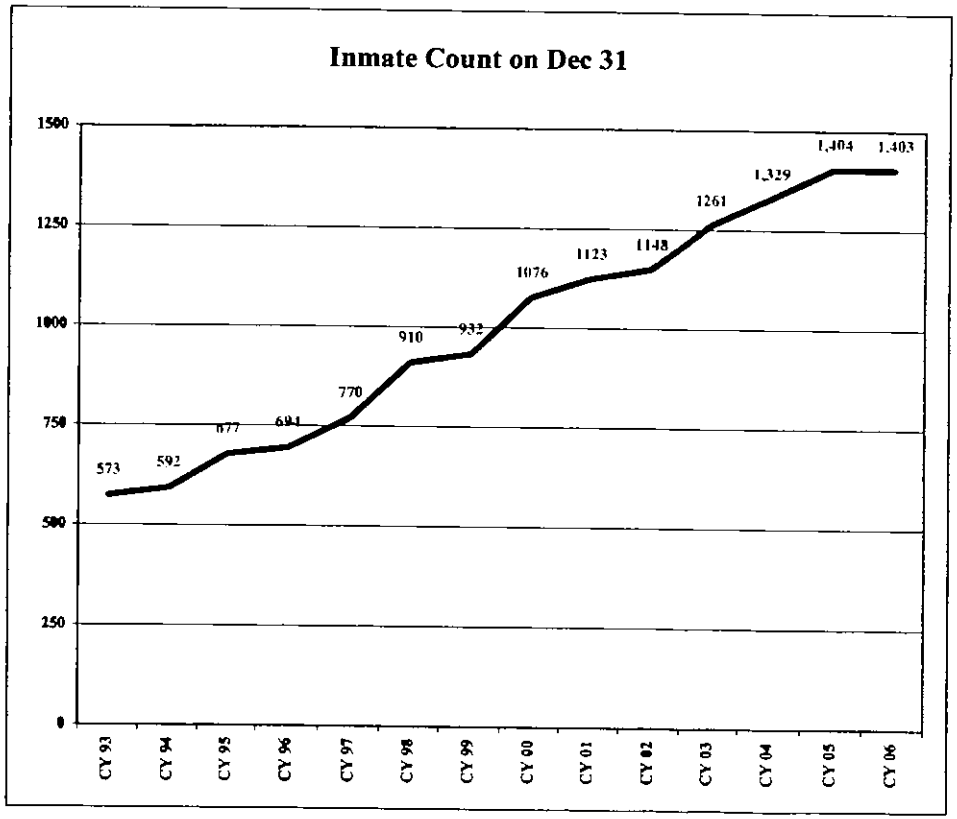
Projected Male Inmates 7/1/09 - 6/30/15

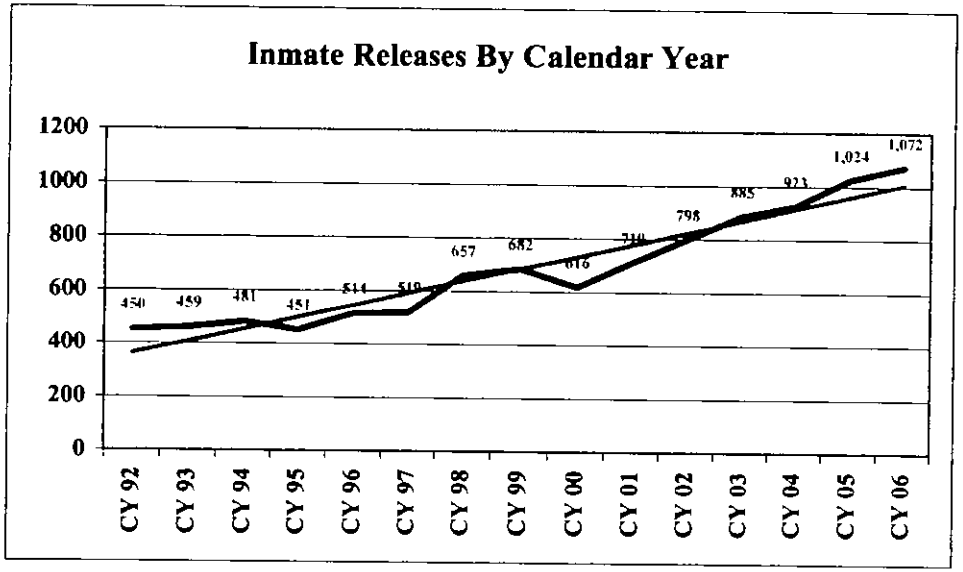
Based on 3% Growth Rate

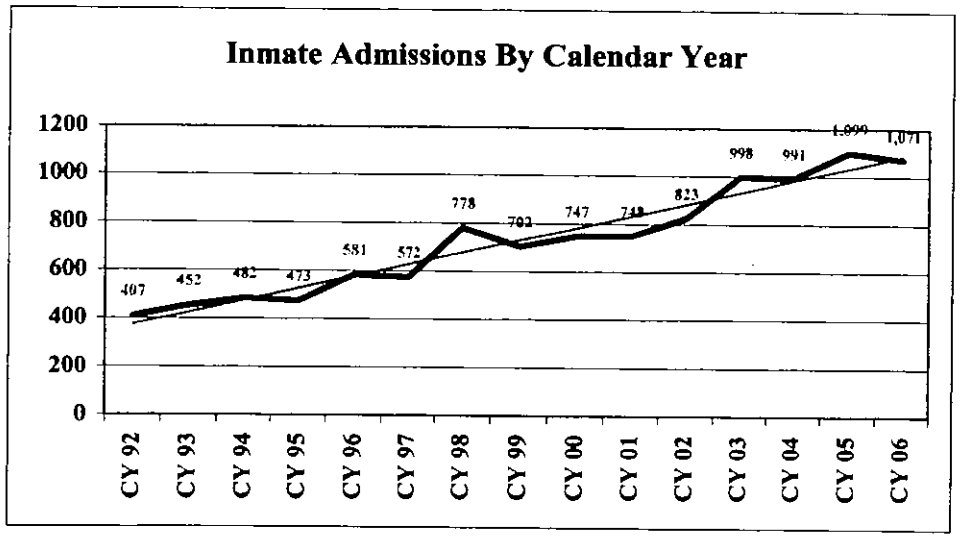
	Est. Inmate Population \1	Interstate Compact	Temp Leave	Inmate Pop to House	DOCR Beds \2	BTC \3	TRCC \4	NCCRC \5	Transition	Needed / (Vacant)	Total Housed
February-13	1,520	21	19	**1,480**	1,259	105	72	25	80	(61)	1,480
March-13	1,524	21	19	**1,484**	1,259	105	72	25	80	(57)	1,484
April-13	1,528	21	19	**1,488**	1,259	105	72	25	80	(54)	1,488
May-13	1,531	21	19	**1,491**	1,259	105	72	25	80	(50)	1,491
June-13	1,535	21	19	**1,495**	1,259	105	72	25	80	(46)	1,495
Average Total 11-13	***1,491***	***20***	***19***	***1,451***	***1,259***	***105***	***72***	***25***	***74***	***(83)***	***1,451***
July-13	1,539	21	19	**1,499**	1,259	105	72	25	80	(42)	1,499
August-13	1,543	21	20	**1,502**	1,259	105	72	25	80	(39)	1,502
September-13	1,547	21	20	**1,506**	1,259	105	72	25	80	(35)	1,506
October-13	1,551	21	20	**1,510**	1,259	105	72	25	80	(32)	1,510
November-13	1,554	21	20	**1,513**	1,259	105	72	25	80	(28)	1,513
December-13	1,558	21	20	**1,517**	1,259	105	72	25	80	(24)	1,517
January-14	1,562	21	20	**1,521**	1,259	105	72	25	85	(25)	1,521
