2019 HOUSE APPROPRIATIONS

HB 1015

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

HB 1015
1/7/2019
30495

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Risa Bergquist

Explanation or reason for introduction of bill/resolution:

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

Minutes: Attachments 1-5

Chairman Delzer: Called the meeting to order, roll call was taken and we have a quorum. Today is only an overview, this is not a public hearing. Public hearings will be held with the subcommittees.

3:10 Leann Bertsch, ND Dept. of Corrections and Rehab. Director: Read testimony see attachment 1.

21:30 Attachment 2 has comparison of Services.

Representative Schatz: Is it true that most woman at DWCRC are there for only about 90 days?

Ms. Bertsch: As a stated in the testimony, the average time of sentence is about 235 days however do to the lack of services, the DOC is forced to move them a lot quicker into a different facility weather it's the Tompkins Correction Center or one of our half-way houses to access the appropriate drug treatment. That's why there's such rapid turnaround through there.

Representative Schatz: So most of them are there less than 90 days, it's hard to do anything within a short amount of time. You want to move them to MRCC, are you looking for a new building during the next biennium?

Ms. Bertsch: To clarify the women aren't having short sentences we are moving them much sooner than the sentence would allow to a different facility to meet the needs. Our plan for MRCC; MRCC is a lot newer then the old catholic boarding school, however 2015 session, the governor recommended 30 million dollars in our budget to replace it. Not in this session but with all the plans within the DOCR this is a real opportunity not just to replace MRCC but

replace it with a gender responsive facility designed for the women's needs. It would be the first time the state has taken woman's needs into consideration.

25:55 Chairman Delzer: What kind of money would that include?

Mr. Bertsch: I would imagine it would still be around the same number that was included in our budget in 2015.

Chairman Delzer: What have we done to try to improve the services out there?

Ms. Bertsch: During the last 15 years the DOCR has assumed more and more services. For example, we provide the psychiatric serves from one of our psychiatric nurse practitioners. We took over the delivery of pharmacy, because the education process was in need. We have education staff on the road at least three times a month, if not weekly. As Representative Schatz pointed out, we are moving these women to facilities that are not appropriate, maybe a better location but they are community based programs. The women walk away and then they come back with an escape charge, it's a viscous cycle. All the things we are doing for the men we have to offer out of our pocket to bring those to the women. The push back is that they don't have the staff to supervise those contractors or volunteers that the DOCR are trying to bring in.

28:20 Chairman Delzer: Have you brought it forward to have the staff, or the money for the staff us before?

Ms. Bertsch: We bring it up during the testimony before the sub committees.

Representative Martinson: What are you going to do with the men at MRCC and what is that going to cost?

Mr. Bertsch: The plan is to move the minimum custody men to the basement at the state hospital, this plan is partly tied to the plan with the Department of Human Services to build a new state hospital and vacate some of those buildings which would allow us to relocate the men into some of those buildings. Even if they don't build a new hospital, the plan is to use temporary housing units, or man camps, we already have one on the grounds of Missouri River Correctional center, we would use those temporary housing units on the grounds of the State Hospital.

Representative Martinson: How does this go along with the governor's plan to help the small communities?

Ms. Bertsch: It does fit in because if every community isn't healthy then we are failing. It's about all the communities where these women are returning and it's about future impact on their families.

30:50 Representative Meier: What is the population of the women's center and the population of the MRCC?

Ms. Bertsch: MRCC can hold up to 186 men, up from 150 since we added that man camp, the woman's facility can hold up to 126, but the total number of woman that we have in custody is about 195. We have the ones that are not at DWCRC are in different treatment centers around the state.

Chairman Delzer: How many are minimum custody and how many are full?

Representative Schatz: There's 3 in maximum and 40 in minimum. MRCC is in a flood plain?

Ms. Bertsch: It is no longer in a flood plain, it has all been diked, we spent about ½ a million dollars and it's no longer considered to be in a flood plain.

Representative Schatz: And that fire down by the University of Mary, did that get into any of MRCC's land?

Ms. Bertsch: It didn't come close to that, no.

Representative Nathe: If they are moved would all these services be able to be offered?

Ms. Bertsch: The one thing going for us here is economy and the bulk of our resources are here; we have doctors and dentist and all that. We would probably increase the presence of some behavioral health staff so that we wouldn't have to be moving them so rapidly. And the other piece is just the numerus amount of services that we are able to attract into the prisons that the tax payers aren't actually paying for. Big partner is the University of Mary; we also have a lot of opportunities for additional vocational programs. Right now the only program we offer at DWCRC is welding but he woman that are in medium custody unit can't asses any vocational programs because it's only possible for the minimum custody. Out of the 126 beds in New England, 40 are in the basement and 70, minimum security, are in a different housing unit.

Representative Nathe: Is this a cost saving move?

Ms. Bertsch: Yes, in the long run it is definitely cost savings.

Representative Schatz: You keep talking about the basement: this is the St. Mary's elementary school, it was built in the 80's and it's a nice building. Two additions where added, one in 2013 and one in 2011, this is where the women are staying not in the old part of the 1960's building. You are going to take this away from the 6 counties in western North Dakota, and then I am assuming you will be adding new FTEs, since they have 56 FTEs you will have to be added 56 new state employees.

Ms. Bertsch: No that's not accurate, some of the people you have are duplicate, we already have some core services in place that we would be able capitalize on. Even some of the support services, laundry and food services would be cheaper.

37:45 Chairman Delzer: Do you have dentist on staff?

Ms. Bertsch: Yes, we do, we have a dentist at NDSP and then we also have a contracted dentist that goes to JRCC and provides services.

Representative J. Nelson: I think it's important we discuss the contract arrangements that you have and where they are at currently, I know that has been a problem in the past.

Ms. Bertsch: Yes, every biennium if we have an existing contract we amend it to reflect the appropriation amount that the legislature authorized the department of corrections to pay, in the last biennium the DWCRC came asking for a significant increase and during that biennium they refused to sign a contract with the department of corrections because they were unhappy with the amount that was appropriated. This biennium we do have a contract in place but there's no entitlement, it's a vender relationship and that's exactly what it is. It very difficult for the DOC to assert its authority over contract deficiencies because we recognizing that if we push too hard they could just walk away and we would be left without any plan.

41:15 Representative J. Nelson: What is the length of that contract?

Ms. Bertsch: It's goes to 2025 but of course there's langue that allows us to get out of the contract for various reasons.

Representative B. Anderson: You were aware of all these deficiencies and you still signed the contract?

Ms. Bertsch: That's where we're at, we have to sign a contract because we are forced into this relationship. We've been aware of this since 2003.

Representative Kempenich: Where are you getting the money to rehab, JRCC?

Ms. Bertsch: We don't have any plans to rehab JRCC, this don't really impact James Rivers Correction Center, part of our request though to move the minimum security level would be to use temporary housing units until and if we get a new state hospital, at which time they would vacate the current buildings and we would then relocate them and stop using the temporary housing units. We had some architects out there and there where minimum modifications needed to be made to those buildings.

Representative Kempenich: I know there is 35 million in the governor's budget but that money probably won't be available until 2021, time wise you are out a couple years yet. Corrections didn't like the idea 18 years ago when they were moved out to New England. Why wasn't this a deeper conservation 3-4 years ago?

Chairman Delzer: The 35 million for the new state hospital is legacy money and none of that money is solid, that money isn't scheduled to show up until the end of the 2021 biennium and I don't know how you'd spend that before you actually have it.

46:45 Dave Krabbenhoft Director of Administration for DOCR;

Page 2 of attachment 2

49:20 Representative Kempenich: You'll have numbers for drug courts and stuff like that?

Mr. Krabbenhoft: We'll be able to show you the makeup of our population and you'll be able to compare from years' past on how that is either staying the same of changing. We are now compiling that data.

Chairman Delzer: What do you attribute most of these declines to? How much is justice reinvented and how much to you attribute to the fact that the oil boom has slowed.

Mr. Krabbenhoft: That's a good point, some is thanks to the legislative body and changing some of those justices but it can't be ignored that back when the oil boom was really going things got crazy. I am hoping that the justice reinvestment is starting to pay off. It's pretty early to be able to make that claim but as time goes on we'll able to get a good picture of that.

Chairman Delzer: Do you have county jail numbers?

Ms. Bertsch: Last biennium the jail count had number of about 1700 today count was 1317. County jail are down about 400 people.

52:20 Mr. Krabbenhoft: Continuing on with page 4 of attachment 2

Chairman Delzer: Is there extra money in the contract?

Mr. Krabbenhoft: Yes, we will have turn back this year, we're thinking maybe around 1.5 million.

53:55 Mr. Krabbenhoft: (attachment 3)

56:30 Mr. Krabbenhoft: (attachment 4)

59:00 Chairman Delzer: You're talking the existing dormitory this doesn't change the kitchen?

Mr. Krabbenhoft: We'd remodel the existing dormitory and then we would bring in a modular unit that would serve as an assembly and a clinic and dental. We're going to try to wait one more biennium for the kitchen.

Chairman Delzer: How much did it cost us after the flood? and the dikes haven't been tested at all?

Mr. Krabbenhoft: We had some mold issues but it's in better shape now. The dikes have just been finished this last year. The dike system is part a flood control system the Burleigh county water recourses board designed. We were just partners in that along with the houses down in that area.

Representative J. Nelson: MRCC is a minimum security toady, is there anything for enhanced security planned for in your budget?

Mr. Krabbenhoft: We wouldn't fence off the whole area but we would have an area that we would mitigate some of those things so it's an appropriate setting.

Representative J. Nelson: The man camp from the last biennium that would stay there and become part of the women's facility?

Mr. Krabbenhoft: We purchased that man camp unit, how that fits in is yet to be determined, as far as the Jamestown unit we would enter into a lease option there at the hospital.

Chairman Delzer: I think we are going to need the plan for the next 10 years laid out at some point. We need to see how all these pieces are going to fit together.

1:04:00 Continuing on page 1 attachment 4

1:06:45 Chairman Delzer: You must have some federal funds if you stay where you are at now?

Mr. Krabbenhoft: We get a little bit of money from DPI that passes through to us that we can use for education.

Representative Meier: Where is BTCC located at?

Mr. Krabbenhoft: It's south part of town, the old castle building I think on Lee Ave.

Chairman Delzer: How many women do you house there at this time?

Mr. Krabbenhoft: I think there are about 20 there right now. We pay BTCC the same method that we pay DWCRC. It's a flat rate per month.

Representative Nathe: MRCC is in my district and there is a plan for more levies to be put up, once that is done there will be more than enough for protection for MRCC.

1:08:50 Mr. Krabbenhoft: (Page 2 of attachment 4)

Chairman Delzer: 4.8 is all the man camp?

Mr. Krabbenhoft: There's a delivery and set up charge and the rental, you see the total. We would be paying 4 million dollars per biennium for rent to use those units.

Chairman Delzer: Do you have the numbers for operating the state hospital right now the way it is?

Mr. Krabbenhoft: It's about 600 thousand dollars for utilities for that building per biennium. If I were to guess today it would be about 5 million dollars to make it usable for a male facility.

Chairman Delzer: Problem is you are still looking for the new building down here on top of that.

Mr. Krabbenhoft: That's correct**,** we have some interesting discussions coming up. You're right we have some challenges; I believe we take care of our infrastructure very well, but some of the infrastructure we have is aging and we need to stay out in front of that.

1:13:25 Representative Kempenich: On the campus in Jamestown, is that all one unit?

Mr. Krabbenhoft: I think they are asking to go from a coal burner to a gas boiler, it's high pressure steam.

Mr. (Page 3 of attachment 4) If it started on the 80th day of the legislature.

Chairman Delzer: Who handles the sewer services there in Jamestown?

Mr. Krabbenhoft: We have estimated costs of the electricity, sewer, and all those services as well and those are factored into the cost.

Chairman Delzer: Further questions? We'll close this meeting until 2:30.

Attachment 5 was passed out to compare current structure and the recommended changes.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
1/9/2019
30571 & 30599

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Overview

Minutes: A,B,C,D,E

Opened hearing. Introduce the bill name and number.
Take roll.

Leann Bertsch, Director of the North Dakota Department of Corrections and Rehabilitation: (see attachment A)

(8.06) **Chairman Jon O. Nelson:** What is the census on the beds?

Ms. Bertsch: We keep the beds full because we pay an even amount on the beds monthly. This biennium a 16 bed unit opened up to those on probation so that they don't have to go all the way into prison to get the program.

Chairman Jon O. Nelson: Is there a need for additional security?

Ms. Bertsch: There is no other corrections to that, the staff would change positions to Department of Corrections and Rehabilitation (DOCR) employees

Chairman Jon O. Nelson: The MRCC inmates that would transfer to that facility, is there an additional security needed for that?

Ms. Bertsch: The question would be where we are going to place them, minimum security?

Representative Lisa Meier: Once an inmate is transferred to the Missouri River Correctional Center (MRCC), what is the typical time left of sentence for that inmate?

Ms. Bertsch: Once they are classified as minimal custody, they can move down to MRCC if they have 3.5 or less years on their sentence. The average length of stay is much shorter because we have people move from MRCC to reentry centers closer to home.

Representative Lisa Meier: Does the individual in MRCC have a work permit?

Ms. Bertsch: Work release would increase if we had that housing purpose. We do work release in the last 6 months of their stay. These people usually are the most successful when being released

Vice Chairman Gary Kreidt: Explain the bed situation.

Ms. Bertsch: No, there was a study done during the interim that concluded that the 60 beds in the nurse's building would be taken over by the department. The other 2 units would remain with the department of human services state hospital. Those units are within the buildings of the core function of the state hospital and they thought that would be too difficult with two agencies in there.

(16.03) **Chairman Jon O. Nelson:** Is the treatment program offered long enough to have permanent results on the people that are affected by drugs?

Ms. Bertsch: Residential treatment is just one piece of the puzzle. Crime is behavior, and changing that behavior is difficult. If the environment doesn't change where they live, then they don't have much of a chance at not being involved with those activities. The biggest frustration is the repeat offenders, what should we do with them?

Chairman Jon O. Nelson: I would like to know more about the parole officer's side of this. Do you have access to the federal parole case load of the officers of the reservation?

(21.45) **Ms. Bertsch:** The U.S. probation officers and our officers work very closely together and we may even supervise the same person.

Chairman Jon O. Nelson: That is a huge issue in my particular area, and I've been a strong supporter of the measures we have taken.

Ms. Bertsch: The renewed emphasis to work closely with the tribal communities is a good first step.

(25.30) **Ms. Bertsch: (back to attachment A)**

(30.51) **Representative Lisa Meier:** Can you tell us about the timeline from the expert coming and when that started?

Ms. Bertsch: We have been talking for several years for the need to relocate the women, but discussions will not be going any further without support from the governor. The governor has toured our facilities and he has given the green light to make a plan for this transfer of the women.

Representative Lisa Meier: The consultant was brought in this summer to look at relocation?

Ms. Bertsch: Yes, we came up with the idea of MRCC, and brought the expert in to see if this facility would work.

Representative Lisa Meier: Who was the consultant and was there only one?

Ms. Bertsch: CGL partnered with the Moss Group, whom we approached.

Representative Richard G. Holman: How many fulltime employees (FTE) are down there? And what is your ideal timeline for this transition?

Ms. Bertsch: 56 FTE, and timeframe is pretty aggressive. One of the concerns we have is that once the word gets out, we are concerned that we won't be able to keep professional staff. If we can't keep that staff, then we may have to terminate the contract earlier.

Chairman Jon O. Nelson: There are concerns about the ability to the serve MRCC facility, the facility is useable, but there is discussion about closing down that facility.

Ms. Bertsch: Absolutely true, the facility needs to be replaced and replacing this facility makes sense right now with the plans we are pursuing with transferring the women there.

Chairman Jon O. Nelson: The project in the state penitentiary worked out well, why wouldn't we recreate that project going forward?

Ms. Bertsch: Yes, that was a great plan, but this is a temporary plan for transferring the women. MRCC will do fine for the next 3-4 years, and during that time we should study what a new gender specific facility could be for the women.

Chairman Jon O. Nelson: If that is the case, are there modifications that could be done in the short term that could be worked into the existing facility in New England, which would eventually relocate the women and not have the women transferred before we have the new facility?

Ms. Bertsch: We thought about that, and in some of the discussion we have had have concluded that is isn't just the facility but the location. In the location we have now in New England, we are having trouble getting services there right now. If we relocate the women we are able to gain more service for the women. And by relocating these women, they would then be able to be closer to their families. The majority of inmates are Native American and they are from the Bismarck Mandan area, and by being so far away they can't be close to their families.

(49.06) **Vice Chairman Gary Kreidt:** I can agree on a lot of what has been said this morning, but we are appropriators. A lot of what is being said is using earnings out of the legacy fund, and the funds are not a guarantee. That money might not be there to use.

Ms. Bertsch: I understand your concern, however there is no legacy funds in this budget. Our plans are tied to the state hospitals plans for a new facility. But if you chose not to fund the state hospital, this plan for MRCC can still exist.

Vice Chairman Gary Kreidt: I do believe though that the MRCC did put 2 million to that, that would be general fund dollars there?

Ms. Bertsch: Yes.

Chairman Jon O. Nelson: What is the number for temporary units out at MRCC, what is the total cost?

Dave Krabbenhoft, Director of DOCR: They were purchased for 844, we had to lease them first.

Chairman Jon O. Nelson: We are leasing those for the duration of the time needed?

Ms. Bertsch: Yes, we are leasing those right now

Chairman Jon O. Nelson: Is that the same lease agreement as back in the day with the existing facility? I'm sure we will get into that in detail.

Ms. Bertsch: Right**.**

Vice Chairman Gary Kreidt: Do we have access to those units?

Mr. Krabbenhoft: Yes, there are some units up at Tioga.

Representative Lisa Meier: What is the percent of reoccurring imprisonment?

Ms. Bertsch: 325 admitted, 16.5% are returning, 40% are parole violators, >50% of reoffenders

Representative Randy A. Schobinger: Since you have contracted out to 5-6 years, do you consider at all coming to the legislature with a policy type separate bill, increase of being an appropriation bill? It might become a policy issue once up on the floor?

Ms. Bertsch: No we did not, this is strictly an appropriations issue, as it should be. Nowhere in the statute does it say that I create jobs or have a role in economic development in any of the contracts. The difference in this contract is that we have never had competition, so we are left with one solution to contract for. It isn't a policy issue. Over the years we have been very forward on the issue of success for the people.

Chairman Jon O. Nelson: I think what we're getting into is that it will turn into a political issue, which can affect the ability of those not hearing the entire testimony making a judgement on emotion instead of the testimony.

Ms. Bertsch: I agree, and when done correctly the opportunity of closing a facility may present itself. Which should be the end goal, reducing the number of beds and the footprint.

Chairman Jon O. Nelson: Also we have had a good relationship with the Dakota Women's Correctional and Rehabilitation Center (DWCRC), in recent years when they would come to

us about the budget they work with the state well and housed more than what their contract is for. I think we all have to work together to understand how we can do this best. It is more complicated than just economic development. There are lives that are affected by this too. We will take a lot of time to detail this budget.

Ms. Bertsch: This isn't about the hard working individuals are DWCRC, we treat them like they are our own employees.

(1.05.57) **Ms. Bertsch: (Continues attachment A**)

Chairman Jon O. Nelson: Are the regions in the state coincide with the Freedom Through Recovery services?

Ms. Bertsch: We haven't picked it yet, and we want to let the counties decide where best to decide those regions.

(1.09.53) **Ms. Bertsch: (Continued attachment A)**

(1.13.04) **Representative Randy A. Schobinger**: Are inmates allowed to teach these GED courses?

Ms. Bertsch: They can't be direct teachers, but they can be tutors.

10 MINUTE RECESS-NEW RECORDING JOB #30599

Lisa Bjergaard, Director of the North Dakota Department of Corrections and Rehabilitation Division of Juvenile Services: (See attachment B)

(10.00) **Chairman Jon O. Nelson**: Do you work with the other Lisa with some of the mental health and substance abuse treatment options?

Ms. Bjergaard: De do have employees to work individually with the kids. Suicide risk is something that has to be watched very closely. We have a very intense suicide prevention program. **(PAGE 3 of attachment B)**

Chairman Jon O. Nelson: When we get outside the Bismarck area, services for the kids are hard to get.

Representative Randy A. Schobinger: When you say supervising, what are all the ways these youths come to you?

Ms. Bjergaard: When parents aren't able to manage their children in ND those children are unruly, and we don't have kids under our custody that are just unruly. We have delinquent kids that if they were adults, they would have been convicted on crimes.

(14.59) **Ms. Bjergaard: (Continued attachment B)**

(19.13) **Chairman Jon O. Nelson:** Would you go through some of the other funding streams?

Ms. Bjergaard: Title 4E funds for kids that don't need to be in the facility but still need some intervention, psychiatric residential are paid through Medicaid.

Chairman Jon O. Nelson: In regard to the title 4E funds, is that a needs based?

Ms. Bjergaard: They can all access is, but the reimbursement in based on a needs test.

(21.17) **Ms. Bjergaard: (Continued attachment B)**

(26.30) **Representative Lisa Meier**: Do we do any tracking on the youth that go onto higher education once released?

Ms. Bjergaard: We are starting to track where the youth go and what they are doing once released. However, we aren't comfortable yet with how the data is being constructed out of the data base.

Representative Lisa Meier: Vocational training as well, that information would be good to see.

(29.10) **Ms. Bjergaard: (Continued attachment B)**

(32) **Chairman Jon O. Nelson**: What was the reason for the increase in 2015?

Ms. Bjergaard: I have no idea.

Representative Richard G. Holman: The courts have to be part of this transitional process, can you address that?

Ms. Bjergaard: Let's look at that red line. You are absolutely right. The court sends the kids our direction. I have been a vocal advocate about the fact of decrease in crime and the rate of convictions not decreasing. We have had these kids that are in the youth corrections system that may not be the most seriously criminal but still have needs. We are not funded to be a needs system; we are a correction system. We have had many kids in our system that are not necessarily the most criminal. There are a lot of kids that could have been taken care of better if there were more programs to prevent the kids from being active in criminal behavior.

(37) **Ms. Bjergaard: (Gave out attachments C and D and explained them)**

(41.44) **Representative Lisa Meier**: When you look at the juvenile commitment rate dropping in North Carolina and Connecticut, let's talk about those states and what they are doing to make that curve better.

Ms. Bjergaard: We look so bad because we tried hard to get our kids out before 2015, but if you looked at this over time instead of just one point in time, we wouldn't look so bad. We don't have as far to go in improvement as compared to others.

(44.24) **Ms. Bjergaard: (Continued attachment B)**

(46.24) **Representative Richard G. Holman:** The school system needs to be involved as well. Are you seeing changes in the way schools deal with kids with unique behavioral changes?

Ms. Bjergaard: I'm proposing (PAGE 11 of attachment B) that we fund day treatment cites in schools.

Chairman Jon O. Nelson: In the Dunseith example, is that in the public school or the day school?

Ms. Bjergaard: I'm not sure, I think it is in the day school

(52.58) **Chairman Jon O. Nelson:** A request for 5 more day treatments, where would you like to see them?

Ms. Bjergaard: We looked at the kids that enroll in school and found that the bulk of the kids came out of 5 high schools which are Fargo, West Fargo, Grand Forks, Bismarck, and Dickinson. If we can supervise those kids for 6 hours a day, we can find other programs to use during the rest of the day.

Chairman Jon O. Nelson: Would you have an identity in each high school in that district?