February-14	1,565	21	20	**1,524**	1,259	105	72	25	90	(27)	1,524
March-14	1,569	21	20	**1,528**	1,259	105	72	25	95	(28)	1,528
April-14	1,573	22	19	**1,532**	1,259	105	72	25	100	(30)	1,532
May-14	1,576	22	19	**1,535**	1,259	105	72	25	100	(26)	1,535
June-14	1,580	22	20	**1,538**	1,259	105	72	25	100	(23)	1,538
July-14	1,584	22	20	**1,542**	1,259	105	72	25	100	(19)	1,542
August-14	1,588	22	20	**1,546**	1,259	105	72	25	100	(15)	1,546
September-14	1,592	22	20	**1,550**	1,259	105	72	25	100	(11)	1,550
October-14	1,596	22	20	**1,554**	1,259	105	72	25	100	(8)	1,554
November-14	1,599	22	20	**1,557**	1,259	105	72	25	100	(4)	1,557
December-14	1,603	22	20	**1,561**	1,259	105	72	25	100	0	1,561
January-15	1,607	22	20	**1,565**	1,259	105	72	25	100	4	1,565
February-15	1,612	22	20	**1,570**	1,259	105	72	25	100	9	1,570
March-15	1,616	22	20	**1,574**	1,259	105	72	25	100	13	1,574
April-15	1,620	22	21	**1,577**	1,259	105	72	25	100	16	1,577
May-15	1,623	22	21	**1,580**	1,259	105	72	25	100	19	1,580
June-15	1,627	22	21	**1,584**	1,259	105	72	25	100	23	1,584
Average Total 13-15	***1,583***	***22***	***20***	***1,541***	***1,259***	***105***	***72***	***25***	***94***	***(14)***	***1,541***

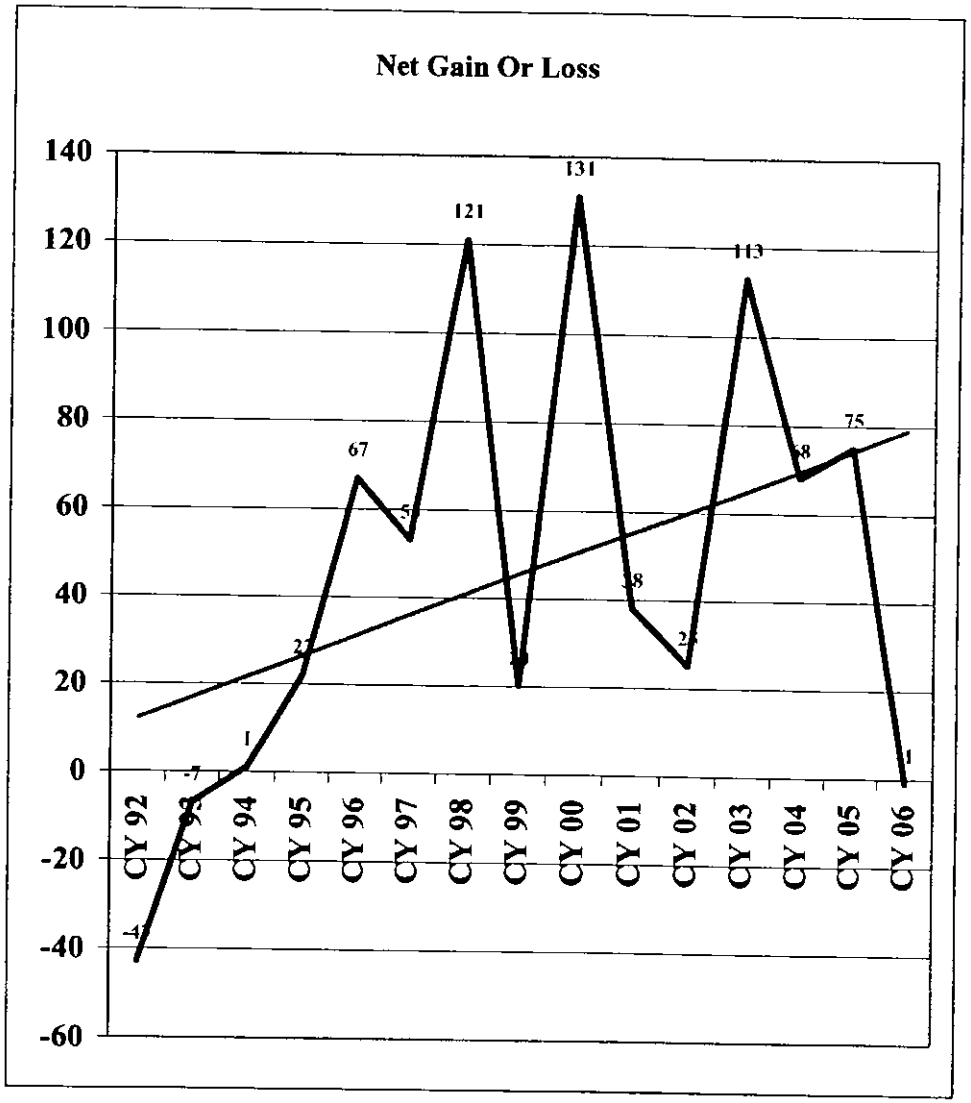
Average Inmate Population, Arrivals, Releases and One Day Counts															
	CY 92	CY 93	CY 94	CY 95	CY 96	CY 97	CY 98	CY 99	CY 00	CY 01	CY 02	CY 03	CY 04	CY 05	CY 06
Annual New Arrivals	407	452	482	473	581	572	778	702	747	748	823	998	991	1,099	1,071
Annual Releases	450	459	481	451	514	519	657	682	616	710	798	885	923	1,024	1,072
Net Gain or Loss	-43	-7	1	22	67	53	121	20	131	38	25	113	68	75	-1
		CY 93	CY 94	CY 95	CY 96	CY 97	CY 98	CY 99	CY 00	CY 01	CY 02	CY 03	CY 04	CY 05	CY 06
Average Daily Population		567	571	619	707	819	902	931	1016	1097	1160	1198	1,299	1,373	1,409
Inmate Count on Dec 31		573	592	677	694	770	910	932	1076	1123	1148	1261	1,329	1,404	1,403






Inmate Releases By Calendar Year
1200
1000
800
600
400
200
0
450
459
481
451
514
519
657
682
616
730
798
885
923
1,024
1,072
CY 92
CY 93
CY 94
CY 95
CY 96
CY 97
CY 98
CY 99
CY 00
CY 01
CY 02
CY 03
CY 04
CY 05
CY 06


Inmate Admissions By Calendar Year
1200
1000
800
600
400
200
0
407
452
482
473
581
572
778
702
747
749
823
998
991
1,071
CY 92
CY 93
CY 94
CY 95
CY 96
CY 97
CY 98
CY 99
CY 00
CY 01
CY 02
CY 03
CY 04
CY 05
CY 06