Ms. Bjergaard: No it would be funding for one place in each district.

(58.19) **Representative Lisa Meier:** It takes all the state holders together to be thinking together which is best for all, especially those children. I think that now is the time to introduce this. We will visit further about this.

(1.03.05) **Dave Krabbenhoft, Director of Department of Corrections and Rehabilitation: (see attachment E)**

(1.14.10) **Chairman Jon O. Nelson**: How much of that 1.8 million would be usable in the new campus and how much would be a stop gap to get to that position?

Mr. Krabbenhoft: I will get that to the committee.

(1.15.10) **Mr. Krabbenhoft: (Continued attachment E)**

(1.16.40) **Chairman Jon O. Nelson:** Will you have a case load per officer?

Mr. Krabbenhoft: I can get you that

(1.17.30) **Mr. Krabbenhoft: (Continued attachment E)**

(1.24.34) **Chairman Jon O. Nelson:** What judicial districts have you decided to use?

Ms. Bertsch: We would decide that within the first year with the help of the judicial system in the counties.

Chairman Jon O. Nelson: Didn't we talk about that in the southeast region?

Ms. Bertsch: When we first proposed it we came in with some very specific locations.

(1.25.12) **Mr. Krabbenhoft: (Continued attachment E)**

(1.25.57) **Vice Chairman Gary Kreidt**: Can you refresh my mind; did we add some parole officers last session?

Mr. Krabbenhoft: I think we added 7or 8 the previous session, but not last session.

Vice Chairman Gary Kreidt: Are some of the new 7 FTEs going to be parole officers?

Mr. Krabbenhoft: They will all be in pretrial positions.

(1.27.15) **Mr. Krabbenhoft: (Continued attachment E)**

(1.31.52) **Vice Chairman Gary Kreidt**: Were you doing that at the correctional center?

Mr. Krabbenhoft: We are doing that at all 3 of our facilities

(1.32.26) **Mr. Krabbenhoft: (Continued attachment E)**

(1.32.59) **Vice Chairman Gary Kreidt:** What have you noticed since the Burleigh-Morton center has opened?

Mr. Krabbenhoft: At first we noticed a competition with salary, but there is still turnover in the correctional officer staff position. We still haven't solved that problem yet; compensation is a huge part of that. But the obvious fact of working in the correctional institution takes a certain type of personality to work in.

Representative Lisa Meier: How many job openings do you have currently?

Travis Englehart, Director of Human Resources, DOCR: 20-30 range

Representative Lisa Meier: How many in Bismarck?

Mr. Englehart: Mainly is in Bismarck, but we only higher during certain times of year so it varies.

(1.35.44) **Mr. Krabbenhoft: (Continued attachment E)**

(1.38.59) **Chairman Jon O. Nelson:** Is there a nursing position that needed 7 individuals to fill that post?

Mr. Krabbenhoft: We are asking 6 FTEs to cover the 24/7/365 post.

(1.40.10) **Mr. Krabbenhoft: (Continued attachment E)**

(1.44.49) **Chairman Jon O. Nelson**: What is the reason for the carryover?

Mr. Krabbenhoft: We just started in February, so it's just getting geared up. There is expected continued growth in that and the widening of the growth within that. It is a good way to spend money, and we should embrace it. It has a lot to do with the timing piece too.

(1.47.00) **Mr. Krabbenhoft: (Continued attachment E)**

(1.52.22) **Representative Lisa Meier:** Would that be cost savings then for information technology department (ITD) to be consolidated and then leased out?

Mr. Krabbenhoft: Right now it's a budget flip, there may be a little bit of difference in there but I'd have to double check. This will help the collaboration within the ND agencies.

Chairman Jon O. Nelson: We will want to know the numbers.

(1.54.46) **Mr. Krabbenhoft: (Continued attachment E)**

RECESS FOR LUNCH-RECONVEIN 15 MINUTES AFTER FULL APPROPRIATIONS COMMITTEE ENDS

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
1/9/2019
30615

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Overview Continued

Minutes: E

Opened hearing.

Dave Krabbenhoft, Director of Department of Corrections and Rehabilitation: **(Continued attachment E from previous hearing).**

(3.06) **Chairman Jon O. Nelson:** What is the turnover rate for Youth Conservation Corps (YCC) and all other areas?

Mr. Krabbenhoft: We will get those numbers from Travis later

(3.36) **Mr. Krabbenhoft: (Continued attachment E)**

(5.47) **Chairman Jon O. Nelson**: Will we be getting into that study more? Is this just for the YCC campus, or all of the youth services?

Mr. Krabbenhoft: When we ask for the money we are looking at it for the YCC campus, but we will look at other campuses too. We have to decide how many children we can house on campus, and if we even need a centralized campus.

Chairman Jon O. Nelson: Going back to our conversation from earlier, we may not even need a centralized facility for youth.

Mr. Krabbenhoft: We can discuss that more in detail too. We currently have kids form South Dakota because they shut down their facility.

Leann Bertsch, Director of the North Dakota Department of Corrections and Rehabilitation: We currently have 2 kids from SD, the child welfare beds are being filled by the child welfare kids in SD and they don't have room for the corrections children and they are being moved out.

Representative Richard G. Holman: What other audits do you do?

Mr. Krabbenhoft: Inspections are done, PBMS (performance based standards), statutory authority and required to do jail inspections for the state of ND.

Chairman Jon O. Nelson: How many facilities do not meet the standards?

Mr. Krabbenhoft: We can get those numbers.

MEETING CONCLUDED

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
1/14/2019
30710

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Detailing the budget.

Minutes: A,B,C

Opened hearing and took roll.

Dave Krabbenhoft, Director of the Department of Corrections and Rehabilitation (DOCR): (see attachment A-adult services)

(12.02) Chairman Jon O. Nelson: What is the increase in the federal grant line?

Mr. Krabbenhoft: It's the VOCA Funding that has increased so much.

(13.37) Vice Chairman Gary Kreidt: Is this a onetime payment or is it going to continue on?

Mr. Krabbenhoft: I'm not sure, its lasted longer that what I thought it would.

(14.19) Representative Richard G. Holman: Any matching funds?

Mr. Krabbenhoft: We do kick in some general funding money.

Chairman Jon O. Nelson: How does this compare with last session?

Mr. Krabbenhoft: We will get that comparison from last cycle to this cycle. We can get Amy, the administrator of the program, to come in and speak more about that.

(15.51) Mr. Krabbenhoft: (continued attachment A)

(18.03) Chairman Jon O. Nelson: What's going on in that contractual services line**?**

Mr. Krabbenhoft: We had to automate some payments into the VOCA grant but we had some leeway in the operating funds. We are going to have to manage some funds within the department and as a department as a whole.

(20.37) Representative Lisa Meier: Where are those in the areas that are blank?

Mr. Krabbenhoft: If they are blank, then we don't have anything budgeted for that section.

(21.57) Representative Lisa Meier: What happens in the case that you end up needing funds in that area?

Mr. Krabbenhoft: We carve out an operating expense line in the budget, where we can take funds if necessary.

Vice Chairman Gary Kreidt: Under the overtime and temporary salaries, it seems like a lot of overtime. Have you ever evaluated that? Could we put another employee in there?

Mr. Krabbenhoft: A lot of the time, the overtime includes the transportation of the interstate compact inmates.

(25.03) Chairman Jon O. Nelson: If there is something that would stand out, do we really need him to point out how he does that in a monthly basis?

Mr. Krabbenhoft: OK, if you have a question that is specific to our handouts, give us a call and we can clarify it.

(27.24) Mr. Krabbenhoft: (continued attachment A)

(29.38) Chairman Jon O. Nelson: Do you ask more from counties that use this program more?

Mr. Krabbenhoft: It's by case and by person. So if all the people that violated parole were from Burleigh County then we would ask only from Burleigh country.

Chairman Jon O. Nelson: The only reason as to why you haven't been asking for this additional money is why?

Mr. Krabbenhoft: It's because we haven't dipped down below the 75,000 threshold.

Chairman Jon O. Nelson: It's the same policy, it's just the demand for the program has increased.

(33.05) Mr. Krabbenhoft: (continued attachment A)

(35.00) Chairman Jon O. Nelson: This is what you're projecting?

Mr. Krabbenhoft: These are current grant awards that we have with these agencies right now.

Chairman Jon O. Nelson: With that increase in the VOCA grants, will we see an increase in the existing programs, or what would be the expectation of the spend down of that additional money?

Mr. Krabbenhoft: The grants awards will increase and they will be spent for more specific reasons.

Chairman Jon O. Nelson: Do you have any idea about the link? Will this be the expectation for the next biennium?

Mr. Krabbenhoft: I'm thinking that we will see those go down.

Representative Lisa Meier: Are you able to carry those federal grants over into the next biennium, or do those funds have to be spent out?

Mr. Krabbenhoft: I believe you get 4 years per grant award that you can spend that money.

Chairman Jon O. Nelson: What is the 379 funds source?

Mr. Krabbenhoft: The main source is the supervision fees for people on probation.

(44.44) Chairman Jon O. Nelson: I'd like to see how that is tracked and how that percentage has changed over time.

Mr. Krabbenhoft: I can get those numbers.

(45.22) Representative Richard G. Holman: Do you follow up on that?

Mr. Krabbenhoft: When they leave supervision, and if they have a balance, that amount is given to collection.

Representative Richard G. Holman: That might affect future employment too right?

Mr. Krabbenhoft: That does have an affect one people's success rate of staying out of prison too.

Chairman Jon O. Nelson: It might be interesting to know what other states are doing with this restitution fees and other things like that.

Mr. Krabbenhoft: I'll get you a history on correctional fees and see what other states are doing.

(50.15) Mr. Krabbenhoft: (Continued attachment A)

(50.49) Vice Chairman Gary Kreidt: Have you ever followed someone to see when they get out how quickly someone can get a job when they are released?

Leanna Bertsch, Director of the Department of Corrections and Rehabilitation: Yes, we can do that, but that really is dependent on where that individual is returning to. If they are returning to Standing Rock, it is a lot less hopeful than if they were returning to somewhere else. It also depends on the individual's skill set.

(53.05) Mr. Krabbenhoft: (See attachment B-Parole and Probations)

(56.30) Chairman Jon O. Nelson: Are there any gaps in the state where officers wouldn't be able to contact for back up?

Mr. Krabbenhoft: When the phone isn't working, we are asking for backup portable radios to fall back on. They will then either have radio or cell phone coverage.

Chairman Jon O. Nelson: Are you asking for portable radios for all parole officers?

Mr. Krabbenhoft: No, we are just replacing some-24.

Vice Chairman Gary Kreidt: Do the parole officers for to the police academy?

Mr. Krabbenhoft: Yes, they are licensed peace officers.

(1.00.41) Mr. Krabbenhoft: (Continued attachment B)

(1.03.24) Vice Chairman Gary Kreidt: I see the 62 new bullet proof vests, are the old ones full of holes?

Mr. Krabbenhoft: There is a manufacturers life. We have them on a replacement schedule to keep them up to date**.**

Vice Chairman Gary Kreidt: I know with the highway patrol; we have open invitations to go out with the parole officers. Do they work 24/7 or what?

Mr. Krabbenhoft: They have a flexible schedule, but they work 165 hours a month. Their schedule isn't a typical work day.

Representative Lisa Meier: For the pretrial service pilot, is that going to be in Bismarck?

Mr. Krabbenhoft: Those locations haven't been selected yet. We want to put it somewhere where it could demonstrate if it is working or not.

(1.06.25) Mr. Krabbenhoft: (Continued attachment B)

(1.07.15) Chairman Jon O. Nelson: What was the source of those special funds?

Mr. Krabbenhoft: B&D Loans I believe.

Chairman Jon O. Nelson: That borrowing authority, your turn back would still go back into the general fund category?

Mr. Krabbenhoft: Yes, anything not spent, will go back into the general fund unless there is an exception in the fund.

(1.10.33) Representative Richard G. Holman: Looking at this, it looks like the 400,000 dollars that are not being used, but the couple million in increase is mainly in salaries and IT?

Mr. Krabbenhoft: Yes, it will mainly be in salaries and travel, and some in IT with communications and any updates with do with our DOCSTARS program.

Chairman Jon O. Nelson: Can you get the turnover rates on the officers?

Mr. Krabbenhoft: Yes, Travis has that so he can give that to you.

(1.14.00) Travis Englehart, Director of Human Resources for the DOCR: (see attachment C)

(1.15.16) Vice Chairman Gary Kreidt: Discharged, they can't do the job or why is that number so high?

Mr. Englehart: It's for many reasons, but yes that is when we ask them to leave, involuntary turnover**.**

Chairman Jon O. Nelson: It might be helpful to add the number of parole and probation officers, total number staffing.

Mr. Krabbenhoft: It's on my handout, 88.75.

(1.17.15) Representative Richard G. Holman: When you start looking at the long range planning for staffing, do you look at the increase in the next census and the continuation of increase in the population?

Mr. Krabbenhoft: We are looking at placing an office in the Watford City area. We currently don't have it in the budget, but we are looking at where we need to shift the resources to best serve the community.

Chairman Jon O. Nelson: We want to look at the case load changes across the state too.

Mr. Krabbenhoft: I believe we have given you the average daily counts by month. We will get to that page as we go along.

Representative Bert Anderson: On this equipment under 5,000 dollars, when the interest went from 20,000 to 125,000 what are those?

Mr. Krabbenhoft: This is mainly from those bullet proof vests and the radios.

(1.20.34) Mr. Krabbenhoft: (continued attachment B) We need to have some clarifying language that we can put the supervision fees into the 375 fund throughout the biennium.

(1.24.47) Chairman Jon O. Nelson: Are most of the office spaces in conjunction or are they standalone?

Mr. Krabbenhoft: It's a mixture of both. Some are located together and some are not.

(1.25.15) Mr. Krabbenhoft: (continued attachment B)

(1.26.48) Chairman Jon O. Nelson: Are they all based on census, or do they have a contract and pay the max amount in the contract?

Mr. Krabbenhoft: All of these are payed on that average count. If we have less people in that program, then we pay less.

Representative Lisa Meier: So on that electronic monitoring, doesn't the individual have to pay for some of that?

Mr. Krabbenhoft: Yes, they do have to pay for some of that, but this is what we pay.

Representative Lisa Meier: What percent of that do they have to pay?

Mr. Krabbenhoft: They typically pay about 5 dollars a day for that.

(1.29.21) Mr. Krabbenhoft: (finished attachment B)

HEARING CONCLUDED, BREAK FOR NEXT SECTION.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
1/14/2019
30727

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Detailing bill continued.

Minutes: A,B

Opened hearing.

Dave Krabbenhoft, Director of the Department of Corrections and Rehabilitation (DOCR): (See attachment A-Transportation Plan)

(1.48) Chairman Jon O. Nelson: When you say guys, does that include women too?

Mr. Krabbenhoft: Yes, we do include women in that.

Chairman Jon O. Nelson: Is this budget reflective of the potential move of Dakota Women's Correctional and Rehabilitation Center (DWCRC) to Bismarck?

Mr. Krabbenhoft: Yes, there won't' be much change. The change will be in mileage, there will be less. The change will be in the counties.

Chairman Jon O. Nelson: How long does an inmate serve in New England?

Leann Bertsch, Director of North Dakota Department of Corrections and Rehabilitation: The typical sentence is about 270-some days that they actual serve. They cycle through there in about 90 days because they don't have the services they need there.

Chairman Jon O. Nelson: How would the cycle change then with the move?

Ms. Bertsch: They only have a low level of drug and alcohol treatment that is only offered a few times a year. If they have a successful treatment, then the parole board can then fashion some type of release for the individual. With putting the services around these people, then we can get them primary complete in their treatment levels. We could then slow this process down, and not have to push these women through to a half-way house for treatment. A lot of

the women are doing a lot of dead and time and we are moving the women out quicker than they should be.

Chairman Jon O. Nelson: Why can't we out some of those services in New England?

Ms. Bertsch: It is very difficult to get those services out in that area.

(8.31) Mr. Krabbenhoft: (continued attachment A)

(10.50) Representative Randy A. Schobinger: What's the understanding with that negative number in that department?

Mr. Krabbenhoft: That's the operating line. In a traditional budget there will be flexibility in that line. We try to anticipate where those expenditures will come from, but as we go along in the biennium, it may all change.

(13.11) Chairman Jon O. Nelson: What type of individual do you hire on a temporary basis?

Mr. Krabbenhoft: The majority of those expenditures outside of the administration one are the transport positions.

Chairman Jon O. Nelson: Why is there a decrease in the admissions category?

Mr. Krabbenhoft: Yes, we have projected less admissions for this biennium than we did for last biennium, that's why you are seeing the decrease.

(16.12) Vice Chairman Gary Kreidt: What are the special funds in this budget?

Mr. Krabbenhoft: It will be 379 funds again. It will mainly go to those transport officers.

(17.45) Mr. Krabbenhoft: (see attachment B-North Dakota State Penitentiary-NDSP)

(22.29) Chairman Jon O. Nelson: And that's correctional officers?

Mr. Krabbenhoft: Yes, correct.

Chairman Jon O. Nelson: Where is that additional one FTE?

Mr. Krabbenhoft: I think that was a case manager that when we ran the budget, it should have showed up in a different place.

Representative Richard G. Holman: When I look at the green sheet, I think there is a 93 full time employee (FTE) increase, can you show us the movement of the employees in different roles and where they are? I'd like to look at the big picture instead of the small part.

Mr. Krabbenhoft: I'll try to get something together to show that.

Representative Lisa Meier: Do you have quite a few inmates that are on special diets?

Mr. Krabbenhoft: We do have a few, but not a lot. We are required to accommodate for those.

(26.50) Mr. Krabbenhoft: (continued attachment B)

29.03 Representative Randy A. Schobinger: Can they leave that ID behind?

Mr. Krabbenhoft: Right now we don't have that, and we will have to rely on cameras and eye witness. If they do leave that card behind, they won't get very far in the institution.

Representative Randy A. Schobinger: Are they allowed to move throughout the institution based on that ID?

Mr. Krabbenhoft: It doesn't give them access into specific areas, but it will track the throughout the institution.

Chairman Jon O. Nelson: This tracking system, would that be for everyone?

Mr. Krabbenhoft: Yes, I'll get you the total cost for that. It would be 160,000 dollars in total.

(32.00) Mr. Krabbenhoft: (continued attachment B)

(32.54) Chairman Jon O. Nelson: Is there a requirement to monitor the fence for a maximum security facility?

Mr. Krabbenhoft: I don't think it's a requirement, but it is a good practice.

Representative Randy A. Schobinger: What do you anticipate the breakout on those two to be?

Mr. Krabbenhoft: I will get those for you. I will go back and double check those numbers. Redundant expense is 160,000. I'm not sure where I got the resident tracking.

(35.20) Chairman Jon O. Nelson: Is this one area that is going to have turn back?

Mr. Krabbenhoft: There will be turn back here and in transitional facilities. Anywhere that you see is driven from census, there will be turn back.

Vice Chairman Gary Kreidt: So the food costs are going down, is this a new dietary manager that you have? Why is there such a change?

Mr. Krabbenhoft: I think that he has put an increased effort into the menu planning and it has paid off.

(38.40) Chairman Jon O. Nelson: On the temp staff, that reflects the transition to the FTE?

Mr. Krabbenhoft: That is showing negative because it is including all the fringe in that.

(39.47) Representative Lisa Meier: Medical, dental, and optical, why are you so much less on that?

Mr. Krabbenhoft: It is just an estimate on how much we think we will spend. It depends on what each part would use.

Representative Lisa Meier: How often do you have a dentist come out?

Mr. Krabbenhoft: We have a contract dentist and an FTE dentist that provides coverage at James River Correctional Center (JRCC) and NDSP.

Chairman Jon O. Nelson: There is an increase in special funds, can you go through that?

Mr. Krabbenhoft: The redundant funds and the strategic investment and improvements fund (SIFF).

(44.22) Representative Randy A. Schobinger: How to read the FTEs vs. vacant?

Mr. Krabbenhoft: If there is a vacant position at the time that we do that, it will show up in people soft. So if it is vacant at the time, it will roll into BARS as vacant at the time that we do the budget.

Chairman Jon O. Nelson: You don't quality currently for some of the loan repayment programs?

Mr. Krabbenhoft: Yes, we do qualify for some of those programs for providers and for dentists.

(47.43) Mr. Krabbenhoft: (continued attachment B)

(50.57) Vice Chairman Gary Kreidt: Does staff pay for their meals?

Mr. Krabbenhoft: No, that is one of the benefits is that they don't have to pay for those meals, but they don't get a special meal. They eat the same as the inmates.

(52.31) Mr. Krabbenhoft: (Continued attachment B)

(53.45) Chairman Jon O. Nelson: So that screening system would detect any drugs or metal?

Mr. Krabbenhoft: Yes.

Chairman Jon O. Nelson: What about the portable trailer?

Mr. Krabbenhoft: That is for rough rider industries.

Chairman Jon O. Nelson: The rough rider, that is a standalone operation?

Mr. Krabbenhoft: They operate within our facility, but they pay for everything through their funds, not ours.

(56.26) Mr. Krabbenhoft: (continued attachment B)

(59.30) Chairman Jon O. Nelson: What does it cost to house an inmate per year?

Mr. Krabbenhoft: It costs about 118 dollars a day, but the average cost is $4.61/day to house someone on supervision**.**

Chairman Jon O. Nelson: I'm surprised you didn't ask for more FTEs.

Mr. Krabbenhoft: Our caseloads are diminishing.

Ms. Bertsch: The best investment is if you can keep people in their community safely**.** If you really wanted to, we could look at a different system where there are more intense case workers. Community supervision with a caseload of 25 per worker, there is an increased likelihood that the individual will not commit another crime because there would be an increased presence of the caseworker in the individual's life.

Chairman Jon O. Nelson: Is that the next piece that we should do in justice reinvention?

Ms. Bertsch: I think that with an increase in the investment of community services given to the probation and parole section, I think that this would be more successful.

Chairman Jon O. Nelson: When you bring on a new probation officer, do you instill that traditional job description or do you have this conversation with them?

Ms. Bertsch: Yes, but they are licensed peace officers so they go to that police academy and come out a cop. We try to change that mentality in P&P. When we hire a parole officer we put them through an additional 2 weeks of training to help them learn this mindset as well.

(1.10.58) Representative Richard G. Holman: What I see here is that with quite a few of these proposals are going to be major changes with facilities and programs as well. If you build something, do you build for the future or the present?

Ms. Bertsch: There are some states that put into law that a certain % of the savings that come from justice reinvestment have to be reinvested in corrections to let them become more successful.

(1.20.51) Representative Richard G. Holman: It's a team effort starting with the arresting officer. Is the training changing for the whole process?

Ms. Bertsch: I'm not sure if the law enforcement training has changed at all. I would say that when new judges come on board, the new judges get sent to the DOC and given an orientation to them about the different services available.

NO FURTHER QUESITONS, MEETING CONCLUDED.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
1/14/2019
30761

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Detailing bill continued.

Minutes: A,B

Opened hearing.

Dave Krabbenhoft, Director of the Department of Corrections and Rehabilitation-NDDOCR: (See attachment A-Jamestown Regional Correctional Center)

(2.21) Chairman Jon O. Nelson: What is the offset in the human service budget for those employees, is it dollar for dollar?

Mr. Krabbenhoft: I'm not sure.

(3.45) Mr. Krabbenhoft: (continued attachment A)

(5.46) Chairman Jon O. Nelson: Is this where we will see the inclusion of the man camps?