Net Gain Or Loss
140
120
100
80
60
40
20
0
-20
-40
-60
-7
1
67
121
131
113
75
CY 92
CY 94
CY 95
CY 96
CY 97
CY 98
CY 99
CY 00
CY 01
CY 02
CY 03
CY 04
CY 05
CY 06

DOCR Prisons Divison Inmate Population Information

Inmate Population on December 31, 2006 (Male and Female)

TOTAL COUNT: 1,403

NDSP 505, JRCC 389, MRCC 138, DWCRC 118

(There are 68 at TRCC - Jamestown, 73 at Bismarck Transition Center, 19 on Female Transition Program, 27 at NCCRC, 48 In Jails, 0 at Appleton and 18 on Interstate Compact)

Average Inmate Population, Arrivals, Releases and One Day Counts

	CY 01	CY 02	CY 03	CY 04	CY 05	CY 06
Average Daily Population	1,099	1,160	1,198	1,299	1,373	1,409
Annual New Arrivals	748	823	998	991	1,099	1,071
Annual Releases	710	798	885	923	1,024	1,072
Inmate Count on December 31	1,123	1,148	1,261	1,329	1,404	1,403

Inmate Count on December 31 (Crime Type)

Offense	CY 01	CY 02	CY 03	CY 04	CY 05	CY 06
Violent Offenders (Excluding Sexual)	321	318	364	356	396	387
Sex Offenders	174	190	182	184	184	208
Property, Status and Other	315	289	316	323	291	333
Drug Offenders (Includes Alcohol)	313	351	399	466	533	475
Drug - Deliver, Manufacture or Intent	196	166	205	254	267	259
Drug - Simple Possession	74	137	153	179	234	187
Drug - Alcohol	43	48	41	33	32	29

Inmate Count on December 31 (Minimum Mandatory)

Offense	CY 01	CY 02	CY 03	CY 04	CY 05	CY 06
DUI/APC	43	48	37	32	12	13
Driving Under Suspension	0	2	4	1	0	0
Drug Offenses (Not Alcohol)	107	74	53	44	50	47
Reckless Endangerment	0	0	4	3	3	2
Aggravated Assault	6	8	5	7	8	8
Burglary With Weapon	0	0	1	1	2	2
Felonious Restraint	0	0	1	1	1	0
Kidnapping	0	0	0	1	2	2
Sex Offense	0	0	5	4	5	3
Terrorizing	2	5	3	4	5	4
Robbery	19	20	19	20	21	12
Negligent Homicide	0	0	2	2	1	0
Manslaughter	0	0	3	4	4	3
Murder *	6	10	4	11	10	14
Minimum Mandatory (not controlling crime)					8	6
Total	183	167	141	135	132	116

* There are 34 males and one female with a life sentence (not all are minimum mandatory sentences)

8.3% of the inmate population on December 31, 2006 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	CY 01	CY 02	CY 03	CY 04	CY 05	CY 06
Number of Inmates	143	132	155	166	169	189
Avg Sentence (Before CY 05 included suspended portion)	113	122	115	112	95	94

Average Sentence Does Not Include Inmates With Life Sentences

DOCR Prisons Division Inmate Population Information (Male and Female)						
Calendar Year Admissions (85% Truth-In-Sentencing)						
	CY 01	CY 02	CY 03	CY 04	CY 05	CY 05
Number of Inmates	Information not captured		61	59	55	72
Avg Sentence (Before CY 05 included suspended portion)	75	63	63	58	61	54
Average Sentence Does Not Include Inmates With Life Sentences						
Calendar Year Admissions by Crime Type (Number of Admissions)						
	CY 01	CY 02	CY 03	CY 04	CY 05	CY 06
All Inmates	748	823	998	991	1,099	1,071
Violent (Non-Sexual)	154	120	189	177	201	212
Sex Offenders	48	62	55	54	62	71
Drug & Alcohol Offenders	268	351	435	459	497	433
Property, Status & Other	278	290	319	301	339	355
Calendar Year Admissions Average Sentence By Crime Type (Before CY 05 included suspended portion)						
	CY 01	CY 02	CY 03	CY 04	CY 05	CY 06
All Inmates	43	43	44	41	28	29
Violent (Non-Sexual)	35	33	42	40	35	35
Sex Offenders	101	93	83	86	44	58
Drug & Alcohol Offenders	45	42	46	42	27	27
Property, Status and Other	Information not captured		33	31	23	24
Calendar Year Admissions By Sentence Length (Before CY 05 included suspended portion)						
	CY 01	CY 02	CY 03	CY 04	CY 05	CY 06
Less Than One Year	44	56	40	45	74	47
One Year to Less Than Five Years	441	513	615	638	916	923
Five Years to Less Than Ten years	212	180	262	246	87	74
Ten Years to Less Than Twenty Years	43	47	70	48	13	19
Twenty Years or More	8	14	11	14	9	8

NOTE: Before CY 2005, the average sentence is the total time an offender is committed to the Department of Corrections and Rehabilitation. It includes the time the offender is sentenced to prison plus the time the offender is sentenced to probation under the supervision of the department. For example, an offender who is sentenced to five years with two years suspended for two years has a sentence of five years. Three in prison and two in the community. Beginning in CY 2005, it is only the term an inmate is sentenced to prison. This is measured in months.

NDSP = North Dakota State Penitentiary. **JRCC** = James River Correctional Center. **MRCC** = Missouri River Correctional Center.

TRCC = Tompkins Rehabilitation Correctional Center. **BTC** = Bismarck Transition Center. **FTP** = Female Transition Program. **DWCRC** = Dakota Women's Correctional Rehabilitation Center (New England). **NCCRC** = North Central Correctional and Rehabilitation Center (Rugby). **Appleton** = Private Prison in Minnesota. **I/C** = Interstate Compact. **TL** = Temporary Leave.

DOCR Prisons Divison Inmate Population Information

Inmate Population on December 31, 2006 (Female Only)

TOTAL COUNT: 165

DWCRC 118

(There are 21 at TRCC - Jamestown, 19 on Female Transition Program, 5 In Jails, 0 at Appleton, and 2 on Interstate Compact)

Average Inmate Population, Arrivals, Releases and One Day Counts

			CY 03	CY 04	CY 05	CY 06
Average Daily Population			106	126	145	164
Annual New Arrivals			129	146	187	197
Annual Releases			119	129	161	187
Inmate Count on December 31			112	129	155	165

Inmate Count on December 31 (Crime Type)

Offense			CY 03	CY 04	CY 05	CY 06
Violent Offenders (Excluding Sexual)			19	23	29	32
Sex Offenders			1	1	0	2
Property, Status and Other			35	40	37	57
Drug Offenders (Includes Alcohol)			57	65	89	74
Drug - Deliver, Manufacture or Intent			30	30	32	33
Drug - Simple Possession			26	33	57	39
Drug - Alcohol			1	2	0	2

Inmate Count on December 31 (Minimum Mandatory)

Offense			CY 03	CY 04	CY 05	CY 06
DUI/APC			1	2	0	1
Driving Under Suspension			0	0	0	0
Drug Offenses (Not Alcohol)			8	7	4	3
Reckless Endangerment / Reckless Driving			0	0	1	1
Aggravated Assault			0	0	0	0
Burglary With Weapon			0	0	0	0
Felonious Restraint			0	0	0	0
Kidnapping			0	0	0	0
Sex Offense			0	0	0	0
Terrorizing			0	0	0	0
Robbery			3	3	2	2
Negligent Homicide			0	0	0	0
Manslaughter			1	1	1	1
Murder *			0	0	0	0
Minimum Mandatory (not controlling crime)					1	0
Total			13	13	9	8

* There is one female with a life sentence (not all murder were minimum mandatory sentences)

4.8 % of the female inmate population on December 31, 2006 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

			CY 03	CY 04	CY 05	CY 06
Number of Inmates			8	10	9	12
Avg Sentence (Before CY 05 included suspended portion)			135	122	129	106

Average Sentence Does Not Include Inmates With Life Sentences

DOCR Prisons Division Inmate Population Information (Female Only)						
Calendar Year Admissions (85% Truth-In-Sentencing)						
			CY 03	CY 04	CY 05	CY 06
Number of Inmates			4	1	4	5
Avg Sentence (Before CY 05 included suspended portion)			69	12	81	34
Average Sentence Does Not Include Inmates With Life Sentences						
Calendar Year Admissions by Crime Type (Number of Admissions)						
			CY 03	CY 04	CY 05	CY 06
All Inmates			129	146	187	197
Violent (Non-Sexual)			11	18	24	27
Sex Offenders			1	1	0	2
Drug & Alcohol Offenders			76	82	105	100
Property, Status & Other			41	45	58	68
Calendar Year Admissions Average Sentence By Crime Type (Before CY 05 included suspended portion)						
			CY 03	CY 04	CY 05	CY 06
All Inmates			38	33	23	25
Violent (Non-Sexual)			45	28	29	22
Sex Offenders			36	60	n/a	138
Drug & Alcohol Offenders			41	35	22	24
Property, Status and Other			30	31	21	23
Calendar Year Admissions By Sentence Length (Before CY 05 included suspended portion)						
			CY 03	CY 04	CY 05	CY 06
Less Than One Year			5	6	19	12
One Year to Less Than Five Years			85	105	161	172
Five Years to Less Than Ten years			33	32	6	11
Ten Years to Less Than Twenty Years			6	3	0	1
Twenty Years or More			0	0	1	1

NOTE: Before CY 2005, the average sentence is the total time an offender is committed to the Department of Corrections and Rehabilitation. It includes the time the offender is sentenced to prison plus the time the offender is sentenced to probation under the supervision of the department. For example, an offender who is sentenced to five years with two years suspended for two years has a sentence of five years. Three in prison and two in the community. Beginning in CY 2005, it is only the term an inmate is sentenced to prison. This is measured in months.