Mr. Krabbenhoft: No, that will be included in the next section.

(9.16) Vice Chairman Gary Kreidt: With the state hospital and the food costs, do you do that for your food costs or do you put a markup in there?

Mr. Krabbenhoft: We just pay for the cost of the food, not labor or utilities.

(10.26) Vice Chairman Gary Kreidt: Do you have a number of special diets then?

Mr. Krabbenhoft: Yes, they have their own menu and we order their food depending on that.

Vice Chairman Gary Kreidt: So then the costs of the meals of the state hospital is higher than the costs for the general population?

Mr. Krabbenhoft: Yes.

Chairman Jon O. Nelson: On your handout, on all the equipment over 5000, are they all funded through the sift fund?

Mr. Krabbenhoft: Yes, this time they were.

(13.12) Mr. Krabbenhoft: (continued attachment A)

(17.40) Representative Lisa Meier: At any one time, what is the average amount of inmates do you have at the Special Assistance Unit (SAU)?

Leann Bertsch, Director of the Department of Corrections and Rehabilitation (NDDOCR): There are 26 beds, and it is always full.

Chairman Jon O. Nelson: So if we were to use the existing facility on the grounds of the penitentiary for a SAU, would that need a massive renovation?

Ms. Bertsch: It wouldn't be that much of a change, but we haven't planned it out entirely yet. It is extremely needed though.

(22.33) Representative Randy A. Schobinger: Give me an idea of the need for the overtime and what accounts for that?

Mr. Krabbenhoft: On the security side, we pay overtime for the holidays. We also have a struggle with turnover and where we are short. Overtime is an issue with us, and it is too high and there are some areas where we struggle with having enough employees. There are certain positions that do have more turnover than others.

(25.32) Chairman Jon O. Nelson: How many total nurses are there at the state penitentiary?

Mr. Krabbenhoft: I'll double check on that.

Chairman Jon O. Nelson: That's an 8 hour shift right?

Mr. Krabbenhoft: Yes.

Chairman Jon O. Nelson: Are we competitive with the other health care facilities?

Mr. Krabbenhoft: No. We aren't even competitive with the state hospital.

Chairman Jon O. Nelson: I was amazed at the training cost and how much of an investment you have into that training. Often times they take advantage of that training because when they leave they take that training with them and use it at a different facility.

Mr. Krabbenhoft: We are actually going to revamp our training and hire some people to do training because we currently have to pull officers from their position to provide that training.

(30.00) Mr. Krabbenhoft: (continued attachment A)

(32.26) Chairman Jon O. Nelson: Those new positions are correctional officers?

Mr. Krabbenhoft: Yes, and new case workers.

(33.05) Mr. Krabbenhoft: (See attachment B)

(34.11) Chairman Jon O. Nelson: The Bismarck Transition Center (BTC) Secure is in operation today?

Mr. Krabbenhoft: Yes, and you'll see that on Thursday.

Chairman Jon O. Nelson: How many beds are there in that BTC?

Mr. Krabbenhoft: We contract for up to 30 but we currently have about 19 full.

Chairman Jon O. Nelson: Why is overtime taking such a jump?

Mr. Krabbenhoft: We are going from 102 to 161 and that is just based on some predictions we have based on how the money is currently being used.

Chairman Jon O. Nelson: In many of the line items, you're asking for a significant reduction, why?

Mr. Krabbenhoft: It is going to be a newer unit, but the main costs are feeding and clothing the guys, employee salaries and paying for food. There is also a decrease from 184 at Missouri River Correctional Center (MRCC) to 144 beds James River Correctional; Center (JRCC).

Chairman Jon O. Nelson: Where do the special funds come from again?

Mr. Krabbenhoft: That's going to be mainly 379 again and it is directed at that contract housing that we have.

Representative Lisa Meier: Are you able to utilize furniture from rough rider industries?

Mr. Krabbenhoft: Yes, that is the only place that we buy from.

(42.05) Mr. Krabbenhoft: (continued attachment B)

(43.16) Chairman Jon O. Nelson: Is it the same menu from JRCC to MRCC?

Mr. Krabbenhoft: We are working on that and we think by next biennium there will be one menu.

(45.33) Mr. Krabbenhoft: (Continued attachment B)

(46.33) Vice Chairman Gary Kreidt: The faith based, is that teen challenge?

Mr. Krabbenhoft: Yes, the faith based is that teen challenge over in Mandan, ND.

Vice Chairman Gary Kreidt: So that number, is that 10 or does that vary?

Mr. Krabbenhoft: It stays close to 10, sometimes it varies.

Vice Chairman Gary Kreidt: So 322, is that the total?

Mr. Krabbenhoft: Yes, that is the prediction of the total payment to teen challenge.

Chairman Jon O. Nelson: What was the increase in the daily rate for the women's prison?

Mr. Krabbenhoft: They are currently at 10.7 million, and they asked for 11,905,000 to 1.2 million.

Chairman Jon O. Nelson: That's based on a census of 126?

Mr. Krabbenhoft: Yes.

(49.45) Mr. Krabbenhoft: (continued attachment B)

(51.25) Chairman Jon O. Nelson: Distance from families is a reason for moving the women's facility, and the north west part of the state is lacking transition facilities. I'm assuming that the eastern facilities in Fargo are geared towards the inmates from the eastern part of the state?

Ms. Bertsch: I'm in support that a facility in Minot could support the whole north western part of the state. If there are individuals from Minot that need services, we may put then in facilities in the Bismarck area, and they may get a job. But when they want to move back to Minot, they have to quit that job and then move back to where there are no facilities or services available. If someone form the NW part of the state is struggling in transition, we may be doing more harm by putting them in a facility in the Bismarck or Fargo area.

(55.45) Chairman Jon O. Nelson: Do you have a number of the current census that would fit into that part of the state?

Ms. Bertsch: I can get you that number. It has changed since the oil boom.

Chairman Jon O. Nelson: Where I live there is an issue of a high percentage of inmates not having transition services near where they live when they are released.

Ms. Bertsch: I believe 2 biennia ago we came forward with the allocation plan, and when we were looking at the numbers during that biennium it was shocking. We were having a significant number of native American women coming from that part of the state. There is a lack of services in those parts of the state, and that is why there is an increase in those numbers.

(1.00.05) Mr. Krabbenhoft: (continued attachment B)

Chairman Jon O. Nelson: How many beds is there?

Mr. Krabbenhoft: 4 units with 36 beds a piece.

Chairman Jon O. Nelson: And how long are we going to lease these?

Mr. Krabbenhoft: However long we can.

Chairman Jon O. Nelson: Didn't we buy the existing one from MRCC for about 800,000?

Mr. Krabbenhoft: Yes, for about 844,000.

Chairman Jon O. Nelson: How much is the lease?

Mr. Krabbenhoft: I've got that number for you somewhere and I'll get it to you.

(1.03.50) Chairman Jon O. Nelson: That would just be the housing units out at MRCC?

Mr. Krabbenhoft: No, it would be a unit where we could provide a day clinic, a medical clinic, and also provide some space for education and treatment as well.

Chairman Jon O. Nelson: There would be one of those?

Mr. Krabbenhoft: As compared to the size of the ones at MRCC, we are looking for something bigger because we have more people.

Chairman Jon O. Nelson: Would there be any more security or landscaping?

Mr. Krabbenhoft: There would need to be some ground site prep done before we get those man camps.

(1.05.45) Representative Randy A. Schobinger: What do these units look like?

Mr. Krabbenhoft: I can get you a layout of it. They are long hallways with a Jack and Jill bathroom into it with the sink on the inside of the bathroom. They are just basic trailers. We will see them on Thursday when we visit MRCC.

Chairman Jon O. Nelson: I was amazed at the timeline that you think you can do to move the women.

Mr. Krabbenhoft: Yes, it is quick. We would like to use a lot of the labor from the inmates, but we have to find a contractor that would allow our residents to help them.

Chairman Jon O. Nelson: What firm did you use to do that and where are they located?

Mr. Krabbenhoft: CGL originated in Georgia and the MOSS group is out of Washington D.C.

MEETING CONCLUDED

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
1/15/2019
30778

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Detailing bill continued.

Minutes: A,B,C

Took Roll.

Dave Krabbenhoft, Director of the North Dakota Department of Corrections and Rehabilitation (NDDOCR): (See attachment A-Behavioral Health)

(3.22) Chairman Jon O. Nelson: The free through recovery (FTR) dollars, does that add up to 7 million?

Mr. Krabbenhoft: Yes.

Chairman Jon O. Nelson: Where do we find that difference?

Mr. Krabbenhoft: Operating expenses and salaries and wages.

Chairman Jon O. Nelson: You think you can keep this going with that same amount?

Mr. Krabbenhoft: I think we can. The DOCR has people that are under supervision in the FTR. The people that are selected for the program have been screened before they are released and then the care coordinators put together treatment plans for the people on probation.

Chairman Jon O. Nelson: Has this program spread across the state?

Mr. Krabbenhoft: There are certain areas that have been successful with that, but there are others that aren't doing as well.

Representative Lisa Meier: Can you explain how the sex offenders program works?

Mr. Krabbenhoft: It is state wide. It's a group of clinicians in ND and they hold treatment throughout the state. So people that are coming out with a sex offense will come in and get sex offender treatment.

Representative Lisa Meier: Do you know how many individuals it serves around the state per biennium?

Mr. Krabbenhoft: I don't know, but I will get those numbers for you.

(8.55) Mr. Krabbenhoft: (Continued attachment A)

(9.22) Chairman Jon O. Nelson: On the new FTEs, there's 10 in this area, are some of them transferred?

Mr. Krabbenhoft: 8 are assigned to James River Correctional Center (JRCC) and then 2 are for the Missouri River Correctional Center (MRCC).

Chairman Jon O. Nelson: Are all these positions those transfers?

Mr. Krabbenhoft: I'm not entirely sure.

(12.48) Mr. Krabbenhoft: (continued attachment A)

(13.40) Chairman Jon O. Nelson: The professional services, is that the FTR?

Mr. Krabbenhoft: Yes, and the sex offender treatment.

(14.04) Chairman Jon O. Nelson: You show 7 new FTEs and you've been talking 10**.**

Mr. Krabbenhoft: We can get a flow chart of how we moved the positions around and the new positions and where they are assigned.

Representative Lisa Meier: For the FTR dollars, once we use those they are don't correct?

Mr. Krabbenhoft: It's general funds. I think the governor is looking to continue the program at its current level. And if it continues to go the way it is, it may even grow.

Representative Lisa Meier: But the federal dollars?

Mr. Krabbenhoft: There are no federal dollars, just general funds.

Chairman Jon O. Nelson: I think it was funded through the program to the prioritization.

Mr. Krabbenhoft: we reduced the money for the overflow housing, and putting the cap on the number of people we take in.

(17.38) Mr. Krabbenhoft: (continued and finished attachment A)

(19.58) Chairman Jon O. Nelson: When do you start counting the success rate for the recidivism, or what type of time gap do you need to see that success rate?

Mr. Krabbenhoft: Typically, we track it for 3 years and then on that third year we will look at the rate.

(22.49) Mr. Krabbenhoft: (see attachment B-Education)

(25.00) Chairman Jon O. Nelson: So there is that much difference in the composite schedule and the school district?

Mr. Krabbenhoft: We want to get them on the composite schedule. The juvenile is on the composite schedule, and we would like to get the adults on that.

Representative Lisa Meier: What percent of the population right now is receiving some continuing education?

Mr. Krabbenhoft: We can get that exact percentage, but if you come in without a high school diploma, you are required to go to school.

(27.23) Mr. Krabbenhoft: (continued attachment B)

(29.31) Chairman Jon O. Nelson: The money you get from Department of Public Instruction (DPI), is that the federal funds?

Mr. Krabbenhoft: Yes.

Chairman Jon O. Nelson: Is that in a technical program when that money comes back?

Mr. Krabbenhoft: It supplements the entire program, but we try to [pick one area to add it to.

Vice Chairman Gary Kreidt: Can you explain the food and clothing section under education to me?

Mr. Krabbenhoft: I can get the detailed listing of what goes under there.

Chairman Jon O. Nelson: What goes into the professional development line?

Mr. Krabbenhoft: It would be any continuing education for our teachers or if they have to update their licenses.

Chairman Jon O. Nelson: Do you currently have the 10 temporary staff?

Mr. Krabbenhoft: Yes, its 10.

Chairman Jon O. Nelson: So walk me through the process of someone coming in without their GED and the possibility of them going through the technical trades?

Leann Bertsch, Director of the Department of Corrections and Rehabilitation: If they come in without a general education development (GED), we can move them along to get that GED if they have so many credits. If they don't have that at all, then their main focus is getting that GED. IF they come in with some sort of technical skills, then they can go on to go through that technical skills program. We do offer some higher education classes and the individual can take that class, and then pay for the credit once they get out.

Chairman Jon O. Nelson: How many people take advantage of that?

Ms. Bertsch: There is a waiting list for that.

(38.20) Chairman Jon O. Nelson: what is the turnover rate for this instructors?

Travis Englehart, Director of Human Services for the Department of Corrections and Rehabilitation: We don't have the numbers for the temporaries we use because we have so many individuals in the temporary category. I can provide the turnover numbers for the FTE instructors.

Chairman Jon O. Nelson: For the temporary staff in a school system, do you bring in people that may sub in the school system or are your temps only used in the corrections world?

Mr. Englehart: They are working as FTE for us, but don't have the title of a FTE.

(40.51) Mr. Krabbenhoft: (continued and finished attachment B)

(42.00) Mr. Krabbenhoft: (see attachment C)

(44.38) Chairman Jon O. Nelson: Does the staffing need additional training to go from a minimal security male facility to a maximum security female facility?

Mr. Krabbenhoft: Yes, there will be additional training for that.

Chairman Jon O. Nelson: The time period you need for that training coincides with the transition?

Mr. Krabbenhoft: Yes, the training will begin when the renovations begin.

Chairman Jon O. Nelson: The senate won't see this budget until March, will that put you behind on your timeline?

Mr. Krabbenhoft: We were purposeful in putting the budget together to say that we wanted it to begin on July 1 because we wanted to emphasize the urgency. However, we understand that that isn't necessarily going to be the case. It's a moving target. There are some things that we could legally do, but I don't think that would be a good judgement call. If we needed to move on that right away, we could move to start getting the man camps. But we aren't going to do that without the legislature.

(49.01) Representative Richard G. Holman: You have this grand plan as to what you want to do to create a better system, if you got everything you asked for, how long would it take from now to where you would want it to be?

Mr. Krabbenhoft: We could have the men at JRCC and the women at MRCC by December 1, if there was an emergency clause attached to our renovation to begin that. There are still a lot of moving parts on that reconstruction of the MRCC. I don't think it is unreasonable to look at it that way. If everything works out for us, we could start work as soon as that's passed with an emergency clause, but obviously that won't happen because this is a contentious subject. December 1 is probably the most optimistic date.

Chairman Jon O. Nelson: We will definitely have to take this step by step, and cover all of our bases.

Mr. Krabbenhoft: I think that that is a key piece.

(54.31) Mr. Krabbenhoft: (continued attachment C)

(55.48) Representative Randy A. Schobinger: The ultimate short term goal is to build a new facility in 21-23, did you have discussion of doing that first and then moving them? And why did you choose to make this a 2 step process instead of a 1?

Ms. Bertsch: This didn't happen overnight. We just now have approval to do this. The needs for the woman have changed. The medical needs have changed. There are more women cycling through this facility because we don't have space for them. They also don't have the services in that area, as compared to the other DOCR facilities. All of our women are in contract facilities and by the nature of contract facilities, they don't get those needed services. There is a sense of urgency to move these women. We feel that if we don't do this, there will be someone else other than the legislature or DOCR come in and craft a solution, which wouldn't be the best solution. It is better to have the experts in the field find a solution instead and that is what we're trying to do. Once now that we have had this discussion, the main concern is that once people that are employed at that facility, and that that facility won't be there, there is going to be an even bigger struggle to find employees and services.

Chairman Jon O. Nelson: One of the things, from a legal standpoint is if we wait and do a 1 step process with the construction of a new facility is the human cost to those inmates now that won't be getting those services. That is where it gets tricky is when you start putting values on their time and lost opportunities.

Mr. Krabbenhoft: Right now we don't want to focus on the facility. We want to focus on the services available and the women's lives.

Chairman Jon O. Nelson: I want to know what the women will specifically be getting at MRCC instead of being out at the New England facility.

Mr. Krabbenhoft: There is an info graph of the different services available to the women.

(1.09.13) Mr. Krabbenhoft: (continued attachment C)

(1.12.00) Chairman Jon O. Nelson: I'm assuming that there are some job skills area for training?

Mr. Krabbenhoft: We would be able to capture the leading edge of what research is showing. There is data that locking people up can be detrimental to people's lives and paving a path for these people to have a miserable life through being incarcerated. We are seeing grandpa, dad, and son all being locked up and we are wondering why that is and we want to change that cycle.

(1.14.55) Mr. Krabbenhoft: (Continued attachment C)

Chairman Jon O. Nelson: So currently for the men, there is an $83.47 cost at MRCC?

Mr. Krabbenhoft: Yes, at MRCC. We allocate costs across the central office. We allocate those based on a variety of different things. As we move along and get better at allocating costs, that may change a little bit. It's hard to compare the different facilities because we need to know what is going in to those costs per day.

(1.17.25) Representative Randy A. Schobinger: I'm interested to learn a little bit more about the contract. If we knew we were going to do this, why did we decide to sign such a long contract?

Mr. Krabbenhoft: Every contract that the DOCR enters there is a clause in there that is funding is not obtained by the legislative process, the contract is void. They wanted a long-term agreement and outs in there because they aren't getting enough money. Our concern was always finding a place for the women, and we would be totally exposed without this contract. Hindsight, I wish it could be done a little differently, but they needed to have a long-term agreement. We signed the contract to give a level of comfort to the New England facility. We are doing what is necessary to keep the facility functioning.

Chairman Jon O. Nelson: It's been a bumpy road legislatively too. We were in between contracts for a long time because of the oil boom out there. There was an inability to hire employees and get proper staffing.

(1.27.44) Representative Richard G. Holman: I think also that there is the money that is involved in the services because of the area that the facility is in. We have costs all around that are there because of the distance. You mentioned that a lot of the women that are there have families and kids and there needs to be an effort to keep the bond between the mothers and families. That would put a cost not only on the state, but also on the families that are involved and that have to travel.

Mr. Krabbenhoft: Yes, when I was talking about that I was only talking about county costs and not on the family costs.

Ms. Bertsch: At MRCC there is an average 175 residents and 310 visitors per month. Dakota Women's Correctional Rehab Center (DWCRC) is 68% the size of MRCC and if DWCRC was comparable in visitation they would 211 visitors and 120 residents would receive a visit every month. They are receiving just a fraction of the visits. Very few residents are receiving

visits during the month. The visitation room at DWCRC is not being accessed. It is available but it isn't being used.

Chairman Jon O. Nelson: Do you have those numbers?

Ms. Bertsch: Yes, I'll get those to you.

Representative Richard G. Holman: When we visit the MRCC, you have work release, does that happen at the women's facility?

Ms. Bertsch: They do have work release for the minimum custody women and most of the work is in Dickinson.

Mr. Krabbenhoft: When the oil crashed, DWCRC was not happy with the appropriation so they refused to sign the contract. When that happened, we worked without a contract for a while. They wanted more money, but we couldn't give them anymore. When the allotment came, they wanted to sign the contract when nobody knew where that was going to end up. Everything was operating fine without a contract, and then they approached us and wanted to sing the contract.

(1.36.20) Representative Richard G. Holman: What's the governance structure of the DWCRC?

Mr. Krabbenhoft: I'm not really sure of the makeup. I know that there are a number of counties that are on the board and the warden and the finance director, Connie. We have a contract with them, but we would still be working the same if we refused to sign it because it's the only place available.

Representative Richard G. Holman: Who's driving the bus? I know that we have governing boards that govern and others that turn everything over to management.

Mr. Krabbenhoft: We mainly deal with the warden, Connie, and a few members on the board.

NO FURTHER QUESTIONS, MEETING CONCLUDED.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
1/15/2019
30794

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Detailing bill continued.

Minutes: A,B,C,D

Opened hearing.

Dave Krabbenhoft, Director of the North Dakota Department of Corrections and Rehabilitation (NDDOCR): (see attachment A-Rough Rider Industries-RRI)

(1.47) Chairman Jon O. Nelson: Currently at Missouri River Correctional Center (MRCC), there is a building that is being utilized out there?

Mr. Krabbenhoft: Yes, they are doing some welding, and sandbagging out there. We will continue to have that welding when the women move in, the product may just change a little bit.

(3.00) Mr. Krabbenhoft: (Continued attachment A)

(5.24) Vice Chairman Gary Kreidt: The employees out there, are they all inmates or do you have other employees out there?

Mr. Krabbenhoft: We have full time employees (FTEs) that work out there and inmates that work out there as well. There is a combination of both.

Vice Chairman Gary Kreidt: Do some of the inmates come up with the ideas?

Mr. Krabbenhoft: Yes, they do come up with some ideas. They do some design too.

(7.49) Mr. Krabbenhoft: (continued attachment A)

(10.27) Vice Chairman Gary Kreidt: What type of salary do the inmates get from RRI?

Mr. Krabbenhoft: We can get that from Rick.

Chairman Jon O. Nelson: Did they do any of the furnishing in the governor's mansion?

Leann Bertsch, Director of the ND Department of Corrections and Rehabilitation: No not at the mansion, but at his office they did.

Representative Randy A. Schobinger: Give me a brief history of that Rough Rider Industries (RRI)?

Ms. Bertsch: Prison industries as a whole came out of prison riots in the 1970s. You need to keep the inmates busy so that there aren't fits or riots. We focus on the men that are producing those products, not exactly what is being produced. The products that they are producing are just a bonus of the RRI program. We have to try to fill a nitch that is not being filled in the private sector instead of competing with a business in the private sector. We also fill in for the workforce that may not be present.

(16.49) Vice Chairman Gary Kreidt: We started buying furniture back in the 1980s and it is quality furniture.

Chairman Jon O. Nelson: Who was the director prior to Rick?

Mr. Krabbenhoft: Denny Fercost.

(17.58) Mr. Krabbenhoft: (continued attachment A)

(18.54) Chairman Jon O. Nelson: Do you have any kind of design for the 1.14 million dollar James River Correctional Center (JRCC) facility yet?

Mr. Krabbenhoft: It's a concept yet. It would very similar to the Missouri River Correctional Center (MRCC) facility.

Chairman Jon O. Nelson: Would it need any special ventilation systems?

Mr. Krabbenhoft: Yes.

Chairman Jon O. Nelson: And all the capital costs are special funds?

Mr. Krabbenhoft: Yes, they are all generated by RRI.

Chairman Jon O. Nelson: What was the proposed timeline for paying for that equipment?

Mr. Krabbenhoft: We can get that for you.

(22.49) Representative Randy A. Schobinger: What is the value of that trailer you want to buy?

Mr. Krabbenhoft: I can get that for you.

Chairman Jon O. Nelson: Is it going to be used for storage?

Mr. Krabbenhoft: It might be just for storage, we're not sure yet.

(25.10) Mr. Krabbenhoft: (see attachment B-Center Offices)

(30.25) Representative Richard G. Holman: One of the things that I'm wondering is that as you go through the different agencies for the state, there doesn't seem to be any standardization between the different websites. Is there any talk about doing that?

Mr. Krabbenhoft: Yes, it is starting to be talked about. I think that that is one of the reasons why they are wanting to centralize the information technology department (ITD).