NDSP = North Dakota State Penitentiary. **JRCC** = James River Correctional Center. **MRCC** = Missouri River Correctional Center.

TRCC = Tompkins Rehabilitation Correctional Center. **BTC** = Bismarck Transition Center. **FTP** = Female Transition Program. **DWCRC** = Dakota Women's Correctional Rehabilitation Center (New England). **NCCRC** = North Central Correctional and Rehabilitation Center (Rugby). **Appleton** = Private Prison in Minnesota. **I/C** = Interstate Compact. **TL** = Temporary Leave.

DOCR Prisons Divison Inmate Population Information

Inmate Population on December 31, 2006 (Male Only)

TOTAL COUNT: 1,238

NDSP 505, JRCC 389, MRCC 138

(There are 47 at TRCC - Jamestown, 73 at Bismarck Transition Cente, 27 at NCCRC, 43 In Jails, 0 at Appleton and 16 on Interstate Compact)

Average Inmate Population, Arrivals, Releases and One Day Counts

			CY 03	CY 04	CY 05	CY 05
Average Daily Population			1,092	1,173	1,229	1,245
Annual New Arrivals			869	845	912	874
Annual Releases			766	794	863	885
Inmate Count on December 31			1,149	1,200	1,249	1,238

Inmate Count on December 31 (Crime Type)

Offense			CY 03	CY 04	CY 05	CY 05
Violent Offenders (Excluding Sexual)			345	333	367	355
Sex Offenders			181	183	184	206
Property, Status and Other			281	283	254	276
Drug Offenders (Includes Alcohol)			342	401	444	401
Drug - Deliver, Manufacture or Intent			175	224	235	226
Drug - Simple Possession			127	146	177	148
Drug - Alcohol			40	31	32	27

Inmate Count on December 31 (Minimum Mandatory)

Offense			CY 03	CY 04	CY 04	CY 06
DUI/APC			36	30	12	12
Driving Under Suspension			4	1	0	0
Drug Offenses (Not Alcohol)			45	37	46	44
Reckless Endangerment / Reckless Driving			4	3	2	1
Aggravated Assault			5	7	8	8
Burglary With Weapon			1	1	2	2
Felonious Restraint			1	1	1	0
Kidnapping			0	1	2	2
Sex Offense			5	4	5	3
Terrorizing			3	4	5	4
Robbery			16	17	19	10
Negligent Homicide			2	2	1	0
Manslaughter			2	3	3	2
Murder *			4	11	10	14
Minimum Mandatory (not controlling crime)					7	6
Total			128	122	123	108

* There are 34 males with a life sentence (not all are minimum mandatory sentences)

9.8% of the male inmate population on December 31, 2006 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

			CY 03	CY 04	CY 05	CY 06
Number of Inmates			147	156	160	177
Avg Sentence (Before CY 05 included suspended portion)			114	111	93	93

Average Sentence Does Not Include Inmates With Life Sentences

DOCR Prisons Division Inmate Population Information (Male Only)						
Calendar Year Admissions (85% Truth-In-Sentencing)						
			CY 03	CY 04	CY 05	CY 06
Number of Inmates			57	58	51	67
Avg Sentence (Before CY 05 included suspended portion)			62	58	60	56
Average Sentence Does Not Include Inmates With Life Sentences						
Calendar Year Admissions by Crime Type (Number of Admissions)						
			CY 03	CY 04	CY 05	CY 06
All Inmates			869	845	912	874
Violent (Non-Sexual)			178	159	177	185
Sex Offenders			54	53	62	69
Drug & Alcohol Offenders			359	377	392	333
Property, Status & Other			278	256	281	287
Calendar Year Admissions Average Sentence By Crime Type (Before CY 05 included suspended portion)						
			CY 03	CY 04	CY 05	CY 06
All Inmates			45	42	29	30
Violent (Non-Sexual)			42	41	36	36
Sex Offenders			84	87	44	56
Drug & Alcohol Offenders			48	43	28	28
Property, Status and Other			34	31	24	24
Calendar Year Admissions By Sentence Length (Before CY 05 included suspended portion)						
			CY 03	CY 04	CY 05	CY 06
Less Than One Year			35	39	55	35
One Year to Less Than Five Years			530	533	755	751
Five Years to Less Than Ten years			229	214	81	63
Ten Years to Less Than Twenty Years			64	45	13	18
Twenty Years or More			11	14	8	7

NOTE: Before CY 2005, the average sentence is the total time an offender is committed to the Department of Corrections and Rehabilitation. It includes the time the offender is sentenced to prison plus the time the offender is sentenced to probation under the supervision of the department. For example, an offender who is sentenced to five years with two years suspended for two years has a sentence of five years. Three in prison and two in the community. Beginning in CY 2005, it is only the term an inmate is sentenced to prison. This is measured in months.

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DRAFT - FOR DISCUSSION PURPOSES ONLY

DEPARTMENT OF CORRECTIONS AND REHABILITATION
ESTIMATED FEMALE POPULATION / ESTIMATE INMATE POPULATION MANAGEMENT PLAN \1
INMATE GROWTH RATE ESTIMATED AT 20 INMATES PER YEAR
FISCAL YEAR 2006 TO FISCAL YEAR 2017

Date	DOCR Gross Inmate Est. Pop	Pop Adjust Temp Leave	DOCR Net Inmate Est. Pop	TRCC	Transition	DWCRC	County Jail / Other	Total
Fiscal Year 2006	157	3	154	24	15	115	-	154
Fiscal Year 2007	177	3	173	24	15	126	8	173
Fiscal Year 2008	197	4	193	24	15	126	28	193
Fiscal Year 2009	217	4	213	24	15	126	48	213
Fiscal Year 2010	237	5	233	24	15	126	68	233
Fiscal Year 2011	258	5	253	24	15	126	88	253
Fiscal Year 2012	278	5	273	24	15	126	108	273
Fiscal Year 2013	298	6	293	24	15	126	128	293
Fiscal Year 2014	319	6	312	24	15	126	147	312
Fiscal Year 2015	339	6	332	24	15	126	167	332
Fiscal Year 2016	359	7	352	24	15	126	187	352
Fiscal Year 2017	379	7	372	24	15	126	207	372

\1 - Estimated female inmate population based on the current female inmate population increasing by an average of 20 female inmates per fiscal year

Date	DOCR Net Inmate Est. Pop	Estimated Custody Level			Est. Additional Bed Need by Custody Level		
		Medium / Maximum	Minimum	Treatment / Transition	Medium / Maximum	Minimum	Treatment / Transition
Fiscal Year 2006	154	44	70	40	-	-	-
Fiscal Year 2007	173	50	78	45	2	4	2
Fiscal Year 2008	193	55	88	50	8	13	7
Fiscal Year 2009	213	61	97	55	14	22	12
Fiscal Year 2010	233	67	106	61	19	31	18
Fiscal Year 2011	253	72	115	66	25	40	23
Fiscal Year 2012	273	78	124	71	31	49	28
Fiscal Year 2013	293	84	133	76	37	58	33
Fiscal Year 2014	312	90	142	81	42	67	38
Fiscal Year 2015	332	95	151	86	48	76	43
Fiscal Year 2016	352	101	160	92	54	85	49
Fiscal Year 2017	372	107	169	97	59	94	54

Prepared by DOCR 10/11/05
05 budget\pop projection for lc.xls

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DEPARTMENT OF CORRECTIONS AND REHABILITATION
ESTIMATED FEMALE POPULATION / ESTIMATE INMATE POPULATION MANAGEMENT PLAN \1
SRT ANNUAL GROWTH RATE - 5.3%
FISCAL YEAR 2006 TO FISCAL YEAR 2017

Date	DOCR Gross Inmate Est. Pop	Pop Adjust Temp Leave	DOCR Net Inmate Est. Pop	TRCC	Transition	DWCRC	County Jail / Other	Total
Fiscal Year 2006	145	3	142	24	15	104	-	143
Fiscal Year 2007	147	3	144	24	15	105	-	144
Fiscal Year 2008	155	3	152	24	15	113	-	152
Fiscal Year 2009	163	3	160	24	15	121	-	160
Fiscal Year 2010	172	3	168	24	15	126	3	168
Fiscal Year 2011	181	3	177	24	15	126	12	177
Fiscal Year 2012	190	4	187	24	15	126	22	187
Fiscal Year 2013	200	4	197	24	15	126	32	197
Fiscal Year 2014	211	4	207	24	15	126	42	207
Fiscal Year 2015	222	4	218	24	15	126	53	218
Fiscal Year 2016	234	4	229	24	15	126	64	229
Fiscal Year 2017	246	5	242	24	15	126	77	242

\1 - Estimated female inmate population based on a 5.3% annual growth rate - this rate was determined by Security Response Technologies, Inc. - 6/15/02

Date	DOCR Net Inmate Est. Pop	Estimated Custody Level			Est. Additional Bed Need by Custody Level		
		Medium / Maximum	Minimum	Treatment / Transition	Medium / Maximum	Minimum	Treatment / Transition
Fiscal Year 2006	142	41	64	37	-	-	-
Fiscal Year 2007	144	41	65	37	-	-	-
Fiscal Year 2008	152	44	69	39	-	-	-
Fiscal Year 2009	160	46	72	42	-	-	-
Fiscal Year 2010	168	48	76	44	1	2	1
Fiscal Year 2011	177	51	80	46	4	6	3
Fiscal Year 2012	187	54	85	49	6	10	6
Fiscal Year 2013	197	56	89	51	9	14	8
Fiscal Year 2014	207	59	94	54	12	19	11
Fiscal Year 2015	218	62	99	57	15	24	14
Fiscal Year 2016	229	66	104	60	18	29	17
Fiscal Year 2017	242	69	110	63	22	35	20