Representative Richard G. Holman: There seems to be a difference between agencies like yours where you're all hired, and agencies where they are elected, how much authority does the government have?

Larry Martin, Fiscal Management Analyst for the Office of Management and Budget: We do have the initiative in the ITD budget to centralize that ITD. I'm not sure how the elected officials are falling into the plan as of now. I believe they will be included once all of the cabinet agencies are finished.

Chairman Jon O. Nelson: Can we get a breakdown on the lease of the man camps?

Mr. Krabbenhoft: I can get those numbers, I have them and should have included them but I didn't.

(34.07) Mr. Krabbenhoft: (continued attachment B)

(36.23) Chairman Jon O. Nelson: It might be good information to have as to the inmate count and how the Medicaid expansion will impact the population in corrections.

Mr. Krabbenhoft: I can try to get something together for you.

Chairman Jon O. Nelson: My understanding is that that would only be involved with the Medicare or Medicaid eligible people?

Mr. Krabbenhoft: Our whole population is eligible for those**.**

(39.20) Vice Chairman Gary Kreidt: So the inmates over 65 are on Medicare and those under 65 are on Medicaid?

Mr. Krabbenhoft: They are all on the Medicaid. If they are less than 65 they are on expanded Medicaid and if they are over 65 it's the traditional.

Vice Chairman Gary Kreidt: Medicare would fall into that too then for over 65?

Mr. Krabbenhoft: We only get the federal money if they are on an inpatient stay in a hospital for more than 24 hours. So if they go and are on observation status, it's on the governments nickel.

(40.50) Mr. Krabbenhoft: (continued attachment B)
(44.34) Vice Chairman Gary Kreidt: When you look at hiring nurse positions, do you hire licensed practical nurses (LPN) or just registered nurses (RN)?

Mr. Krabbenhoft: We have LPN and direct care assistants. We like to have RN but they are hard to get so we have LPN and direct care assistants.

Vice Chairman Gary Kreidt: Your direct care assistants, do they go through certified nurse's assistant (CNA) training?

Mr. Krabbenhoft: Yes, and they go through med pass training.

Vice Chairman Gary Kreidt: So they are a med tech**?**

Mr. Krabbenhoft: Yes. We have partnered with the university and some of their students who already have their med pass training are coming in and passing meds and getting experience.

Vice Chairman Gary Kreidt: How many med techs and assistants do you have?

Mr. Krabbenhoft: I will get those numbers for you.

Vice Chairman Gary Kreidt: Do you do any assistance to those med techs or CNA to go further on in their education?

Mr. Krabbenhoft: Yes, we do that.

Vice Chairman Gary Kreidt: So then when you do that, do they have to work for you then?

Mr. Krabbenhoft: Yes, they will be with us for about 2 years then.

(48.30) Representative Lisa Meier: Currently at the women's prison is there currently 1 full time employee (FTE) nurse?

Mr. Krabbenhoft: We can get that information to you, I'm not sure on that. We require 24/7 nursing at the prison but I'm not sure how compliant they are with that.

(50.20) Mr. Krabbenhoft: (continued attachment B)

(51.49) Chairman Jon O. Nelson: So then would that be a firm that deals with a medical standpoint or a correctional standpoint?

Mr. Krabbenhoft: I think that we would want to get a firm that has a medical and a correctional back round.

(52.29) Mr. Krabbenhoft: (continued attachment B)

(54.54) Mr. Krabbenhoft: (handed out attachment C and D, but didn't want to explain them)
(55.10) Mr. Krabbenhoft: (continued attachment B)

Chairman Jon O. Nelson: That's not subject to the 340B pricing?

Mr. Krabbenhoft: Yes, it is but it's not as deep.

Chairman Jon O. Nelson: So the Department of Justice (DOJ) has included more people into the Hepatitis C group for treatment?

Mr. Krabbenhoft: Before the inmates had to get treatment outside the facility if they couldn't complete it while being in incarceration. Hepatitis C has become more prevalent in our population due to the increased number of intravenous drug users.

(1.00.20) Mr. Krabbenhoft: (continued attachment B)

(1.01.47) Chairman Jon O. Nelson: On the FTEs, the executive recommendation is 104,280 but there is a 13.1 change in the last line, how?

Mr. Krabbenhoft: I'll have to go back and get back to you on that.

NO FURTHER QUESTIONS. MEETNIG CONCLUDED.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
1/15/2019
30838

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Detailing bill continued-juvenile services.

Minutes: A,B,C

Opened hearing.

Dave Krabbenhoft, Director for the ND Department of Corrections and Rehabilitation (DOCR): (see attachment A-Juvenile Community)

(5.48) Chairman Jon O. Nelson: It looks like there is a slight decrease in federal funding. What is the source of that?

Mr. Krabbenhoft: We have 4E reimbursements, a decrease in 4E funds, it's probably just a decrease in the estimates of current funding.

Lisa Bjergaard, Director of the Juvenile Services for the Department of Corrections and Rehabilitation: Chapter 4, Section E of the Social Security Act, pays for room and board costs when kids are placed into residential environments. That is the room and board rate. However, there are certain costs associated with their case management that you can bill to some of the administration fees associated with those cases. We have an arrangement with the human services department because they are the ones that can bill for that. They keep 10% of what we get back for their services, and the rest comes back to us. So that is dependent on the number of kids in the facility, so that number moves.

Chairman Jon O. Nelson: Is the change in census the reason for the decrease?

Mr. Krabbenhoft: I think that there is more of a change in estimate.

Ms. Bjergaard: As we move from trying to keep those kids at home instead of locking them up in residential. If we don't have the kids there, then we won't be getting those 4E funds.

Chairman Jon O. Nelson: So these numbers could be moving numbers?

Mr. Krabbenhoft: Yes.

Chairman Jon O. Nelson: What's the special funds?

Mr. Krabbenhoft: Its part of the detention fees for the kids. Let me double check those numbers.

(11.46) Chairman Jon O. Nelson: Expand on the temp salaries?

Mr. Krabbenhoft: The overtime is small and we aren't asking for any overtime. Mainly it will be administrative help in those offices where we don't have full time employees. (FTEs). Also if we need to bring someone into the doctor and adult transport costs.

Ms. Bjergaard: Kids are placed out at Home on the Range in Beach, ND and their case worker is out in Grand Forks, we have to see the kids at least once a month. So the electronic doesn't help with that. So if we have kids closer to home, there should be a decrease in transportation costs.

(15.44) Mr. Krabbenhoft: (continued attachment A)

(17.36) Mr. Krabbenhoft: (see attachment B-Youth Correctional Center-YCC)

(23.56) Chairman Jon O. Nelson: Is that something that we could do throughout the adult and juvenile with one sweep instead of separating them?

Mr. Krabbenhoft: I would like to keep this separate. The size of the adult side gobbles up the juvenile side.

Chairman Jon O. Nelson: How often are the preaudits scheduled?

Mr. Krabbenhoft: Once every 3 years.

(26.50) Mr. Krabbenhoft: (continued attachment B)

(27.56) Representative Randy A. Schobinger: To me it seems like both Ms. Bjergaard and the director have a clear view of where they want to take these programs, do we need the 750,000 dollars to study it, or could we rely on their visions?

Mr. Krabbenhoft: I'm comfortable relying on their visions, but those studies are how we validate what they are saying. There is some benefit to them, but I have all the confidence in the world that they can handle those conflicts.

(30.09) Mr. Krabbenhoft: (continued attachment B)

(32.25) Chairman Jon O. Nelson: What's the increase in professional services?

Mr. Krabbenhoft: That would be the 250 for the study.

Chairman Jon O. Nelson: That number in the school lunch program through Department of Public Instruction (DPI) is going down because?

Mr. Krabbenhoft: Census.

(34.50) Mr. Krabbenhoft: (see attachment C-Central Offices)

(40.53) Chairman Jon O. Nelson: What's the youngest student you have out there?

Ms. Bjergaard: By law, youth can't be younger than 12.

Chairman Jon O. Nelson: So then do you have any 12 year olds?
Ms. Bjergaard: I don't believe so.

(44.19) Chairman Jon O. Nelson: What's the sift funding for?

Mr. Krabbenhoft: The study again.

Ms. Bjergaard: There is no public capacity for psychiatric kids. One of the things that we are going to have to look at, going forward, what is your public policy for those really high risk kids. There isn't just a straight answer to where we can house them, but you will have to consider that as policy makers in the future.

Chairman Jon O. Nelson: I thought you set us up 2 years ago for a huge increase in PREA standards I believe, but that increase didn't occur. Remind me of what that as.

Ms. Bjergaard: What I should you 2 years ago is that the number of kids is going up and it looked that the serious crime rate was going up. There are now staffing ratios for the juvenile services. The ratio is 1:8 per day and 1:16 per night. We converted the large temp pool to FTEs. The rate of commitment to TGS hasn't fallen, but it should. We need to find ways to treat kids that aren't a public threat, but are still in corrections**.**

(48.47) Representative Lisa Meier: With the public school system, what is your relationship there and working with those individuals with larger needs? What are you doing to work with the public schools?

Ms. Bjergaard: They don't want those kids back. It's not always a good relationship. What we're trying to figure out is a way for the day treatments to be a win for the schools. It's a treatment in many ways. But we think that the day treatment is a way for the students to be in the community and be in community-based services, which are cheaper too. We have approached the 5 districts from which most of the kids are enrolled in Marmot school, and started having conversations about how they would feel about doing something like this.

Representative Lisa Meier: I appreciate that explanation because I know that Bismarck Home School had sent out an email for a meeting on Friday and I know that that will be one of those questions.

Ms. Bjergaard: I would like to treat the Mandan day treatment program as the home school where we can move the kids from there into the home-school setting.

(54.53) Representative Lisa Meier: That's great feedback because I was looking for something to take to them.

Ms. Bjergaard: I don't want to force kids back out into the community that aren't ready, and force schools to take those kids back.

(57.40) Mr. Krabbenhoft: (finished attachment C)

NO FURTHER QUESTIONS, MEETING CONCLUDED

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
1/16/2019
30863

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Public Testimony.

Minutes: A,B,C,D,E,F,G

Opened hearing and took roll.

Support for the move of the women's prison first.

Ashley Patzner: (personal testimony-attachment A)

(9.22) Representative Lisa Meier: Are you from Bismarck?

Ms. Patzner: Yes.

Representative Lisa Meier: How many months were you there?

Ms. Patzner: 7-8 months.

Representative Lisa Meier: You had talked about the services; you did receive services though while you were there? Every day did you receive some services?

Ms. Patzner: Yes.

(10.51) Julie Haibeck: (personal Testimony-see attachment B) I had three daughters out there that need counseling, but mine didn't get any counseling at all. There is only one program that is 3 months long, and she couldn't get into the program because it only takes 13 girls. These girls are so young that they aren't taught life skills. Counseling and life skills are important because it helps to keep the girls out of the system. When I asked my daughter about the counseling available, she said there was none available as compared to when asked if the system does have it. They need classes on cooking, family skills, education, treatment, survival classes. I believe that moving it up here, they would be able to get more job opportunities as compared to the lack of job opportunities available there.

(17.08) Chairman Jon O. Nelson: Where are you from?

Ms. Haibeck: Mandan, ND.

Chairman Jon O. Nelson: If there were 137 inmates at Dakota Women's Correctional and Rehabilitation Center (DWCRC), they were overfilled and I think the capacity is 126. And I think that when they did that they did it for the need of the corrections. I am interested in learning the level of treatment, how continued the treatment is, and the job skill training available. I think that when they leave they need to have skills that they can lead a successful life with.

(18.50) Representative Lisa Meier: Did your daughter serve the full 1-year sentence?

Ms. Haibeck: 9 months and then a halfway house.

Kasie Haibeck: (see attachment C) I was at a house that did get raided and I had nothing on me. I was charged and everything was dismissed. I was clean and sober for 4 months, doing everything I was supposed to be doing. I went to DWCRC, had no counseling, no teaching, I only got to cook in the kitchen. There are no opportunities, unlike the men that we know that are at NDSP.

Chairman Jon O. Nelson: So you never got any job training?

Ms. Kasie Haibeck: No nothing was offered like that.

Chairman Jon O. Nelson: How long was that ago?

Ms. Kasie Haibeck: 13 years ago.

Representative Lisa Meier: What are you doing now?

Ms. Kasie Haibeck: I work at the shooter shack fulltime.

(22.12) Lorraine Davis, Founder and Executive Director of the Native American Development Center: (see attachment D & E)

(27.21) Chairman Jon O. Nelson: Have you visited with people at the DWCRC about adding some programs that you spoke about this morning?

Ms. Davis: I haven't in a long time, but I would recommend it moving to Bismarck because there is a large Native American population that could help to support the Native American women in there.

(29.18) Natasha Gord: (Public testimony) I'm from the Spirit Wood Tribe. I am a member of the Native American church and a sun dancer, so for me it is important to have access to the Native American cultures. We currently live in a society that is mixed and it is hard to get back to our homelands on the reservations, but it is important to do that outside of the community. One of our teachings is that we earn fathers to become warriors, and being in

prison while they lose a family member they earn a feather because of how hard that is. Our mothers are important to our culture. We live in a matriarchal society, and we lose many mothers due to incarceration. By moving the facility, we would be helping those mothers to get back to their families.

(33.17) Representative Lisa Meier: You offer your services, Natasha, to DWCRC?

Ms. Gord: I offer them here in Bismarck and they are free. I'm not a savior, but I believe that spiritual teachings are important not only for the Native American individuals but for the prison system as a whole.

(34.42) Chelsey Nelson: (personal testimony) I was an inmate at DWCRC in 2012, 2013, and 2014. Currently I work at a treatment center at Moorhead, MN and am starting a nonprofit organization. My stays at DWCRC were all a little different. I am a second generation of individuals being incarcerated. Each time I was there, it was constantly being renovated. I didn't receive any services while there. I was recommended for the highest level of treatment. There were only so many spots in the outpatient treatment that was offered there and I couldn't go to Thompkins due to my sentence time. My second time I was there I was pregnant with my son. The medical and dental care at the facility wasn't good. For dental I was transported away for care and there was a waitlist for that. I wasn't transported out for medical, except for with having my son. I originally come from Minot, and never received a visit due to travel distance. The facility is so far away, and I remember waiting in county jail for about 3 months before I could go to DWCRC. My biggest reason for the move would be the fact that those women need resources such as programming and re-entry. They have to be available to us and if they aren't then the recidivism rates will keep increasing. When I was there all that was offered was treatment, thinking for a change, and everything else was inmate ran or faith based. I'm not against anything faith based, but there needs to be more options to these women.

(42.32) Representative Richard G. Holman: What successes have brought you where you are now?

Ms. Nelson: I got into drug court due to a charge that I caught while I was in prison. I needed something different because what I was getting in prison wasn't working.

Chairman Jon O. Nelson: Where did you get that treatment?

Ms. Nelson: Cass county in Fargo.

Representative Lisa Meier: How many years ago were you incarcerated?

Ms. Nelson: It was 2014.

Representative Lisa Meier: You're from Minot, but you were transported to a halfway house in Fargo, how come?

Ms. Nelson: The rates for inmates were high at that time, and they were really over crowded. I also believe that they didn't want to be responsible for me while I was pregnant so I was sent to the first halfway house that was available.

Representative Randy A. Schobinger: Would you say that the medical debt that you still have would frustrate you for years to come?

Ms. Nelson: I'm in debt from child support and from having my son. I'm still working on it and it will still burden me for about 10 more years.

Chairman Jon O. Nelson: Did you have no insurance, or couldn't be on Medicaid?

Ms. Nelson: They told me that since I was a ward of the state and on inmate status, I was not eligible for Medicaid or insurance through the state.

(46.27) Evette Seewalker: (Personal Testimony-attachment F)

(58.41) Margo Walking Elk: (Personal Testimony) I'm an enrolled member of the standing rock tribe. I've spent months incarcerated and at the halfway house. The facility is wearing down. The living conditions there were not tolerable. The water line that broke in the gym. There are people living in the gym and the water line broke on it. The water is gross out there. Everyone was getting sick from it. I had to pull out my own tooth due to the lack of emergency dental. Extreme things had to be done sometimes. I was fortunate enough to have my father bring my children to see me. One time when they were coming to see me they were in an accident and I didn't learn of it until about 3 days later due to lack of communication. We are allowed to have sweat about once a month depending on weather. And that is about the only cultural experience we have available there. There are no other outside sources available.

(1.02.00) Laura Walking Elk: (Personal Testimony) One of the main things that I have issues with is being a lesbian out there. I get watched more closely than others. I experienced my father dyeing while I was incarcerated at DWCRC and at the halfway house in Fargo. It was a struggle even being able to call my dad. I had people lined up to take me to see him, and still I couldn't. he passes away, and while at his funeral I ended up using and got put back into the halfway house.

(1.04.00) Chairman Jon O. Nelson: Where are you located now?

Ms. Laura Walking Elk: Bismarck.

Chairman Jon O. Nelson: Are you in a treatment program now?

Ms. Laura Walking Elk: No. (**Continued testimony)** I also experienced anxiety while being incarcerated. I had the option of going to Thompkins and hoping I would get treatment, or just deal with my anxiety.

Chairman Jon O. Nelson: Margo is working with you for the FTR program?

Ms. Laura Walking Elk: Not yet.

Chairman Jon O. Nelson: Well I hope she will be working with you soon. What kind of job skills do you have? Have you gotten any job skills while being in prison?

Ms. Laura Walking Elk: I didn't take many classes.

Chairman Jon O. Nelson: Were you provided any job skill training or work release?

Ms. Laura Walking Elk: I did get a certificate of participation and completed treatment. But my addictions counselor felt like she didn't want to complete me in that treatment though.

(1.07.57) Representative Randy A. Schobinger: Margo, on the dental issue, what was their answer to a timeline on getting your tooth fixed?

Ms. Margo Walking Elk: It was a waiting list to get it fixed which was extremely long. They usually took inmates only once a month, and they try to take the most severe cases first.

(1.09.10) Jessica Severance: (personal Testimony- attachment G)

(1.11.05) Chairman Jon O. Nelson: Where is your hometown?

Ms. Severance: Parshall, ND.

Chairman Jon O. Nelson: How long were you incarcerated?

Ms. Severance: I went to jail in 2014 and was released from prison in 2016.

Chairman Jon O. Nelson: Where did you go after that?

Ms. Severance: I went to Bismarck Transition Center (BTC) for 30 days and then to Center Inc.

Chairman Jon O. Nelson: Did you get any treatment or education?

Ms. Severance: Treatment**.**

Chairman Jon O. Nelson: What was your first job out of prison?

Ms. Severance: I was a server.

Chairman Jon O. Nelson: And you got that without any training?

Ms. Severance: My family owned a bar and grill where I helped out, but besides that no.

Representative Lisa Meier: Do you have visitation of your children?

Ms. Severance: My younger 2, no.

(1.13.35) Carrie Haibeck: (Personal Testimony) I was out at DWCRC all of 2017 and just got out in January. I think that there needs to be more education. There are no classes to do beyond getting your GED. Besides that, there isn't much to do, so we sit out there and do nothing. The men get offered far more than we do. We do get offered a computer class, but it is so outdated that it probably isn't even beneficial. I took a career and readiness class and we never got on the internet, and everything is on the internet nowadays. I believe that if you are going to be prescribed medication for mental health, then that doctor needs to talk to you more. There needs to be a mental health doctor or counselor there. There needs to be more job release opportunities. There are no groups or counselors out there for grief or loss. Medical is really lacking because there is a lack of transport so I believe that many of the women don't receive the care that they may need.

NO FURTHER TESTIMONY OR QUESTIONS, MEETING CONCLUDED FOR RECESS.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
1/16/2019
30899

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Public Testimony.

Minutes: A,B,C,D,E

Opened hearing.
Opposition public testimony.

Kelli Krieg, Director of Treatment Services at the Dakota Women's Correctional and Rehabilitation Center (DWCRC): (see attachment A)

(34.43) Representative Lisa Meier: I would like to see a list of all the employment opportunities for the inmates.

Ms. Krieg: The warden can address some of those.

Representative Lisa Meier: How many minimum security individuals do you have currently?

Ms. Krieg: 70. A lot of them do transition out of the prison.

Vice Chairman Gary Kreidt: Dental care is out of Bowman? Say someone has an impacted molar or are in severe pain, are you able to get those individuals into the dental care facility quickly?

Ms. Krieg: Yes.

Chairman Jon O. Nelson: Is there a waiting list for dental care?

Ms. Krieg: We can address that in another testimony.

Vice Chairman Gary Kreidt: You have a full time Physician Assistant?

Ms. Krieg: Yes.

Vice Chairman Gary Kreidt: She is under a licensed Medical Doctor?
Ms. Krieg: Yes.

Vice Chairman Gary Kreidt: You have 127 volunteers on staff, and you list a lot of different activities, is there a lot of good attendance when there are programs available?

Ms. Krieg: It seems like there is good attendance, it can be hit or miss sometimes.

Representative Randy A. Schobinger: Tell me why making this move might be detrimental or hurt the system.

Ms. Krieg: We're the only agency that provides on sight internships. If you want to do any internships or get licensed, we are the only place where you can do those.

(43.33) Chairman Jon O. Nelson: I talked about the partnership of the Department of Corrections and Rehabilitation (DOCR) and the Dakota Women's Correctional and Rehabilitation Center (DWCRC) and that there were times before the increase in inmate census there were times that the DWCRC was under the 127 bed capacity and the DOCR was still paying for the total 127 beds. Can you tell me about the opportunities for the sweat lodges out there?

Ms. Krieg: It is totally weather dependent. We can't do it in the winter or during times of high wind. It also depends on the number of instructors available for the sweat lodge.

(46.31) Father Gary Benz, Pastor of the St. Mary's church in New England: (personal testimony-see attachment B)

(54.56) Representative Lisa Meier: How many inmates usually attend a services?

Father Benz: They come by level of security, so the numbers vary.

Representative Lisa Meier: Are there any other churches that volunteer?

Father Benz: Yes, a Pentecostal church does, Seventh Day Adventist, and I believe a Jehovah's Witness. Even though I come in as a Catholic priest, I am willing to provide anything that the women want.

Chairman Jon O. Nelson: Do you have any direct impact with the religious culture that exists with the 5 tribes there**?**

Father Benz: Those numbers are reflected in our religious gatherings. The number of women that attend our services are the same number of native American women there.

(59.13) Rachelle Juntunen, Warden of DWCRC: (personal testimony-attachment C & pictures of the facility-attachment D)

(1.05.44) Chairman Jon O. Nelson: Is it true that only 13 individuals are able to access the job program? And can they access that?

Warden Juntunen: It all depends how much workforce they need. Right now we only have 7 ladies going through that.

(1.06.47) Warden Juntunen: (continued attachment C)

(1.07.30) Chairman Jon O. Nelson: I'd like to drill down on the sweat lodge and smudge for the women.

Warden Juntunen: The sweat lodges are offered either every other week or every week depending on the weather. The smudge is offered every week.

(1.08.10) Warden Juntunen: (continued attachment C) The DOCR provides our psychiatrist and allocates the number of hours she can be seen. They also supervise the psychiatrist. We transport about 2 times a month for dental and take 30 people for that.

(1.15.57) Chairman Jon O. Nelson: That's the dentist in Bowman?

Warden Juntunen: Yes.

Chairman Jon O. Nelson: And there is that waiting list?

Warden Juntunen: There can be, but we put the emphasis on the inmates with pain or infection. If they don't have pain or infection, then they will be moved to the next transport if an inmate with pain or infection arises.

(1.17.30) Warden Juntunen: (continued attachment C)

(1.35.50) Representative Richard G. Holman: Incarceration is not about punishment anymore; would you say that just about every one of your women have a dependency issue?

Warden Juntunen: Yes, many of them do, and even if they are doing time for a property charge, that is still driven by a substance.

Representative Richard G. Holman: Is there ever a situation where you say why is this person even here?

Warden Juntunen: Absolutely. I could name more of these women that could be in the streets instead of in this facility.

Chairman Jon O. Nelson: You talk about a possible arrangement with the DOCR with another population. Two things come to mind for that. You're at a disadvantage geographically and that can't be changed. It is difficult to access the services you are demanded of because of that. It seems to me that a population that was more consistent might be a good fit for New England. How open are you and your counties to that decision?

Warden Juntunen: They are all very open to that. I have made calls for that and have tried to get that. We are open to the vocational training program opportunities.

(1.42.35) Representative Randy A. Schobinger: If we are looking out into the future, and this facility stays, do you have any doubt that you can work with the Director?

Warden Juntunen: The DOCR treats us very well and I like to believe that we have a good relationship with them. I think that we can move forward from this.

(1.43.56) Lynn Brackle, Chairman of the Bowman County Commission and also on the Jail Board: We would be very open to a new type of people that we are serving within the facility, to protect our communities, our investment, and the facility. We need something to happen and to take care of our own people.

Vice Chairman Gary Kreidt: As a county group, have you talked about this at the group?

Commissioner Brackle: It has been talked about at the meetings and we would be receptive of that.

Vice Chairman Gary Kreidt: So would all the counties be ok with that?

Commissioner Brackle: I feel as though they would all be in agreement with that.

Warden Juntunen: I took this to the committee and they were all in favor of that.

(1.47.35) Kelly Koppinger, Superintendent of the New England Public School: (Personal Testimony-see attachment E)

Chairman Jon O. Nelson: In the school system, what is the mix of male to female in the vocational classes?

Mr. Koppinger: It's about 50/50 because there is an excellent vocational teacher out there.

(1.51.35) Dr. Penny Veit-Hetleved, oversees education training and core correction practices of the DOCR: (Not testifying against HB1015) I want to provide some clarification within the education funding. When discussing the funding piece through the state is the adult education program, and the funding for that is only returned if they are successful completers. So now that there are some, they get reimbursements for testing pieces, but that did not exist at the time of our compliance issues because those compliance reports through the state recommended closing the education department all together there. We worked closely with Rochelle to offer some additional supervisory pieces. There wouldn't be plans in place because we worked directly with her to offer a bit more in artifact to offer some faculty resignations and movement. The 100% pass rate is with the intervention is that they have to get approval for all testing until they get cleared with the next visitation.

NO FURTHER TESTIMONY OR QUESTIONS, MEETING CONCLUDED.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
1/18/2019
31041

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Review of questions from previous hearings.

Minutes: A,B,C,D,E,F,G,H,I,J

Opened hearing and took roll.

Dave Krabbenhoft, Director of Department of Corrections and Rehabilitation (DOCR): Introducing Dr. Peterson.

Dr. Lisa Peterson, Clinical Director for the (DOCR): (See attachments A & B)

(5.23) Chairman Jon O. Nelson: In the narrative, all the clinical staff are masters or doctoral trained, in Dickinson what is the level or professional education there?

Dr. Peterson: For the first 3 years of the program there was a psychologist with a master's level licensed professional counselor (LPC) working under her. Since then, the Psychologist has moved on and the LPC has taken over.

Dr. Peterson: (Continued attachment A)

(7.42) Representative Lisa Meier: Does the client have to pay for any of the services they receive?

Dr. Peterson: They do not.

Chairman Jon O. Nelson: It was mentioned that some of the residents out at MRCC had some sex offender implications, what is the percentage of the population of the adult male population that meet that classification?

Dr. Peterson: Dave has a handout of all of those percentages.

(9.11) Mr. Krabbenhoft: (Passing out attachment C)

Chairman Jon O. Nelson: And there's all kinds of offenses that get you into that classification?

Dr. Peterson: Yes, there are a lot of different offenses that can be classified in there

Representative Richard G. Holman: Is there anything that would track these people through the states?

Dr. Peterson: We did a study in 2016 that tracks the number of ND people at each risk level and what their actual offense was. We didn't look in to the entire state offenses, but I can look into the ND stats. We haven't looked into the interstate movement of those people.

(11.55) Dr. Peterson: (See attachment B)

(15.57) Chairman Jon O. Nelson: Could you tell us in the new budget what your expectation is for continued growth and does it eventually level off?

Dr. Peterson: I think that we will have increased growth at least in the next 6 months. I think eventually it will level off. We are looking at dong another estimate of the number of people that would need this service throughout the state of ND. We are doing very well. There are areas where we could be doing better, but in Bismarck and Fargo, we are doing well.

Chairman Jon O. Nelson: When would we have adequate numbers in the area of peer support specialists?

Dr. Peterson: That number is a little tricky to estimate because not all participants are open to having peer support. We are looking at starting a peer support program within the prison so that the inmates can start to realize the importance of that support while still in prison. Generally, the case load per peer support professional is about 5. We would need probably about 100-150 to properly serve them. We are looking at the importance of matching the supporter and individual in the program based on gender, ethnicity, experiences, etc. In order to do that properly, we would need more peer supporter specialists.

Representative Lisa Meier: How many individuals do we currently have on parole in the state?

Dr. Peterson: About 900.

(19.55) Dr. Peterson: (Continued attachment B)

(22.24) Chairman Jon O. Nelson: Are the discharge percentages what you expected?

Dr. Peterson: I don't think they stand out as normal. I'm a little surprised as to the number of people that just stopped coming to the program. I think that there needs to be more training on how to build that relationship between the specialist and the individual.

(23.37) Dr. Peterson: (Continued attachment B)

(25.33) Chairman Jon O. Nelson: If someone successfully completes the Free Through Recovery (FTR) steps, but all of a sudden something changes in their life that creates a situation in their life where they have vulnerability again. Can that individual contact that support specialist?

Dr. Peterson: Yes, we built this program in mind of having the individuals long term. As long as they are willing to keep engaged, and stay in that relationship, they can keep in contact with their FTR sponsor.

Chairman Jon O. Nelson: I'm glad to hear that this program is more of a relationship than a start and stop program.

(28.45) Dr. Peterson: (Finished attachment B)

(30.23) Mr. Krabbenhoft: (See attachment D)

(33.21) Amy Veracheck, Director of Administrative Services for the DOCR: Here for any questions.

Chairman Jon O. Nelson: Do you think that it will be a god chance that there will be that 35% reduction?

Ms. Veracheck: We really don't know. With the federal government being shut down, they just gave us that number. With that 8 million for this biennium, we have only touched about 1 million, so if we do receive that 35% loss, we will be able to ease into that for quite a while still.

Chairman Jon O. Nelson: So there is some cushion in the budget for this coming biennium?

Ms. Veracheck: Correct.

Travis Englehart, Director of Human Services for the DOCR: (See attachment E) The only thing that changed as the numbers in red. Those numbers were where we could add in correctional officers. I went back and found the error in my formulas, but I have checked them again now.

(39.48) Mr. Krabbenhoft: (See attachment F)

(44.23) Mr. Krabbenhoft: (See attachment G)

Chairman Jon O. Nelson: When someone violates, is there areas in the state where this will be more prevalent?

Mr. Krabbenhoft: The county will pay $150 to transport the offender, and the DOCR will be responsible for going and getting the individual. The offender also has to pay $150 as an application fee to be transported.

Chairman Jon O. Nelson: This is in century code?

Mr. Krabbenhoft: Yes, this is in there. It states that if we go below that 75,000 it would be the following year that the county would have to pay the fee.

(49.24) Mr. Krabbenhoft: (See attachment H)

(54.03) Representative Lisa Meier: As you visit with your counterparts from other states, what seems to be working best?

Mr. Krabbenhoft: A lot of states are doing the supervision fees, but they are also tacking on a lot of other fees.

Chairman Jon O. Nelson: When we have that 35% rate, I don't think anyone is interested in going into that. I don't think that that is in our area.

Mr. Krabbenhoft: It goes by statute. I am confident that the department is going to ask for these fees the next biennium too. We have parole officers with high caseloads that still have to be collecting money. We also have difficulty in the accounting department with the accounts receivable. We have done this for a long time and we can continue doing it, but I think that as we continue this justice reform, this will not be something that will go away. I think that this is a barrier to the folks that cannot afford it.

Chairman Jon O. Nelson: Does the 65% that is unpaid, stay on your record?

Mr. Krabbenhoft: Yes, it does but they then go onto the collection agency. We don't wipe the fees out, but we do take certain considerations for those that absolutely cannot pay it.

(59.26) Representative Randy A. Schobinger: Because of the nature of the client involved, do you monitor the tactics of the collection agency wen trying to collect?

Mr. Krabbenhoft: We contract with a reputable firm, and they use the tactics that are lawful. We haven't received any complaints about how the collection agency does their work.

Representative Richard G. Holman: It seems like getting involved with a collection agency could affect employment of the person. If I was an employer and I knew of their history with the collection agency, this might be a factor that they will not be getting the job.

Mr. Krabbenhoft: As we go along with this justice reform, we may have to make some changes as to how we do our business. We may even be adding to the struggle of these inmates that are being released.

(1.05.39) Pat Bong, Director for Parole and Probation: (See attachment I & J)

(1.07.37) Vice Chairman Gary Kreidt: Do we have ladies that are officers too?

Mr. Bong: We do have a good representation of women that are parole officers. It would be about 40% of the total being women.

Chairman Jon O. Nelson: How many officers do you have in Williston?

Mr. Bong: 5.

Vice Chairman Gary Kreidt: How do you determine where the area is for the officer?

Mr. Bong: We have 16 district offices across the state, and within those offices we have those officers. When then have the state broken into 7 regions and the officers are then assigned to a rural run. This is where an officer may be stationed in Bismarck, but then run down to Standing Rock. We want to serve the individuals in their own communities, and not make them come to our offices.

Vice Chairman Gary Kreidt: It depends on where the client is located?

Mr. Bong: Exactly. But we try to assign them to one region.

Chairman Jon O. Nelson: If you do the numbers it comes out to about 79:1, is that trending in the right or wrong direction?

Mr. Bong: I think that we are a long way from where we need to be. We never had a systematic way of setting a standard of early termination. This October we implemented a substantial termination for the client. If the individual meets certain criteria, then they can petition to terminate their probation.

Chairman Jon O. Nelson: It seems to me that there is the area where we need more people. I look at some of the property crime and issues in my part of the state, and I know that on the reservations when the federal government is involved, there is literally no supervision. It just seems like we have to have an eye on some of these people for a period of time. I'm surprised that there isn't a request for more parole officers.

Mr. Bong: I would like to see more. We are working with people that are in the state and also out of state. Parole is the best place to hold people accountable but still let them pay their own way.

Chairman Jon O. Nelson: How many more officers would you need?

Leann Bertsch, Director of the DOCR: If we really wanted probation to work, you would give the officers the opportunity to do the work that needs to be done to get the behavioral change that is desired. We would like to do a pilot program of decreasing the number of caseloads for one officer, and see the success rate of that officer if we do decrease the load rates.

Chairman Jon O. Nelson: In the pilot situation, you'd want to put that program in a more populated area?

Ms. Bertsch: Right. Another piece with the early termination program, we would need to see where those numbers flesh out.

Chairman Jon O. Nelson: Why don't you prepare an amendment for us to look at in our discussions.

Mr. Bong: we need to lower those numbers because it is almost impossible for these officers. There are systematic problems that I think we need to look at too. We need to continue to work with the judicial side to get them to triage the offenders before they are sentenced. There needs to be policy changes to make it more viable to keep people in the community.

Chairman Jon O. Nelson: There is a proposal for pretrial services, if the pilot program was passed would you like to see that in one of those pretrial areas, or would you like to separate that?

Mr. Bong: It would be interesting to see how the pretrial services and the pilot program coincide.

(1.22.12) Representative Lisa Meier: How many in the last year did violate their parole?

Mr. Bong: We were around 26-28% parole revocation rate. That has been about where we have been for the last years.

Representative Lisa Meier: What is the average amount of time for an individual for parole?

Mr. Bong: I think it was about 330 days, give or take. That has continuously grown over time.

(1.24.13) Representative Richard G. Holman: Much of our world is changing due to electronic communication. When I start thinking about the rural counties, can the electronic communication be used for that instead of having to drive out there?

Mr. Bong: We have changed some of our communication standards to be able to use FaceTime as a check in way.

(1.26.50) Chairman Jon O. Nelson: Could you give me the difference of an officer average and an officer average without non classified on attachment J?

Mr. Bong: Non-classified status is used to triage our clients and to decrease the case load for some officers. Non-classified individuals could be on a status of being on probation, but are sitting in prison due to another crime that they committed. They are still individuals that the officer has, but they aren't doing a whole lot of work with.

Chairman Jon O. Nelson: The average is 80 but 61 is the ones that they have contact with?

Mr. Bong: Yes, and then there is about 19 that are non-classified.

Chairman Jon O. Nelson: What is heterogeneous mean?

Mr. Bong: Heterogeneous means diversified. They take everything.

MEETING CONCLUDED FOR BREAK.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
1/18/2019
31057

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Review of questions from previous hearings.

Minutes: A,B,C,D,E,F,G

Dave Krabbenhoft, Director of the ND Department of Corrections and Rehabilitation (DOCR): (See attachment A)

Chairman Jon O. Nelson: Did you inquire about purchasing them instead of leasing them?

Mr. Krabbenhoft: I will ask about that and let you know. In that past they haven't let us buy them without leasing them.

Mr. Krabbenhoft: (Continued attachment A)

Representative Bert Anderson: What is the square footage of the man camps?

Mr. Krabbenhoft: I would have to double check on that.

Chairman Jon O. Nelson: Target Logistics would be responsible for the delivery and set up too?

Mr. Krabbenhoft: Yes.

(4.11) Mr. Krabbenhoft: (See attachment B)

Chairman Jon O. Nelson: How long of a day do they have?

Leann Bertsch, Director of the ND DOCR: They are usually out there by 7 am, have lunch break, and are done by 3 pm.

Representative Randy A. Schobinger: Does the money that they earn go into an individual account?

Mr. Krabbenhoft: Each inmate has an account within our common account. We have a ledger where we keep track of their income and funds. The warden has the authority to manage their accounts, and the inmates get to see their funds every month.

Chairman Jon O. Nelson: The trailer was going to be used…?

Mr. Krabbenhoft: It was going to replace that other trailer.

(10.05) Mr. Krabbenhoft: (See attachment C)

(10.55) Travis Englehart, Director of Human Resources for the ND DOCR: (Explaining attachment C)

(12.45) Chairman Jon O. Nelson: Having Bismarck and Mandan included, that would be the ones you are competing with?

Mr. Englehart: Yes, West Fargo would be included too probably.

Representative Richard G. Holman: What do you figure as the total cost of an instructor, benefits and all?

Mr. Krabbenhoft: I don't have those numbers here, but I can get those to you. Generally, we would add a 32%.

Chairman Jon O. Nelson: Is the 32% for benefits or the shorter year?

Mr. Krabbenhoft: Benefits.

Chairman Jon O. Nelson: So the 32% for benefits and then another 30% for time?

Mr. Krabbenhoft: This reconciliation that we just handed out would show you how we got to those numbers. **(See attachment D)**

(16.51) Representative Lisa Meier: These are individuals that are teaching 12 months out of the year?

Mr. Krabbenhoft: Yes, that is correct.

(17.22) Mr. Krabbenhoft: (See attachment E)

(21.18) Ms. Bertsch: (Referenced the website www.michigan.gov/corrections) We were just out in Michigan and visited one of the minimum custody men's facilities. Their first vocational village opened in 2016. They have carpentry, pluming, etc. **(Attachment F-Vocational Village Employer Testimonies video on the Michigan Corrections website-https://www.youtube.com/watch?time_continue=3&v=JxpEoOHFj8E)**

(32.00) Representative Richard G. Holman: 40 years ago we started paying attention to people with learning issues and chances are there are a number of people in your system

that have those issues. Are you tracking those individuals in your system while doing their education?

Ms. Bertsch: Yes, we track that very carefully. If they don't have a GED or High School Diploma they have to get one and we do all of that testing before they begin. The biggest thing that we can do for these incarcerated people is give them education. Once they learn a skill, then they will change their attitude about themselves and how they can earn a living.

(35.07) Representative Randy A. Schobinger: I asked the folks from New England about needing reasons for this decision, and we really didn't get any. But now I'm hearing is that we may want to repurpose that facility. How are the issues of travel and services going to go away if we move men there?

Ms. Bertsch: They aren't going to go away. However, if we put a different population of minimum custody men out there are only going to be spending a shorter sentence than the women that are out there. It really is a compromise discussion. It wouldn't be the orientation/reception unit. BY the time a man would go out there, they would already be through different facilities, and these men that would be going out there would be treatment complete or close to completing and the ones that have low health risks. The best case scenario would be to not put anyone out there. **(See attachment G)**

(44.28) Representative Bert Anderson: Of the 4 people that testified from New England, none of them mentioned jobs.

Ms. Bertsch: No, they didn't. That is definitely the talk behind the public hearing, but they didn't bring that up during public testimony.

(46.34) Representative Lisa Meier: So if the New England facility be repurposed into a men's facility, would the employees there be able to stay?

Ms. Bertsch: I think that for the majority they would be able to, but I think we could cut down on the medical staff a little bit because they wouldn't be needed.

Representative Lisa Meier: I think that it would be challenging to find opportunities to fill the staff if you didn't keep the current staff?

Ms. Bertsch: This would take time. And their turnover rates are similar to our turnover rates, and with time this could actually just be phased out.

(50.00) Chairman Jon O. Nelson: We want to be honest and the situations at Bismarck Transitional Center (BTC) and Missouri River Correctional Center (MRCC) are shocking and we want to institute some changes. This decision is for this biennium. Next biennium we will be looking at a price for a new facility. From a short term position, I think that we should look at this for a possibility.

(58.21) Chairman Jon O. Nelson: What are all of the vocational training at Youth Correctional Center (YCC)?

Lisa Bjergaard, Director of the Juvenile Division for the ND DOCR: We have a broad array of tech education. What we have done historically and where we are trying to go is a shift as we are doing juvenile reformation. As we have depended on long term stays at YCC, it was more important that there are more types of vocational training. As we're decreasing the severe crimes in children, they are becoming needier. They are needing more education and we now have kids that are needing more of those elective type classes. In an ideal world, we would have a quicker return to home community. We want to keep their stays at YCC short, and return them to home. These kids are the hands-on type of kids. They do not want to be in school and learning. The focus on education needs to be staying nimble in terms of using the electronic needs to keep them connected to their home curriculums and then to get them back to their home schools. There is a real divergent philosophy as to what we want to do with the kids' education as compared to the adult education.

NO FURTHER QUESTIONS. MEETING CONCLUDED.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
2/8/2019
32474

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Taking amendments.

Minutes: A

Opened hearing. **Attachment A** handed out to be discussed.

Chairman Jon O. Nelson: Let's go ask for amendments.

Sheila Sandness, Legislative Council: Do you have the long sheets, or do you want me to go grab those?

Chairman Jon O. Nelson: Ok, we can wait. Alex may have the long sheet too. The funding for studies, that number for the study for the youth correctional center (YCC), do we need that kind of funding for that study? And how would that be sent out?

Dave Krabbenhoft, Director at the Department of Corrections and Rehabilitation (DOCR): We would request for proposal (RFP) it. We aren't just looking at the presence of YCC, but also the other areas in the state.

Chairman Jon O. Nelson: The study would determine whether we need to decentralize?

Mr. Krabbenhoft: That would be part of it, but it may not be the only thing. We need to find out what would be best for the kids.

Chairman Jon O. Nelson: The 250,000 dollars, do we need that type of appropriation to get to that area?

Mr. Krabbenhoft: Our experience with that is that once we start bringing in the experts to look at that, it gets expensive.

Chairman Jon O. Nelson: What was the cost of the study for the upgrade at the state penitentiary?

Mr. Krabbenhoft: I think it was 250,000.

Chairman Jon O. Nelson: We do have some study language that we are considering asking for as well, and I don't know how that compliments the 500,000 that is already in the budget.

Vice Chairman Gary Kreidt: Also there is section 3 where we take sift money and it talks about campus studies within there.

Mr. Krabbenhoft: They would all be funded through sift, so 500,000 of that amount involves the studies. We were looking at the hospital one a lot, not only the size but also the number of people. We need a study to see where we can put the individuals that have mental illness too.

Chairman Jon O. Nelson: Have you seen the language in the study?

Mr. Krabbenhoft; No.

Representative Lisa Meier: We haven't really looked at anything in the past for the YCC in terms of a study?

Mr. Krabbenhoft: There really hasn't been a direct study.

Representative Lisa Meier: I think that is a good play on that too.

Mr. Krabbenhoft: There are some old buildings that we have and I think it would be helpful to get a study for the condition of our buildings and the system itself on how we are managing kids.

Vice Chairman Gary Kreidt: I haven't looked at the department of human services (DHS) budget, but if there were going to be any studies it would come out of the DHS budget.

Mr. Krabbenhoft: We were putting it in our budget because we though that they would take it out. We wanted to get a real study and get opinions from professionals on how we could use the buildings. We are unsure as to the status of the infrastructure and how we can use the buildings to our advantage. We want to look at the management of the people and the behavioral health piece for our individuals, along with the staff that we would need to put into that area in order to staff that.

Chairman Jon O. Nelson: The Senate pulled the funding for the state hospital, so from a practical position, that building isn't able to be used.

Mr. Krabbenhoft: Ok. I hope then that they may want to pursue that in the future for the behavioral health.

Chairman Jon O. Nelson: I think that we would agree that the hospital campus needs to be a part of this language.

Mr. Krabbenhoft: I think there are some efficiencies and synergies that we could find when we do a study. The state hospital and DOCR do overlap in a lot of their areas of practice.

Chairman Jon O. Nelson: Do you think we could include all those items into one study?

Mr. Krabbenhoft: I think we could.

Chairman Jon O. Nelson: I think it is the desire of this committee is to do that type of research before we do anything, and I think that may be the same feeling that the Senate has. Alex has already made the necessary adjustments, and so we can start with the line under the retirement. We would like to ask for the retirement contribution, the funding for teacher salaries, and the 20 fulltime employees (FTE) to be moved over. We want to do 3 amendments. First is to leave everything the way it is. Adopt the executive recommendation. Lastly, transfer the women from Dakota Women's Correctional and Rehabilitation Center (DWCRC) and the renovation money for that and then transfer up to 100 men from Missouri River Correctional Center (MRCC) to the New England facility and the remainder of those inmates would go to James River Correctional Center (JRCC). That would also be some savings for the Bismarck Transitional Centre (BTC) facility.

Representative Randy A. Schobinger: Are we including the study language in that too?

Chairman Jon O. Nelson: The study language will go forward either way. We need to have the study no matter how we go. There will be a lot of shifting of dollars no matter how we go. When we get to that discussion, can we have a budget picture on where we are in the budget on both sides of that. On the man camps, they cut their request in half?

Mr. Krabbenhoft: Yes.