Prepared by DOCR 10/11/05
05 budget\pop projection for lc.xls

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DEPARTMENT OF CORRECTIONS AND REHABILITATION
ESTIMATED FEMALE POPULATION / ESTIMATE INMATE POPULATION MANAGEMENT PLAN \1
CURRENT ANNUAL GROWTH RATE - 17.1%
FISCAL YEAR 2006 TO FISCAL YEAR 2017

Date	DOCR Gross Inmate Est. Pop	Pop Adjust Temp Leave	DOCR Net Inmate Est. Pop	TRCC	Transition	DWCRC	County Jail / Other	Total
Fiscal Year 2006	157	3	154	24	15	109	-	148
Fiscal Year 2007	170	3	167	24	15	126	2	167
Fiscal Year 2008	190	4	187	24	15	126	22	187
Fiscal Year 2009	213	4	209	24	15	126	44	209
Fiscal Year 2010	238	5	234	24	15	126	69	234
Fiscal Year 2011	267	5	262	24	15	126	97	262
Fiscal Year 2012	299	6	293	24	15	126	128	293
Fiscal Year 2013	334	6	328	24	15	126	163	328
Fiscal Year 2014	374	7	367	24	15	126	202	367
Fiscal Year 2015	418	8	410	24	15	126	245	410
Fiscal Year 2016	468	9	459	24	15	126	294	459
Fiscal Year 2017	524	10	514	24	15	126	349	514

\1 - Estimated female inmate population based on the current female Inmate population annual growth rate as of 9/30/05 - 17.1%

Date	DOCR Net Inmate Est. Pop	Estimated Custody Level			Est. Additional Bed Need by Custody Level		
		Medium / Maximum	Minimum	Treatment / Transition	Medium / Maximum	Minimum	Treatment / Transition
Fiscal Year 2006	154	44	70	40	-	-	-
Fiscal Year 2007	167	48	76	43	1	1	1
Fiscal Year 2008	187	54	85	49	6	10	6
Fiscal Year 2009	209	60	95	54	13	20	11
Fiscal Year 2010	234	67	106	61	20	31	18
Fiscal Year 2011	262	75	119	68	28	44	25
Fiscal Year 2012	293	84	133	76	37	58	33
Fiscal Year 2013	328	94	149	85	47	74	42
Fiscal Year 2014	367	105	166	95	58	91	52
Fiscal Year 2015	410	118	186	107	70	111	64
Fiscal Year 2016	459	132	208	119	84	133	76
Fiscal Year 2017	514	147	233	134	100	158	91

Prepared by DOCR 10/11/05
05 budget\pop projection for lc.xls

Lynn Bergman
HB 1015

opposition

(3)

Position Paper:
$42 - $85 Million Too Much for Prison Overcrowding

Many Facilities are Nearly New
From information available on the DOCR website, the average age of currently used prison facilities in North Dakota is about 30 years, with about 1/3 of the structures older than 30 years and about 2/3 newer.

Drug and Sex Offenses
During the last decade, drug offenders were the fastest growing segment of the prison population, with a dramatic increase in the number of inmates with blood borne diseases like Hepatitis B, Hepatitis C, and AIDS. Some inmates 20 to 30 years old have serious heart and lung damage due to methamphetamine addiction. And sex offenders are expected to receive longer and longer sentences as North Dakota residents become increasingly intolerant of sexually deviant and/or violent behavior.

Prison/Hospital Solution
Construction of a new Prison/Hospital facility at the James River Correctional Center would allow the transfer, from the North Dakota State Penitentiary, of all inmates with blood borne diseases and inmates with sex offender status, as well as elderly patients that require specialized facilities. This solution would leave a physically and mentally healthy prison population in the North Dakota State Penitentiary. It would be most efficient by concentrating all inmates with serious medical problems, as well as the medical resources required to deal with the problems, at James River Correction Center.

No More Studies – Get It Done
Prison design consultants should be hired immediately to formulate, design, and construct the new Prison/Hospital at the JRCC. And the first priority should be the security of the medical providers, prison staff, and the surrounding community. Cost should fall under half the $42 million (under one-fourth the $85 million).

North Dakota State Penitentiary May Then Be Relocated In The Long Term
The Citizens of North Dakota are interested in an optimally efficient corrections system that lowers recidivism. They are NOT interested in more inmate "creature comforts". A moratorium on new construction at the NDSP is appropriate due to the rising value of the land it occupies. The NDSP can serve North Dakota well for another 25 to 50 years with minimal renovations over the years. And when the land value is equivalent to its replacement cost at a more remote location, it can be relocated.

Use Part of the Savings to Provide Adequate Pay Levels
Pay for corrections officers should be raised incrementally until turnover is reduced to the national average for businesses of about 8%. The biggest future problem in the DOCR will be a prison riot unless something is done about officer pay and associated entry level qualifications.