Chairman Jon O. Nelson: There are some decisions that could be made on if we want to lease or purchase those items. The bigger issues are the overall cost savings. We also need to discuss the contract rate for the inmates from MRCC if they were to go to New England. We will have to get a dollar number for that. MRCC now is around $84 a day, let's put a $93 in there for discussion purposes. That number can't be warranted by anything other than that was a number I pulled out of the sky. It will put a number in there to discuss and compare. We will leave the funding and FTE for converting the MRCC blank because that will fit into one of those scenarios. The next one is the same thing. Explain the next line.

Mr. Krabbenhoft: We were asked to submit a 90% budget, part of that was putting in optionals. We had DWCRC at 90% in our base budget and that dollar amount would bring it back to what they asked for in their budget.

Chairman Jon O. Nelson: The funding and FTE for JRCC, and the man camp leasing for the JRCC will not be added. The funding for the Tompkins will be added back into the House version.

Representative Randy A. Schobinger: On the 2 above that, the amendment we are asking for that goes along with the executive recommendation, those 2 will be part of that recommendation?

Chairman Jon O. Nelson: That is the executive recommendation. Everything that we see that we haven't seen so far will be included in there.

Representative Randy A. Schobinger: Did we receive new information on the man camps?

Chairman Jon O. Nelson: I believe the number you see here is good for the executive recommendation but it would be paired down from 4 to 2, it will be cut in half.

Representative Randy A. Schobinger: We aren't able to negotiate that?

Chairman Jon O. Nelson: We can put a number in there that may not look like how it is now. We will move the Tompkins Rehabilitation and Corrections Center (TRCC) payments. The next is to add funding for the treatment beds. I forgot the discussion we had, but there is a need for more treatment beds.

Mr. Krabbenhoft: That is the same thing with TRCC, we decided to take over the nurses building and add 60 beds to that. We will then contract the remaining 30 beds. This would split the TRCC program between the Hospital and the DOCR.

Chairman Jon O. Nelson: How many beds are you taking over?

Mr. Krabbenhoft: 60, they are all in the nurses aka TRCC building.

Chairman Jon O. Nelson: Is that based on full capacity?

Mr. Krabbenhoft: Yes, and our projections of inmates and our number of beds across the whole system.

Chairman Jon O. Nelson: From a cost center basis that wouldn't enter into the discussion of our 3 options, those 30 beds are needed regardless of where we go?

Mr. Krabbenhoft: Yes.

Chairman Jon O. Nelson: Those are women's beds?

Mr. Krabbenhoft: Yes.

Representative Richard G. Holman: Is there a similar adjustment in the DHS budget?

Mr. Krabbenhoft: Yes.

Representative Lisa Meier: What is the need to amount of stay for those individuals in the Thompkins?

Mr. Krabbenhoft: About 90 days.

Chairman Jon O. Nelson: We will move that one across then too. The funding for the pretrial services, we will add that in too. That is for 3 pilots, and they haven't been established yet but they will be a mix of communities that will be using that. One will definitely be a rural district?

Mr. Krabbenhoft: We are looking at 3 judicial districts.

Leann Bertsch, Director of the DOCR: We haven't decided which 3 yet, but it won't be out decision. We will be putting together a team that will decide that.

Chairman Jon O. Nelson: That is good to know because there are many people on appropriations that don't want Bismarck or Fargo to get everything. The next is the funding for the day treatment for the juvenile system. What were the 5 schools?

Lisa Bjergaard, Director for the Juvenile Division of the DOCR: It isn't determined quite yet, but we will have to work with the schools because they have to be willing to partner with us. The districts that commit the largest number of kids to the system would be the areas we would be willing. (Fargo, West Fargo, Grand Forks, Dickinson, Bismarck)

Chairman Jon O. Nelson: We will add that in. The transfer of FTE for information technology department (ITD) unification, we are instructed to not do that so we won't move that across. Funding for the operational expenses related to the ITD unification will not be moved across. Next is adjusting funding for the miscellaneous items and where did we make the correction for that?

Mr. Krabbenhoft: I think that Alex made that correction back on the first page. I will ask Alex though.

Chairman Jon O. Nelson: I had it in transitional facilities, but we will wait for that from him. Why is there an increase in the general fund, but decrease in special?

Mr. Krabbenhoft: It relates to the supervision fee collection. We increased our special funds this past biennium, but now we are decreasing it to adjust that.

Chairman Jon O. Nelson: We will move that across as well. Next adjust funding for the crime victims and we will add that. We will add the Microsoft 365. The adjustment for the capital bond payments will be added. Removing the funding for the man camp at MRCC and that is because we bought that man camp in the current biennium and we won't need that so we will add that. Remove the funding for the extraordinary repairs and that will be added.

Representative Randy A. Schobinger: What is that for again?

Mr. Krabbenhoft: In the previous biennia we had extraordinary repair money that wasn't in the onetime funding, but in the ongoing funding. This time, it was put into the onetime funding and we don't need it this time.

Chairman Jon O. Nelson: We are taking that out?

Mr. Krabbenhoft: Yes, but hopefully it will go back into onetime funding.

Chairman Jon O. Nelson: In the transitional facilities section, there was a double up of over 1 million dollars, did you make that correction?

Alex Cronquist, Legislative Council: The error is not yet corrected, but I will add a line to correct that.

Chairman Jon O. Nelson: Is that onetime funding?

Mr. Cronquist: That should be in ongoing funding.

Chairman Jon O. Nelson: We will ask for that amendment then. Move onto the onetime funding items. First we will replace the elite servers.

Representative Lisa Meier: This is for IT funding to update that.

Chairman Jon O. Nelson: We will move that over. Next is to add onetime funding for the rough rider industries (RRI) equipment. We will not add the onetime funding for the construction of the RRI building.

Representative Randy A. Schobinger: You're talking about including this within the amendment that would follow the executive recommendation? If so then I would say leave it out of that.

Chairman Jon O. Nelson: You could argue that.

Representative Randy A. Schobinger: But then we would need to further amend it.

Chairman Jon O. Nelson: Why don't we deal with that separately. I am comfortable with dealing with this separately. We will leave it out for now, but I will need to be reminded that the RRI building will still need to be dealt with if we go with the executive recommendation. Next is the strategic investment and improvements fund (SIFF) funding and it will be moved across. Next, is the funding from the SIFF fund for converting the MRCC to hold women, that will not be added for now.

Mr. Cronquist: We will include that in those 2 amendments that move the women?

Chairman Jon O. Nelson: Yes. Next is the SIFF funding for the YCC, JRCC, and the State Hospital studies, do we want to use that number?

Representative Lisa Meier: After the explanation we got, I think this number is ok to use.

Chairman Jon O. Nelson: Does anyone want to change that number? Hearing none, we do have language for the other study before we are done with this. We will move that across.

Vice Chairman Gary Kreidt: This is just a study of the campus?

Mr. Krabbenhoft: I would like to be able to include their physical infrastructure.

Chairman Jon O. Nelson: Let's get Dave a copy of the proposed amendment.

Representative Lisa Meier: If we look at the JRCC, would that be duplicate language in the Senate also for the DHS budget?

Mr. Krabbenhoft: This money then would be brought together to complete this study that you are looking at.

Chairman Jon O. Nelson: If there is some duplicative language, that will be reconciled in the conference committee.

Representative Randy A. Schobinger: Are we proposing to keep the 250,000 for the YCC, the 250,000 for the rest, and the 250,000 for our study?

Chairman Jon O. Nelson: I believe that we are incorporating our study into their study. There are only 2 studies ultimately; the youth and the adult studies.

Mr. Cronquist: The entire 750,000 moved over?

Chairman Jon O. Nelson: We will move it all over, but we will get language for the study section.

Mr. Cronquist: We have drafted some language for the legislative study, but id assume that once they get the other study they can get study language too.

Chairman Jon O. Nelson: In that language we would make the comprehensive enough to include what they are looking at and the language that exists in that potential amendment. Whether that goes forward or not, it would work in the usual pattern.

Vice Chairman Gary Kreidt: I would be happier if this didn't have the state hospital.

Chairman Jon O. Nelson: The state hospital was included in this narrative because it was part of it, but it won't be in the one that is ultimately passed.

Mr. Krabbenhoft: My concern is the buildings that are there.

Chairman Jon O. Nelson: We can word smith that to not include building a new hospital, but still include the buildings on the state hospital campus.

Mr. Cronquist: This will be identified on the worksheet and the statement of purpose on the worksheet. We will say then onetime funding for the infrastructures of the buildings.

Chairman Jon O. Nelson: The onetime funding for SIFF on the inmate tracking and we will add that. Next is the onetime funding from SIFF for the security equipment, and we will add that. Is the redundant fencing a new thing?

Mr. Krabbenhoft: It isn't a new requirement but it is something that since we did the expansion and have that fence, it is something that is in place at the maximum security facilities. There will be a backup manual program for the fencing.

Chairman Jon O. Nelson: This isn't adding more fencing?

Mr. Krabbenhoft: No, it would be added like a top wire that would alert us if something is going on with the fence.

Chairman Jon O. Nelson: Does anyone have any additions?

Mr. Krabbenhoft: On the first one, were those included or excluded?

Chairman Jon O. Nelson: They are not in this, but why?

Mr. Cronquist: No decision has been made on those yet.

Chairman Jon O. Nelson: The base payroll changes need to be done right?

Mr. Cronquist: Yes.

Mr. Krabbenhoft: That goes back to making our budget and how we will be funding that too.

Chairman Jon O. Nelson: So the base payroll change is the funding for the changes in the positions. I thought for the previous budgets we already did that.

Mr. Cronquist: I'm not sure.

Chairman Jon O. Nelson: Then why didn't we do it in this one?

Becky Deichert, Office of Management and Budget: You didn't ask me.

Mr. Cronquist: The only 2 that we moved over were the 2&2 and the health insurance. The rest have to be requested by the committee. The increase funding for the teacher's salaries, what was the decision on that?

Chairman Jon O. Nelson: We agreed to move that over. Some budgets don't have a base payroll change line?

Ms. Deichert: I would assume they all would if they are paying salaries.

Chairman Jon O. Nelson: Make sure that the other bills have that change. Let's go to the last page. Section 3 will be added.

Representative Randy A. Schobinger: I thought we had a question of if that section would allow them to move that money around to the different items?

Vice Chairman Gary Kreidt: Section 4 would do that.

Representative Randy A. Schobinger: I just want to make sure that that doesn't allow them to transfer money in those different funds that are listed.

Mr. Cronquist The statement of purpose in the amendment, we will list the amount that is available for each project.

Ms. Deichert: That amount will change.

Chairman Jon O. Nelson: Yes, that could change. When we get the proposed amendments, we will need to make that decision first as to what route we are going to go.

Mr. Cronquist: How much funding will be each scenario be?

Chairman Jon O. Nelson: A daily rate of $93 for the men to move to the new England facility. There is a transfer that is built into this with the contract for BTC on the secured inmates to move to MRCC. Then the number for the man camps. And the renovation of MRCC for the women.

Mr. Cronquist: Is the man camps down by half then?

Chairman Jon O. Nelson: Yes.

Mr. Cronquist: There's the 2 man camps at JRCC, there is also an addition to the FTE and fund for those 2 man camps?

Chairman Jon O. Nelson: We didn't talk about the FTE count. If we reduced that by 72 inmates, I would assume that there would a drop too.

Mr. Krabbenhoft: It is 17 FTE.

Chairman Jon O. Nelson: This is so that we can compare the dollars and the policy in this potential move.

Mr. Cronquist: Will we be meeting on this on Monday?

Chairman Jon O. Nelson: Yes. Section 4 will not be added. Section 5 will not be added.

Representative Randy A. Schobinger: Is that something that even though it is proposed in an amendment, it has been in previous budgets, is this new language?

Mr. Cronquist: For this budget, it would be new language.

Chairman Jon O. Nelson: I thought that this would be in every budget, but there is no one policy that fits every budget, and we will discuss this in conference. Section 6 will be added. Section 7, Dave?

Mr. Krabbenhoft: This relates to an audit finding that we didn't have authority to collect and spend those funds. This is necessary for our operating fund; the continuing appropriation authority will not be necessary. We need this section just for the audit finding.

Chairman Jon O. Nelson: We will suggest that change then in that area. Section 8 will be added. The legislative management study will be adopted as we are working on that copy as well. Is there anything else? None seen. I think it is important for this committee to understand the consequences of what we are discussing not only for the policy committee, but the financial concerns as well. We will come in at 9 on Monday, and will vote on this then.

Meeting closed.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
2/11/2019
32503

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Acting on amendments.

Minutes: A,B,C,D,E,F,G

Attachments A-F were handed out prior to meeting.
Opened hearing.
Took roll.

Chairman Jon O. Nelson: Let's start with 19.0203.01009. Is every worksheet the same?

Alex Cronquist, Legislative Council (LC): Where the women are going, the minimum security men, and the workshop will be different.

Representative Randy A. Schobinger: I move 19.0203.01009 be adopted.

Vice Chairman Gary Kreidt: Seconded.

Representative Randy A. Schobinger: The intent of these amendments as it pertains to the New England facility is to hopefully follow the Governors' recommendation on that. I think that we need to pass these because I think that we are at a point of no return on this. I can't' get past the feeling that 2 years from now if we take either of the other 2 amendments, we will look back and think that the governor and director were right on this.

Chairman Jon O. Nelson: One of the charges we have in this committee is to ask ourselves that if the women are being served in the New England facility as well as we could. If the answer is yes, then there is another set of amendments that could meet this purpose. If the answer is no, then we have 2 choices to make. One is that that facility in New England will be closed. That will be a huge step, but we can't take all the issues out of this decision. There is a community that is and was involved in the decisions of corrections. Ultimately it's how do we make a system work as well as it can. How do we deliver services so that we don't have a recidivism rate that is higher than that of other states?

Representative Lisa Meier: My concern with this amendment would be that we took almost 6 years to do the Department of Corrections and Rehabilitation (DOCR) and the specifics of it. I feel that we are doing this pretty quick. I do think that we should take a little bit more time and see all the decisions that could be. Because of that I will not be supporting this amendment.

Representative Bert Anderson: I would like to say that the people in New England were treated right, personally. I think that when a decision like this is going to be made, there needs to be more consideration for the people involved. The way that this was initiated was wrong, and that is why I will not be supporting this.

Vice Chairman Gary Kreidt: After listening to the testimony at the hearings, and when were at the State of the State address and having served on this committee and working on the DOCR budget for many years, I walked out of there first learning that this was going to happen. In past sessions, we put a lot of time and effort in doing different projects in the past. The Governor didn't give his address and say that we were going to build a new prison. That is what bothers me the most, it seems like it was just a quick decision. That disappointed m, not knowing anything that was going to happened with New England.

Roll Call Vote: 1 Yes, 5 No, 0 Absent.

Motion defeated.

Representative Richard G. Holman: I would move a do adopt amendment 19.0203.01010.

Representative Bert Anderson: Seconded.

Representative Richard G. Holman: This would accomplish one goal of reach equity for the treatment of the prisoners, and the other is to make sure that we don't do instant damage to a relatively small community.

Chairman Jon O. Nelson: I can't help but agree with many of the other speakers about the method of the way the New England facility had known about this. This currently amendment would allow for a compromise between the facilities. This would allow for a more consistent population that will be out there. There is more uniformity between the population that will be out there. You can't change the geography of where New England is at. This amendment will give them the ability to survive and even thrive with the vocational training that can be done there. The jobs that are available in the western part of the state would give them a leg up when they are released. On the other hand, is the condition of the women. Are we truly ready to say that we are doing good enough for the treatment, education, and job skills of the women that are incarcerated. If we think we are, then doing nothing makes sense. If we think that we can and should do better, then this is the only option we have. This plan isn't set in stone, but it sends a message to the Senate and the general public that we know there is a better delivery system that we could invoke to help the women succeed. I like this compromise because everyone else hates it. It is an effort to transition into the findings that the study concludes. It gives us a way to move forward.

Representative Lisa Meier: One of the big concerns that I have is that we didn't get to visit with New England if they even want the men there. There is another concern of mine that we haven't been able to look at the audits that were done. I still feel that if we were able to offer some additional services to the women. For that, I will not be supporting this amendment.

Chairman Jon O. Nelson: We go back to that hockey game scenario. If we forward this amendment, I think that this will give the New England facility and their community an option to decide if they even want this population. This will give them the time to decide because we will just be opening up the option, and giving them time to deliberate. This will be an effort to buy time for the facility. There are a number of deficiencies in the audit findings, but I will not get out in front of this. That will not be made public before the New England facility has time to see and address them.

Representative Richard G. Holman: I too would like to see this moved forward with the idea in the next months that there will be further amendments as we get more information. This is one step to where we want to go. This also opens up discussion, and if we stop, then the discussion may even end. I'd like to see this moved forward at this point, and we will bring it to full committee and see how that goes. The more people that we involve in this discussion, the better off it will be.

Vice Chairman Gary Kreidt: As this process has been going on, there are two questions in my mind. I have no idea if they want the men. We had public testimony about that they could take them, but there was nothing definite. If there was a solid answer from the board and the community, then maybe. I'm also hearing from Bismarck people down by the Missouri River Correctional Center (MRCC) facility is that they aren't happy having women down there. If we would move the women at some point, is that the location we want them? It is a residential area. There seem to be concerns with having higher risk women down there. I'm' hearing a lot of conflicting news in regards to what direction we go. Through a study we would get some information, maybe we need a different location. We talked about moving MRCC out of that area at one time too. I'm undecided at this point as to the direction that we should go. I'm hoping that with the study maybe we will come to a conclusion and receive information as to the right decision.

Chairman Jon O. Nelson: The study will allow us more information.

Representative Bert Anderson: I think the overall occurrence would have been better if this conversation would have taken place before this was announced. I think that this study would allow for that.

Chairman Jon O. Nelson: I think there is another thing to discuss, what is the relationship between the new England facility and the DOCR. There are 14 deficiencies that they need to fix, and I don't believe that they can fix them that easily. There has to be a working relationship for this to go forward, and that will not be easy. The community of New England has been rocked and there is a lack of trust between that relationship. If we don't do anything, they may feel comfortable for a few years, but not much more. With all the things we don't' know about community acceptance out there, at least this gives them some comfort that the state of ND cares about them and their jobs for a while at least. It will all depend on how they perform and I think this proposal gives the New England community a better chance than

doing nothing at all. I haven't heard anything from the population around the MRCC facility. The department is made of professionals and I think that they have done a great job in the programs that they administrate and their record speaks for themselves.

(33.00) Representative Randy A. Schobinger: I'm voting no on this, not because I don't' think it's a good attempt on a compromise. I was around here when we first did this, and even when we were going to place the women down there was some concern too. There was concern about moving the men there, and I'm not sure that the New England community would want the men there either.

Roll Call Vote: 3 Yes, 3 No, 0 Absent.

Motion fails.

Representative Lisa Meier: When I first heard the proposal from the executive recommendation, I believe that there needs to be more study and analysis of what is going on. I would think that this amendment will allow us to do this. I do think that going forward, the study will be the best solution.

Vice Chairman Gary Kreidt: Second. Wait, we have to talk about the chart first.

Representative Lisa Meier: Motion withdrawn.

Vice Chairman Gary Kreidt: Withdrawn.

Representative Lisa Meier: I had worked with LC on the study and what I'm proposing is to work on the DOCR. **(See attachment C)**

Chairman Jon O. Nelson: Because the last amendment was defeated, would you be willing to add to the first paragraph of section 7, would you add New England, or another location. So that we would have the ability to include New England in that discussion by name.

Representative Lisa Meier: I think that is a very good idea, and I will add that language in there.

Vice Chairman Gary Kreidt: Seconded.

Voice Vote: Motion carries.

Chairman Jon O. Nelson: Let's go over the chart then. **(see attachment F)**

Mr. Cronquist: (see attachment F)

Vice Chairman Gary Kreidt: I'd like to further amend, on the strategic investment and information fund (SIFF) funding, we have a lot of money in there, and would like to further amend with a motion to reduce the 750,000 to 250,000.

Representative Randy A. Schobinger: Second.

Chairman Jon O. Nelson: The language would stay the same, it's just the number that would change?

Vice Chairman Gary Kreidt: Yes.

Mr. Cronquist: In the bill we have the studies listed separately, would you like to put them into one line or do it separately?

Vice Chairman Gary Kreidt: One line.

Voice Vote: Motion carries.

Mr. Cronquist: (continued attachment F)

Chairman Jon O. Nelson: So the SIFF funding will all change with that last further amending, so you'll make those corrections then.

Mr. Cronquist: (continued attachment F)

Chairman Jon O. Nelson: Ok, then let's move on to the sections.

Representative Lisa Meier: Move to adopt the amendment 19.0203.01006.

Vice Chairman Gary Kreidt: Seconded.

Roll Call Vote: 4 Yes, 2 No, 0 Absent

Motion carries.

Mr. Cronquist: I think you will want to further amend then.

Vice Chairman Gary Kreidt: I will amend to decrease the study money from 750 to 250, and add New England in the study language.

Representative Lisa Meier: Seconded.

Voice Vote: Motion carries.

Vice Chairman Gary Kreidt: Move the bill as amended.

Representative Lisa Meier: Seconded.

Roll Call Vote: 5 Yes, 1 No, 0 Absent.

Floor Assignment: **Chairman Jon O. Nelson**

Meeting closed. **Attachment G was handed out and attached after meeting.**

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

HB 1015
2/14/2019
32805

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Risa Bergquist and Parker Oswald

Explanation or reason for introduction of bill/resolution:

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

Minutes:

Chairman Delzer: Opens meeting on HB 1015.

(00:50) Representative J. Nelson: As most of you know the biggest hold up was the proposal of moving the women's detention center. So we are going to use **amendment 19.0203.01011**. Begins presenting on **page 3 of amendment 19.0203.01011** on the Statement Purpose of Amendment (SPA).

Chairman Delzer: So how did they come up with the total of seven with the 6 on the on the back side?

Representative J. Nelson: He would come on and coordinate the program for those 3 areas and the other 6 would provide the services in the second year for those pre-trial services in those 3 areas. We would be looking at 2 FTE (full time employee) in each judicial field.

(6:00) Representative J. Nelson: Continues on page 3 of amendment 19.0203.01011.

Chairman Delzer: And that going from Corrections to Human Services?

Representative J. Nelson: It is going from Human Services to Corrections.

Chairman Delzer: Why is it a negative number? Wasn't that Corrections before?

Alex Cronquist, LC: They are making contract payments to the Department of Human Services and since they will be taking it over, they will no longer have to make those payments.

Representative J. Nelson: The increase in funding is the 30 additional beds that would be added and included in the $537,000 and that is 5 additional school districts having additional youth services. My understanding is that it could be a mix of male and female.

Chairman Delzer: Where are they at?

Representative J. Nelson: They will be in Jamestown.

Chairman Delzer: If they are taking a smaller cut to the contracts, that money had to have gone somewhere then.

(8:45) Alex Cronquist, LC: That is in footnote 5 in amendment **19.0203.01011.**

Representative J. Nelson: That is the net. Continues in amendment **19.0203.01011.**

(10:50) Representative J. Nelson: We did allow some inmate tracking devises in this. Those changes did add $12M. The sections that we talked about first is the one time expenditures from the SIIF (Strategic Investment and Improvement Fund) fund. Section 4 we appropriated the $7M for the Free Through Recovery program and this would allow them to carry over $2M of those $7M.

(12:30) Chairman Delzer: Did you add any more money to that? Why did they not use it?

Representative J. Nelson: We did not. I think it was a timing issue and it took a little longer to get it in motion.

Chairman Delzer: Did they not ask for more money for next time?

Representative J. Nelson: We didn't add anything it will be continuing on. We do not have a line item with new money.

(13:10) Alex Cronquist, LC: The $7M was added in the 2017 session and was ongoing, so no changes were made.

Chairman Delzer: Did you ask for any information on how that was working?

Representative J. Nelson: The Department of Human Services is involved in the administration of the program.

Chairman Delzer: So this is for contracts from Human Services?

Representative J. Nelson: This is for inmates that are released and in the community and is part of their supervision. We will have that discussion when we get to Human Services.

(14:50) Representative Monson: On page 4 in amendment **19.0203.01011,** did they identify the 5 school districts?

Representative J. Nelson: The smaller school districts are Fargo and West Fargo, Dickinson, Bismarck, Grand Forks and Jamestown. It is a program that Lisa is trying to decentralize the youth correction population and this is one of the areas where they think we can improve.

Chairman Delzer: Did this reduce any of the youth costs? What is the YCC (Youth Correctional Center) population?

Representative J. Nelson: It does, but how do you measure that? We don't know what the extra cost would be to have them out of the home. I do not know the exact population.

(**17:45) Representative Meier:** It is about 60 kids right now, but the goal is to reduce the population even further.

Chairman Delzer: At some time, it shows the savings at YCC.

Representative J. Nelson: Section 5 of amendment **19.0203.01011** is where they collect their funds Section 6 is the transfers of nurses at Thompkins to the Department of Corrections. There is a comprehensive study of how women can get the best services and that lead us to begin the process to better assess the decision making going forward.

Chairman Delzer: Questions by the committee?

(20:15) Representative Bellew: What is the recidivism rate at the state penitentiary?

Representative J. Nelson: It's higher for the women's population than any other.

Chairman Delzer: From our overview the populations are down compared to what they were.

Representative J. Nelson: The populations are down, but for the woman it's 50% recidivism.

Chairman Delzer: Further question?

(21:25) Representative J. Nelson: I would move to adopt amendment 19.0203.01011.

Representative Meier: Seconded.

(22:00) Chairman Delzer: Any further discussion?

Representative Schobinger: Day treatment centers are in Beach, Dickinson, Dunseith, Grand Forks and Jamestown. It talked about 152 students being served by those and 95% of those students did not have to be removed from their home schools because of them.

Chairman Delzer: They must be getting a lot farther into the services than you do in YCC.

Representative J. Nelson: Those school districts where chosen because of the population in YCC and where they come from.

(23:10) Chairman Delzer: What about the Boys Ranch in Minot?

Representative J. Nelson: You do not see Minot school district having a day treatment center.

(23:35) Chairman Delzer: Further discussion? Voice vote of adopt amendment carries.

Chairman Delzer: Any further amendment?

(23:55) Representative J. Nelson: Move a do pass as amended on HB 1015.

Representative Meier: Seconded.

A Roll Call vote was taken. Yea: 20 Nay: 0 Absent: 1

Representative J. Nelson: Will carry.

19.0203.01009
Title.

Fiscal No. 2

Prepared by the Legislative Council staff for
the House Appropriations - Human Resources
Division Committee
February 8, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, after "rehabilitation" insert "; and to authorize the conveyance of real property owned by the state of North Dakota"

Page 1, replace lines 10 through 17 with:

	Base Level	Adjustments or Enhancements	Appropriation
Adult services	$220,757,448	$21,957,447	$242,714,895
Youth services	30,740,509	1,530,436	32,270,945
Total all funds	$251,497,957	$23,487,883	$274,985,840
Less estimated income	37,161,253	7,332,356	44,493,609
Total general fund	$214,336,704	$16,155,527	$230,492,231
Full-time equivalent positions	845.29	99.30	944.59"

Page 1, line 19, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, remove lines 20 through 24

Page 2, replace lines 1 through 3 with:

" One-Time Funding Description	2017-19	2019-21
Equipment	$167,000	$298,700
Elite servers replacement	0	40,000
Extraordinary repairs	0	1,332,250
Missouri River correctional center renovation	0	1,854,301
Youth Correctional Center campus infrastructure study	0	250,000
JRCC and State Hospital campus infrastructure study	0	500,000
Scan and screen device	0	230,000
Redundant fence	0	160,000
Portable x-ray	0	22,000
Oracle software upgrade	0	165,000
Contracts and payments processing system	0	100,000
Inmate tracking system	0	160,000
Intake and legal movement system	0	240,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$5,352,251
Less estimated income	2,102,907	4,436,001
Total general fund	$0	$916,250

SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $1,968,000 of funding from the strategic investment and improvements fund for campus infrastructure studies, extraordinary repairs, an inmate tracking system, information technology upgrades, security equipment, and other one-time funding items.

SECTION 4. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM. The $7,000,000 from the general fund appropriated in the adult services line item relating to the community behavioral health program in section 1 of chapter 40 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND REVENUES. Any moneys received by the department of corrections and rehabilitation from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund, may be deposited in the department of corrections and rehabilitation operating fund and expended pursuant to legislative appropriation for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 6. CONVEYANCE OF LAND AND BUILDINGS - TOMPKINS BUILDING - EXEMPTION. The state of North Dakota, by and through the department of human services, shall convey ownership of building 2404, formerly known as the nursing residence building and Tompkins building, and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services for construction and renovation do not apply to this conveyance."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	House Changes	House Version
Adult services	$220,757,448	$21,957,447	$242,714,895
Youth services	30,740,509	1,530,436	32,270,945
Total all funds	$251,497,957	$23,487,883	$274,985,840
Less estimated income	37,161,253	7,332,356	44,493,609
General fund	$214,336,704	$16,155,527	$230,492,231
FTE	845.29	99.30	944.59

Department 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Increases Funding for Teachers[3]	Adds FTE Positions[4]	Adjusts Funding to Transfer Female Inmates to Bismarck[5]	Adds Funding to Transfer Male Inmates to Jamestown[6]
Adult services	$916,681	$6,734,485	$1,125,280	$1,053,697	($6,299,552)	$11,169,113
Youth services	(647,423)	1,118,805	232,510	27,772		
Total all funds	$269,258	$7,853,290	$1,357,790	$1,081,469	($6,299,552)	$11,169,113
Less estimated income	(1,364,762)	372,763	0	0	0	0
General fund	$1,634,020	$7,480,527	$1,357,790	$1,081,469	($6,299,552)	$11,169,113
FTE	0.00	0.00	0.00	27.00	8.60	36.20

	Transfers the Tompkins Rehabilitation and Corrections Center[7]	Increases Funding for Treatment[8]	Adjusts Ongoing Funding for Other Changes[9]	Adds One-Time Funding[10]	Total House Changes
Adult services	($3,576,240)	$3,873,750	$2,316,044	$4,644,189	$21,957,447
Youth services		537,500	(446,790)	708,062	1,530,436
Total all funds	($3,576,240)	$4,411,250	$1,869,254	$5,352,251	$23,487,883
Less estimated income	0	0	3,888,354	4,436,001	7,332,356
General fund	($3,576,240)	$4,411,250	($2,019,100)	$916,250	$16,155,527
FTE	27.50	0.00	0.00	0.00	99.30

[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from $1,241 to $1,427 per month:

	General Fund	Other Funds	Total
Salary increase	$3,511,747	$165,036	$3,676,783
Health insurance increase	3,968,780	207,727	4,176,507
Total	$7,480,527	$372,763	$7,853,290

[3] Funding of $1,357,790 from the general fund is added for teacher salaries and wages to comply with the Teacher Composite schedule.

[4] Funding of $1,081,469 from the general fund is added to convert 20 temporary correctional officer positions to FTE positions and to add 7 FTE positions for pretrial services.

[5] Funding is adjusted and 8.6 FTE positions are added to transfer female inmates from the Dakota Women's Correctional and Rehabilitation Center (DWCRC) in New England to the Missouri River Correctional Center (MRCC) in Bismarck. This includes an increase of $3,055,911 from the general fund for 8.6 FTE positions and related operating expenses, and a decrease of $9,355,463 from the general fund for the contract with DWCRC. The Department of Corrections and Rehabilitation budget would retain $1,406,488 for the DWCRC contract to allow for the transition of female inmates to the MRCC during the 2019-21 biennium.

[6] Funding of $11,169,113 from the general fund is added to establish a minimum security correctional facility at the James River Correctional Center in Jamestown. This includes the addition of 36.2 FTE positions and the installation and rental of 4 temporary housing units.

[7] Funding from the general fund is reduced and 27.5 FTE positions are added to reflect the transfer of the Tompkins Rehabilitation and Corrections Center (TRCC) from the Department of Human Services to the Department of Corrections and Rehabilitation. This includes an increase of $5,031,222 of funding for the FTE positions and to operate the TRCC and a reduction of $8,607,462 for contract payments to the Department of Human Services.

[8] Funding of $4,411,250 from the general fund is added, including $3,873,750 to contract with the State Hospital for up to 30 addiction treatment beds and $537,500 to expand juvenile day treatment to up to 5 additional school districts. Juvenile day treatment is currently provided in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

[9] Ongoing funding is adjusted for the following other changes:

	General Fund	Other Funds	Total
Miscellaneous expenses	$571,322	($2,980,285)	($2,408,963)
Crime victims grants	20,000	6,822,251	6,842,251
Microsoft Office 365 licensing expense	618,699	110,208	728,907
Capital bond payments	(469,380)	16,180	(453,200)
Other adjustments, including the removal of ongoing funding used for one-time items	(2,759,741)	(80,000)	(2,839,741)
Total	($2,019,100)	$3,888,354	$1,869,254

[10] One-time funding is added for the following:

	General Fund	Strategic Investment and Improvements Fund	Roughrider Industries Fund	Total
Replace Elite servers	$40,000			$40,000
Roughrider Industries equipment			$298,700	$298,700
Extraordinary repairs	876,250	$141,000	315,000	1,332,250
MRCC conversion to female facility		1,854,301		1,854,301
Youth Correctional Center campus infrastructure study		250,000		250,000
James River Correctional Center and State Hospital campus infrastructure study		500,000		500,000
Scan/screen device		230,000		230,000
Redundant fence		160,000		160,000
Portable x-ray		22,000		22,000
Oracle software upgrade		165,000		165,000
Contracts and payments processing system		100,000		100,000
Inmate tracking system		160,000		160,000
Intake and legal movement system		240,000		240,000
Total	$916,250	$3,822,301	$613,700	$5,352,251

House Bill No. 1015 - Other Changes - House Action

This amendment also adds sections to:

- Identify the amount of funding from the strategic investment and improvements fund for various one-time items.
- Provide an exemption from North Dakota Century Code Section 54-44.1-11 to allow the Department of Corrections and Rehabilitation to continue any unspent funds relating to the community behavioral health program and expend the funds during the 2019-21 biennium.
- Authorize the Department of Corrections and Rehabilitation to deposit certain revenues in its operating fund.
- Transfer ownership of the TRCC from the Department of Human Services to the Department of Corrections and Rehabilitation.

19.0203.01010
Title.

Prepared by the Legislative Council staff for
the House Appropriations - Human Resources
Division Committee

Fiscal No. 3

February 8, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, after "rehabilitation" insert "; to authorize the conveyance of real property owned by the state of North Dakota; and to provide for a study"

Page 1, replace lines 10 through 17 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Adult services	$220,757,448	$22,265,847	$243,023,295
Youth services	30,740,509	1,530,436	32,270,945
Total all funds	$251,497,957	$23,796,283	$275,294,240
Less estimated income	37,161,253	7,332,356	44,493,609
Total general fund	$214,336,704	$16,463,927	$230,800,631
Full-time equivalent positions	845.29	82.30	927.59"

Page 1, line 19, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, remove lines 20 through 24

Page 2, replace lines 1 through 3 with:

" One-Time Funding Description	2017-19	2019-21
Equipment	$167,000	$298,700
Elite servers replacement	0	40,000
Extraordinary repairs	0	1,332,250
Missouri River correctional center renovations	0	1,854,301
Youth Correctional Center campus infrastructure study	0	250,000
JRCC and State Hospital campus infrastructure study	0	500,000
Scan and screen device	0	230,000
Redundant fence	0	160,000
Portable x-ray	0	22,000
Oracle software upgrade	0	165,000
Contracts and payments processing system	0	100,000
Inmate tracking system	0	160,000
Intake and legal movement system	0	240,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$5,352,251
Less estimated income	2,102,907	4,436,001
Total general fund	$0	$916,250

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $3,822,301 of funding from the strategic investment and improvements fund for campus infrastructure studies, extraordinary repairs, an inmate tracking system, information technology upgrades, security equipment, and other one-time funding items.

SECTION 4. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM. The $7,000,000 from the general fund appropriated in the adult services line item relating to the community behavioral health program in section 1 of chapter 40 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND REVENUES. Any moneys received by the department of corrections and rehabilitation from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund, may be deposited in the department of corrections and rehabilitation operating fund and expended pursuant to legislative appropriation for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 6. CONVEYANCE OF LAND AND BUILDINGS - TOMPKINS BUILDING - EXEMPTION. The state of North Dakota, by and through the department of human services, shall convey ownership of building 2404, formerly known as the nursing residence building and Tompkins building, and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services for construction and renovation do not apply to this conveyance.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS AND REHABILITATION. During the 2019-20 interim, the legislative management shall study the department of corrections and rehabilitation. The study must address the feasibility and desirability of relocating female inmates from the Dakota women's correctional and rehabilitation center in New England to another location and the feasibility and desirability of relocating minimum security male inmates from the Missouri River correctional center in Bismarck to another location. The study must include a review of:

1. Service needs of female inmates;
2. Service needs of male inmates;
3. Services available to female inmates at the Dakota women's correctional and rehabilitation center;
4. Services available to male inmates at the Missouri River correctional center;

5. Facility needs, including changes needed to continue to serve male inmates and changes needed to serve female inmates, and associated costs;

6. The short-term and long-term costs and benefits of relocating female inmates to another location;

7. The short-term and long-term costs and benefits of relocating minimum security male inmates to another location;

8. Available services and work release opportunities for minimum security male inmates in other locations; and

9. The feasibility and desirability of increasing regional detention and transition facilities for female inmates across the state.

The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	House Changes	House Version
Adult services	$220,757,448	$22,265,847	$243,023,295
Youth services	30,740,509	1,530,436	32,270,945
Total all funds	$251,497,957	$23,796,283	$275,294,240
Less estimated income	37,161,253	7,332,356	44,493,609
General fund	$214,336,704	$16,463,927	$230,800,631
FTE	845.29	82.30	927.59

Department 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Increases Funding for Teachers[3]	Adds FTE Positions[4]	Adjusts Funding to Transfer Female Inmates to Bismarck[5]	Adds Funding to Relocate Male Inmates to New England[6]
Adult services	$916,681	$6,604,802	$1,125,280	$1,053,697	($7,706,040)	$6,789,000
Youth services	(647,423)	1,118,805	232,510	27,772		
Total all funds	$269,258	$7,723,607	$1,357,790	$1,081,469	($7,706,040)	$6,789,000
Less estimated income	(1,364,762)	372,763	0	0	0	0
General fund	$1,634,020	$7,350,844	$1,357,790	$1,081,469	($7,706,040)	$6,789,000
FTE	0.00	0.00	0.00	27.00	8.60	0.00

	Adds Funding to Transfer Male Inmates to Jamestown[7]	Transfers the Tompkins Rehabilitation and Corrections Center[8]	Increases Funding for Treatment[9]	Adjusts Ongoing Funding for Other Changes[10]	Adds One-Time Funding[11]	Total House Changes
Adult services	$6,224,684	($3,576,240)	$3,873,750	$2,316,044	$4,644,189	$22,265,847
Youth services			537,500	(446,790)	708,062	1,530,436
Total all funds	$6,224,684	($3,576,240)	$4,411,250	$1,869,254	$5,352,251	$23,796,283
Less estimated income	0	0	0	3,888,354	4,436,001	7,332,356
General fund	$6,224,684	($3,576,240)	$4,411,250	($2,019,100)	$916,250	$16,463,927
FTE	19.20	27.50	0.00	0.00	0.00	82.30

[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from $1,241 to $1,427 per month:

	General Fund	Other Funds	Total
Salary increase	$3,457,918	$165,036	$3,622,954
Health insurance increase	3,892,926	207,727	4,100,653
Total	$7,350,844	$372,763	$7,723,607

[3] Funding of $1,357,790 from the general fund is added for teacher salaries and wages to comply with the Teacher Composite schedule.

[4] Funding of $1,081,469 from the general fund is added to convert 20 temporary correctional officer positions to FTE positions and to add 7 FTE positions for pretrial services.

[5] Funding is adjusted and 8.6 FTE positions are added to transfer female inmates from the Dakota Women's Correctional and Rehabilitation Center (DWCRC) in New England to the Missouri River Correctional Center (MRCC) in Bismarck. This includes an increase of $3,055,911 from the general fund for 8.6 FTE positions and related operating expenses, and a decrease of $10,761,951 from the general fund for the contract with DWCRC.

[6] Funding of $6,789,000 is added to convert the DWCRC to a minimum security male facility and to relocate 100 male inmates to the facility. The amount represents a contractual rate of $93 per day for 100 inmates for the biennium.

[7] Funding of $6,224,684 from the general fund is added to establish a minimum security correctional facility at the James River Correctional Center in Jamestown. This includes the addition of 19.2 FTE positions and the installation and rental of 2 temporary housing units.

[8] Funding from the general fund is reduced and 27.5 FTE positions are added to reflect the transfer of the Tompkins Rehabilitation and Corrections Center (TRCC) from the Department of Human Services to the Department of Corrections and Rehabilitation. This includes an increase of $5,031,222 of funding for the FTE positions and to operate the TRCC and a reduction of $8,607,462 for contract payments to the Department of Human Services.

[9] Funding of $4,411,250 from the general fund is added, including $3,873,750 to contract with the State Hospital for up to 30 addiction treatment beds and $537,500 to expand juvenile day treatment to up to 5 additional school districts. Juvenile day treatment is currently provided in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

[10] Ongoing funding is adjusted for the following other changes:

	General Fund	Other Funds	Total
Miscellaneous expenses	$571,322	($2,980,285)	($2,408,963)
Crime victims grants	20,000	6,822,251	6,842,251
Microsoft Office 365 licensing expense	618,699	110,208	728,907
Capital bond payments	(469,380)	16,180	(453,200)
Other adjustments, including the removal of ongoing funding used for one-time items	(2,759,741)	(80,000)	(2,839,741)
Total	($2,019,100)	$3,888,354	$1,869,254

[11] One-time funding is added for the following:

	General Fund	Strategic Investment and Improvements Fund	Roughrider Industries Fund	Total
Replace Elite servers	$40,000			$40,000
Roughrider Industries equipment			$298,700	298,700
Extraordinary repairs	876,250	$141,000	315,000	1,332,250
MRCC conversion to female facility		1,854,301		1,854,301
Youth Correctional Center campus infrastructure study		250,000		250,000
James River Correctional Center and State Hospital campus infrastructure study		500,000		500,000
Scan/screen device		230,000		230,000
Redundant fence		160,000		160,000
Portable x-ray		22,000		22,000
Oracle software upgrade		165,000		165,000
Contracts and payments processing system		100,000		100,000
Inmate tracking system		160,000		160,000
Intake and legal movement system		240,000		240,000
Total	$916,250	$3,822,301	$613,700	$5,352,251

House Bill No. 1015 - Other Changes - House Action

This amendment also adds sections to:

- Identify the amount of funding from the strategic investment and improvements fund for various one-time items.
- Provide an exemption from North Dakota Century Code Section 54-44.1-11 to allow the Department of Corrections and Rehabilitation to continue any unspent funds relating to the community behavioral health program and expend the funds during the 2019-21 biennium.
- Authorize the Department of Corrections and Rehabilitation to deposit certain revenues in its operating fund.
- Transfer ownership of the TRCC from the Department of Human Services to the Department of Corrections and Rehabilitation.
- Provide for a Legislative Management study of the Department of Corrections and Rehabilitation, including services and facilities for female inmates and minimum security male inmates.

19.0203.01006
Title.

Fiscal No. 1

Prepared by the Legislative Council staff for
the House Appropriations - Human Resources
Division Committee
February 8, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, after "rehabilitation" insert "; to authorize the conveyance of real property owned by the state of North Dakota; and to provide for a study"

Page 1, replace lines 10 through 17 with:

	Base Level	Adjustments or Enhancements	Appropriation
Adult services	$220,757,448	$16,008,040	$236,765,488
Youth services	30,740,509	1,530,436	32,270,945
Total all funds	$251,497,957	$17,538,476	$269,036,433
Less estimated income	37,161,253	5,478,055	42,639,308
Total general fund	$214,336,704	$12,060,421	$226,397,125
Full-time equivalent positions	845.29	54.50	899.79"

Page 1, line 18, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SEVENTH LEGISLATIVE ASSEMBLY**"

Page 1, line 19, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, removes lines 21 through 24

Page 2, replace lines 1 through 3 with:

"Equipment	$167,000	$298,700
Elite servers replacement	0	40,000
Extraordinary repairs	0	1,332,250
Youth correctional center campus infrastructure study	0	250,000
James River correctional center and state hospital campus infrastructure study	0	500,000
Scan and screen device	0	230,000
Redundant fence	0	160,000
Portable x-ray equipment	0	22,000
Oracle software upgrade	0	165,000
Contracts and payments processing system	0	100,000
Inmate tracking system	0	160,000
Intake and legal movement system	0	240,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$3,497,950
Less estimated income	2,102,907	2,581,700
Total general fund	$0	$916,250

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $1,968,000 from the strategic investment and improvements fund for campus infrastructure studies, extraordinary repairs, an inmate tracking system, information technology upgrades, security equipment, and other one-time funding items.

SECTION 4. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM. The $7,000,000 from the general fund appropriated in the adult services line item relating to the community behavioral health program in section 1 of chapter 40 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND REVENUES. Any moneys received by the department of corrections and rehabilitation from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund, may be deposited in the department of corrections and rehabilitation operating fund and expended pursuant to legislative appropriation for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 6. CONVEYANCE OF LAND AND BUILDINGS - TOMPKINS BUILDING - EXEMPTION. The state of North Dakota, by and through the department of human services, shall convey ownership of building 2404, formerly known as the nursing residence building and Tompkins building, and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services for construction and renovation do not apply to this conveyance.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS AND REHABILITATION. During the 2019-20 interim, the legislative management shall study the department of corrections and rehabilitation. The study must address the feasibility and desirability of relocating female inmates from the Dakota women's correctional and rehabilitation center in New England to another location and the feasibility and desirability of relocating minimum security male inmates from the Missouri River correctional center in Bismarck to another location. The study must include a review of:

1. Service needs of female inmates;
2. Service needs of male inmates;
3. Services available to female inmates at the Dakota women's correctional and rehabilitation center;
4. Services available to male inmates at the Missouri River correctional center;
5. Facility needs, including changes needed to continue to serve male inmates and changes needed to serve female inmates, and associated costs;

6. The short-term and long-term costs and benefits of relocating female inmates to another location;

7. The short-term and long-term costs and benefits of relocating minimum security male inmates to another location;

8. Available services and work release opportunities for minimum security male inmates in other locations; and

9. The feasibility and desirability of increasing regional detention and transition facilities for female inmates across the state.

The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	House Changes	House Version
Adult services	$220,757,448	$16,008,040	$236,765,488
Youth services	30,740,509	1,530,436	32,270,945
Total all funds	$251,497,957	$17,538,476	$269,036,433
Less estimated income	37,161,253	5,478,055	42,639,308
General fund	$214,336,704	$12,060,421	$226,397,125
FTE	845.29	54.50	899.79

Department 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Increases Funding for Teachers[3]	Adds FTE Positions[4]	Transfers the Tompkins Rehabilitation and Corrections Center[5]	Increases Funding for Treatment[6]
Adult services	$916,681	$6,365,580	$1,125,280	$1,053,697	($3,576,240)	$3,873,750
Youth services	(647,423)	1,118,805	232,510	27,772		537,500
Total all funds	$269,258	$7,484,385	$1,357,790	$1,081,469	($3,576,240)	$4,411,250
Less estimated income	(1,364,762)	372,763	0	0	0	0
General fund	$1,634,020	$7,111,622	$1,357,790	$1,081,469	($3,576,240)	$4,411,250
FTE	0.00	0.00	0.00	27.00	27.50	0.00

	Increases Funding for DWCRC Contract[7]	Adjusts Ongoing Funding for Other Changes[8]	Adds One-Time Funding[9]	Total House Changes
Adult services	$1,143,360	$2,316,044	$2,789,888	$16,008,040
Youth services		(446,790)	708,062	1,530,436
Total all funds	$1,143,360	$1,869,254	$3,497,950	$17,538,476
Less estimated income	0	3,888,354	2,581,700	5,478,055
General fund	$1,143,360	($2,019,100)	$916,250	$12,060,421
FTE	0.00	0.00	0.00	54.50

[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from $1,241 to $1,427 per month:

	General Fund	Other Funds	Total
Salary increase	$3,348,094	$165,036	$3,513,130
Health insurance increase	3,763,528	207,727	3,971,255
Total	$7,111,622	$372,763	$7,484,385

[3] Funding of $1,357,790 from the general fund is added for teacher salaries and wages to comply with the teacher composite schedule.

[4] Funding of $1,081,469 from the general fund is added to convert 20 temporary correctional officer positions to FTE positions and to add 7 FTE positions for pretrial services.

[5] Funding from the general fund is reduced and 27.5 FTE positions are added to reflect the transfer of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation. This includes an increase of $5,031,222 of funding for the FTE positions and to operate the Tompkins Rehabilitation and Corrections Center and a reduction of $8,607,462 for contract payments to the Department of Human Services.

[6] Funding of $4,411,250 from the general fund is added, including $3,873,750 to contract with the State Hospital for up to 30 addiction treatment beds and $537,500 to expand juvenile day treatment to up to five additional school districts. Juvenile day treatment is currently provided in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

[7] Funding for the Dakota Women's Correctional and Rehabilitation Center contract is increased by $1,143,360, to provide a total of $11,905,311 for the contract.

[8] Ongoing funding is adjusted for the following other changes:

	General Fund	Other Funds	Total
Miscellaneous expenses	$571,322	($2,980,285)	($2,408,963)
Crime victims grants	20,000	6,822,251	6,842,251
Microsoft Office 365 licensing expense	618,699	110,208	728,907
Capital bond payments	(469,380)	16,180	(453,200)
Other adjustments, including the removal of ongoing funding used for one-time items	(2,759,741)	(80,000)	(2,839,741)
Total	($2,019,100)	$3,888,354	$1,869,254

[9] One-time funding is added for the following:

	General Fund	Strategic Investment and Improvements Fund	Rough Rider Industries Fund	Total
Replace elite servers	$40,000	$0	$0	$40,000
Rough Rider Industries equipment	0	0	298,700	298,700
Extraordinary repairs	876,250	141,000	315,000	1,332,250
Youth Correctional Center campus infrastructure study	0	250,000	0	250,000
James River Correctional Center and State Hospital campus infrastructure study	0	500,000	0	500,000
Scan/screen device	0	230,000	0	230,000
Redundant fence	0	160,000	0	160,000
Portable x-ray equipment	0	22,000	0	22,000
Oracle software upgrade	0	165,000	0	165,000
Contracts and payments processing system	0	100,000	0	100,000
Inmate tracking system	0	160,000	0	160,000
Intake and legal movement system	0	240,000	0	240,000
Total	$916,250	$1,968,000	$613,700	$3,497,950

House Bill No. 1015 - Other Changes - House Action

This amendment also adds sections to:

- Identify the amount of funding from the strategic investment and improvements fund for various one-time items.
- Provide an exemption to North Dakota Century Code Section 54-44.1-11 to allow the Department of Corrections and Rehabilitation to continue any unspent funds relating to the community behavioral health program and to expend the funds during the 2019-21 biennium.
- Authorize the Department of Corrections and Rehabilitation to deposit certain revenues in its operating fund.
- Transfer ownership of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation.
- Provide for a Legislative Management study of the Department of Corrections and Rehabilitation, including services and facilities for female inmates and minimum security male inmates.

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19.0203.01011
Title.02000

Prepared by the Legislative Council staff for the House Appropriations - Human Resources Division Committee

Fiscal No. 4

February 11, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, after "rehabilitation" insert "; to authorize the conveyance of real property owned by the state of North Dakota; to provide for a legislative management study; and to provide a report"

Page 1, replace lines 10 through 17 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Adult services	$220,757,448	$15,683,040	$236,440,488
Youth services	30,740,509	1,355,436	32,095,945
Total all funds	$251,497,957	$17,038,476	$268,536,433
Less estimated income	37,161,253	4,978,055	42,139,308
Total general fund	$214,336,704	$12,060,421	$226,397,125
Full-time equivalent positions	845.29	54.50	899.79"

Page 1, line 18, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SEVENTH LEGISLATIVE ASSEMBLY**"

Page 1, line 19, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 3 with:

"Equipment	$167,000	$298,700
Elite servers replacement	0	40,000
Extraordinary repairs	0	1,332,250
Youth correctional center, James River correctional center, and state hospital campus infrastructure studies	0	250,000
Scan and screen device	0	230,000
Redundant fence	0	160,000
Portable x-ray equipment	0	22,000
Oracle software upgrade	0	165,000
Contracts and payments processing system	0	100,000
Inmate tracking system	0	160,000
Intake and legal movement system	0	240,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$2,997,950
Less estimated income	2,102,907	2,081,700
Total general fund	$0	$916,250

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $1,468,000 from the strategic investment and improvements fund for campus infrastructure studies, extraordinary repairs, an inmate tracking system, information technology upgrades, security equipment, and other one-time funding items.

SECTION 4. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM. The $7,000,000 from the general fund appropriated in the adult services line item relating to the community behavioral health program in section 1 of chapter 40 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND REVENUES. Any moneys received by the department of corrections and rehabilitation from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund, may be deposited in the department of corrections and rehabilitation operating fund and expended pursuant to legislative appropriation for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 6. CONVEYANCE OF LAND AND BUILDINGS - TOMPKINS BUILDING - EXEMPTION. The state of North Dakota, by and through the department of human services, shall convey ownership of building 2404, formerly known as the nursing residence building and Tompkins building, and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services for construction and renovation do not apply to this conveyance.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS AND REHABILITATION. During the 2019-20 interim, the legislative management shall study the department of corrections and rehabilitation. The study must address the feasibility and desirability of relocating female inmates from the Dakota women's correctional and rehabilitation center in New England to another location and the feasibility and desirability of relocating minimum security male inmates from the Missouri River correctional center in Bismarck to New England or another location. The study must include a review of:

1. Service needs of female inmates;
2. Service needs of male inmates;
3. Services available to female inmates at the Dakota women's correctional and rehabilitation center;
4. Services available to male inmates at the Missouri River correctional center;
5. Facility needs, including changes needed to continue to serve male inmates and changes needed to serve female inmates, and associated costs;

DA 2/19/19
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6. The short-term and long-term costs and benefits of relocating female inmates to another location;

7. The short-term and long-term costs and benefits of relocating minimum security male inmates to New England or another location;

8. Available services and work release opportunities for minimum security male inmates in New England and other locations; and

9. The feasibility and desirability of increasing regional detention and transition facilities for female inmates across the state.

The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	House Changes	House Version
Adult services	$220,757,448	$15,683,040	$236,440,488
Youth services	30,740,509	1,355,436	32,095,945
Total all funds	$251,497,957	$17,038,476	$268,536,433
Less estimated income	37,161,253	4,978,055	42,139,308
General fund	$214,336,704	$12,060,421	$226,397,125
FTE	845.29	54.50	899.79

Department 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Increases Funding for Teachers[3]	Adds FTE Positions[4]	Transfers the Tompkins Rehabilitation and Corrections Center[5]	Increases Funding for Treatment[6]
Adult services	$916,681	$6,365,580	$1,125,280	$1,053,697	($3,576,240)	$3,873,750
Youth services	(647,423)	1,118,805	232,510	27,772		537,500
Total all funds	$269,258	$7,484,385	$1,357,790	$1,081,469	($3,576,240)	$4,411,250
Less estimated income	(1,364,762)	372,763	0	0	0	0
General fund	$1,634,020	$7,111,622	$1,357,790	$1,081,469	($3,576,240)	$4,411,250
FTE	0.00	0.00	0.00	27.00	27.50	0.00

	Increases Funding for DWCRC Contract[7]	Adjusts Ongoing Funding for Other Changes[8]	Adds One-Time Funding[9]	Total House Changes
Adult services	$1,143,360	$2,316,044	$2,464,888	$15,683,040
Youth services		(446,790)	533,062	1,355,436
Total all funds	$1,143,360	$1,869,254	$2,997,950	$17,038,476
Less estimated income	0	3,888,354	2,081,700	4,978,055
General fund	$1,143,360	($2,019,100)	$916,250	$12,060,421
FTE	0.00	0.00	0.00	54.50

[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from $1,241 to $1,427 per month:

	General Fund	Other Funds	Total
Salary increase	$3,348,094	$165,036	$3,513,130
Health insurance increase	3,763,528	207,727	3,971,255
Total	$7,111,622	$372,763	$7,484,385

[3] Funding of $1,357,790 from the general fund is added for teacher salaries and wages to comply with the teacher composite schedule.

[4] Funding of $1,081,469 from the general fund is added to convert 20 temporary correctional officer positions to FTE positions and to add 7 FTE positions for pretrial services.

[5] Funding from the general fund is reduced and 27.5 FTE positions are added to reflect the transfer of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation. This includes an increase of $5,031,222 of funding for the FTE positions and to operate the Tompkins Rehabilitation and Corrections Center and a reduction of $8,607,462 for contract payments to the Department of Human Services.

[6] Funding of $4,411,250 from the general fund is added, including $3,873,750 to contract with the State Hospital for up to 30 addiction treatment beds and $537,500 to expand juvenile day treatment to up to five additional school districts. Juvenile day treatment is currently provided in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

[7] Funding for the Dakota Women's Correctional and Rehabilitation Center contract is increased by $1,143,360, to provide a total of $11,905,311 for the contract.

[8] Ongoing funding is adjusted for the following other changes:

	General Fund	Other Funds	Total
Miscellaneous expenses	$571,322	($2,980,285)	($2,408,963)
Crime victims grants	20,000	6,822,251	6,842,251
Microsoft Office 365 licensing expense	618,699	110,208	728,907
Capital bond payments	(469,380)	16,180	(453,200)
Other adjustments, including the removal of ongoing funding used for one-time items	(2,759,741)	(80,000)	(2,839,741)
Total	($2,019,100)	$3,888,354	$1,869,254

[9] One-time funding is added for the following:

	General Fund	Strategic Investment and Improvements Fund	Roughrider Industries Fund	Total
Replace Elite servers	$40,000	$0	$0	$40,000
Roughrider Industries equipment	0	0	298,700	$298,700
Extraordinary repairs	876,250	141,000	315,000	1,332,250
Youth Correctional Center, James River Correctional Center, and State Hospital campus infrastructure studies	0	250,000	0	250,000
Scan/screen device	0	230,000	0	230,000
Redundant fence	0	160,000	0	160,000
Portable x-ray equipment	0	22,000	0	22,000
Oracle software upgrade	0	165,000	0	165,000
Contracts and payments processing system	0	100,000	0	100,000
Inmate tracking system	0	160,000	0	160,000
Intake and legal movement system	0	240,000	0	240,000
Total	$916,250	$1,468,000	$613,700	$2,997,950

House Bill No. 1015 - Other Changes - House Action

This amendment also adds sections to:

- Identify the amount of funding from the strategic investment and improvements fund for various one-time items.
- Provide an exemption to North Dakota Century Code Section 54-44.1-11 to allow the Department of Corrections and Rehabilitation to continue any unspent funds relating to the community behavioral health program and to expend the funds during the 2019-21 biennium.
- Authorize the Department of Corrections and Rehabilitation to deposit certain revenues in its operating fund.
- Transfer ownership of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation.
- Provide for a Legislative Management study of the Department of Corrections and Rehabilitation, including services and facilities for female inmates and minimum security male inmates.

Date: 2/11/2019
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House Appropriations - Human Resources Division Committee

☐ Subcommittee

Amendment LC# or Description: 19.0203.01009

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

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Schobinger Seconded By Rep. Kreidt

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson		X	Rep. Richard G. Holman		X
Vice Chairman Gary Kreidt		X			
Representative Bert Anderson		X			
Representative Lisa Meier		X			
Rep. Randy A. Schobinger	X				

Total (Yes) 1 No 5

Absent 0

Floor Assignment _____

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

motion fails

Date: 2/11/2019
Roll Call Vote #: 2

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House Appropriations - Human Resources Division Committee

☐ Subcommittee

Amendment LC# or Description: 19.0203.01010

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

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Holman Seconded By Rep. Anderson

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson	X		Rep. Richard G. Holman	X	
Vice Chairman Gary Kreidt	X				
Representative Bert Anderson		X			
Representative Lisa Meier		X			
Rep. Randy A. Schobinger		X			

Total (Yes) 3 No 3

Absent 0

Floor Assignment _____

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

Motion Fails.

Date: 2/11/2019
Roll Call Vote #: 3

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House Appropriations - Human Resources Division Committee

☐ Subcommittee

Amendment LC# or Description: 19.0203.01006

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

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Meier Seconded By Rep. Kreidt

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson			Rep. Richard G. Holman		
Vice Chairman Gary Kreidt					
Representative Bert Anderson					
Representative Lisa Meier					
Rep. Randy A. Schobinger					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

* withdrawn

Date: 2/11/2019
Roll Call Vote #: 4

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House Appropriations - Human Resources Division Committee

☐ Subcommittee

Amendment LC# or Description: add "New England" to section 7 study language.

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

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Meier Seconded By Rep Kreidt

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson			Rep. Richard G. Holman		
Vice Chairman Gary Kreidt					
Representative Bert Anderson					
Representative Lisa Meier					
Rep. Randy A. Schobinger					

Voice Vote

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Motion carries.

Date: 2/11/2019
Roll Call Vote #: 5

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House Appropriations - Human Resources Division Committee

☐ Subcommittee

Amendment LC# or Description: Decrease study fund from $750,000 → $250,000

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

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Kreidt Seconded By Rep. Schobinger

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson			Rep. Richard G. Holman		
Vice Chairman Gary Kreidt					
Representative Bert Anderson					
Representative Lisa Meier					
Rep. Randy A. Schobinger					

Voice Vote

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Motion carries.

Date: 2/11/2019
Roll Call Vote #: 6

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 615

House Appropriations - Human Resources Division Committee

☐ Subcommittee

Amendment LC# or Description: 19.0203.01006

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

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Meier Seconded By Rep. Kreidt

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson		X	Rep. Richard G. Holman		X
Vice Chairman Gary Kreidt	X				
Representative Bert Anderson	X				
Representative Lisa Meier	X				
Rep. Randy A. Schobinger	X				

Total (Yes) 4 No 2

Absent 0

Floor Assignment _____

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

Motion carries.

Date: 2/11/2019
Roll Call Vote #: 7

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House Appropriations - Human Resources Division Committee

☐ Subcommittee

Amendment LC# or Description: further amend

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

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Kreidt Seconded By Rep. Meier

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson			Rep. Richard G. Holman		
Vice Chairman Gary Kreidt					
Representative Bert Anderson					
Representative Lisa Meier					
Rep. Randy A. Schobinger					

Voice Vote

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Motion carries.
Reduce study funding from $150,000 → $250,000.
Add "New England" to study language.

Date: 2/11/2019
Roll Call Vote #: 8

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House Appropriations - Human Resources Division Committee

☐ Subcommittee

Amendment LC# or Description: _____

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

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Kreidt Seconded By Rep. Meier

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson	X		Rep. Richard G. Holman		X
Vice Chairman Gary Kreidt	X				
Representative Bert Anderson	X				
Representative Lisa Meier	X				
Rep. Randy A. Schobinger	X				

Total (Yes) 5 No 1

Absent 0

Floor Assignment Rep. Nelson

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

Motion carries.

Date: 2/14/2019
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

House Appropriations Committee

☐ Subcommittee

Amendment LC# or Description: **19.0203.01011**

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

Other Actions: ☐ Reconsider ☐ _____

Motion Made By **Representative J. Nelson** Seconded By **Representative Meier**

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer					
Representative Kempenich					
Representative Anderson			Representative Schobinger		
Representative Beadle			Representative Vigesaa		
Representative Bellew					
Representative Brandenburg					
Representative Howe			Representative Boe		
Representative Kreidt			Representative Holman		
Representative Martinson			Representative Mock		
Representative Meier					
Representative Monson					
Representative Nathe					
Representative J. Nelson					
Representative Sanford					
Representative Schatz					
Representative Schmidt					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

Voice Vote/Motion Carries

Date: 2/14/2019
Roll Call Vote #: 2

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1015

House Appropriations Committee

☐ Subcommittee

Amendment LC# or Description:

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

Other Actions: ☐ Reconsider ☐

Motion Made By **Representative J. Nelson** Seconded By **Representative Meier**

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer	X				
Representative Kempenich	X				
Representative Anderson	X		Representative Schobinger	X	
Representative Beadle	X		Representative Vigesaa	X	
Representative Bellew	X				
Representative Brandenburg	X				
Representative Howe	X		Representative Boe	X	
Representative Kreidt	X		Representative Holman	X	
Representative Martinson	X		Representative Mock	A	
Representative Meier	X				
Representative Monson	X				
Representative Nathe	X				
Representative J. Nelson	X				
Representative Sanford	X				
Representative Schatz	X				
Representative Schmidt	X				

Total (Yes) 20 No 0

Absent 1

Floor Assignment **Representative J. Nelson**

Motion Carries

REPORT OF STANDING COMMITTEE

HB 1015: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1015 was placed on the Sixth order on the calendar.

Page 1, line 2, after "rehabilitation" insert "; to authorize the conveyance of real property owned by the state of North Dakota; to provide for a legislative management study; and to provide a report"

Page 1, replace lines 10 through 17 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Adult services	$220,757,448	$15,683,040	$236,440,488
Youth services	30,740,509	1,355,436	32,095,945
Total all funds	$251,497,957	$17,038,476	$268,536,433
Less estimated income	37,161,253	4,978,055	42,139,308
Total general fund	$214,336,704	$12,060,421	$226,397,125
Full-time equivalent positions	845.29	54.50	899.79"

Page 1, line 18, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SEVENTH LEGISLATIVE ASSEMBLY**"

Page 1, line 19, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 3 with:

"Equipment	$167,000	$298,700
Elite servers replacement	0	40,000
Extraordinary repairs	0	1,332,250
Youth correctional center, James River correctional center, and state hospital campus infrastructure studies	0	250,000
Scan and screen device	0	230,000
Redundant fence	0	160,000
Portable x-ray equipment	0	22,000
Oracle software upgrade	0	165,000
Contracts and payments processing system	0	100,000
Inmate tracking system	0	160,000
Intake and legal movement system	0	240,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$2,997,950
Less estimated income	2,102,907	2,081,700
Total general fund	$0	$916,250

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $1,468,000 from the strategic investment and improvements fund for campus infrastructure studies, extraordinary repairs, an inmate tracking system,

information technology upgrades, security equipment, and other one-time funding items.

SECTION 4. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM. The $7,000,000 from the general fund appropriated in the adult services line item relating to the community behavioral health program in section 1 of chapter 40 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND REVENUES. Any moneys received by the department of corrections and rehabilitation from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund, may be deposited in the department of corrections and rehabilitation operating fund and expended pursuant to legislative appropriation for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 6. CONVEYANCE OF LAND AND BUILDINGS - TOMPKINS BUILDING - EXEMPTION. The state of North Dakota, by and through the department of human services, shall convey ownership of building 2404, formerly known as the nursing residence building and Tompkins building, and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services for construction and renovation do not apply to this conveyance.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS AND REHABILITATION. During the 2019-20 interim, the legislative management shall study the department of corrections and rehabilitation. The study must address the feasibility and desirability of relocating female inmates from the Dakota women's correctional and rehabilitation center in New England to another location and the feasibility and desirability of relocating minimum security male inmates from the Missouri River correctional center in Bismarck to New England or another location. The study must include a review of:

1. Service needs of female inmates;
2. Service needs of male inmates;
3. Services available to female inmates at the Dakota women's correctional and rehabilitation center;
4. Services available to male inmates at the Missouri River correctional center;
5. Facility needs, including changes needed to continue to serve male inmates and changes needed to serve female inmates, and associated costs;
6. The short-term and long-term costs and benefits of relocating female inmates to another location;
7. The short-term and long-term costs and benefits of relocating minimum security male inmates to New England or another location;
8. Available services and work release opportunities for minimum security male inmates in New England and other locations; and

9. The feasibility and desirability of increasing regional detention and transition facilities for female inmates across the state.

The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	House Changes	House Version
Adult services	$220,757,448	$15,683,040	$236,440,488
Youth services	30,740,509	1,355,436	32,095,945
Total all funds	$251,497,957	$17,038,476	$268,536,433
Less estimated income	37,161,253	4,978,055	42,139,308
General fund	$214,336,704	$12,060,421	$226,397,125
FTE	845.29	54.50	899.79

Department 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Increases Funding for Teachers[3]	Adds FTE Positions[4]	Transfers the Tompkins Rehabilitation and Corrections Center[5]	Increases Funding for Treatment[6]
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Total all funds	$269,258	$7,484,385	$1,357,790	$1,081,469	($3,576,240)	$4,411,250
Less estimated income	(1,364,762)	372,763	0	0	0	0
General fund	$1,634,020	$7,111,622	$1,357,790	$1,081,469	($3,576,240)	$4,411,250
FTE	0.00	0.00	0.00	27.00	27.50	0.00

	Increases Funding for DWCRC Contract[7]	Adjusts Ongoing Funding for Other Changes[8]	Adds One-Time Funding[9]	Total House Changes
Adult services	$1,143,360	$2,316,044	$2,464,888	$15,683,040
Youth services		(446,790)	533,062	1,355,436
Total all funds	$1,143,360	$1,869,254	$2,997,950	$17,038,476
Less estimated income	0	3,888,354	2,081,700	4,978,055
General fund	$1,143,360	($2,019,100)	$916,250	$12,060,421
FTE	0.00	0.00	0.00	54.50

[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from $1,241 to $1,427 per month:

	General Fund	Other Funds	Total
Salary increase	$3,348,094	$165,036	$3,513,130
Health insurance increase	3,763,528	207,727	3,971,255
Total	$7,111,622	$372,763	$7,484,385

[3] Funding of $1,357,790 from the general fund is added for teacher salaries and wages to comply with the teacher composite schedule.

[4] Funding of $1,081,469 from the general fund is added to convert 20 temporary correctional officer positions to FTE positions and to add 7 FTE positions for pretrial services.

[5] Funding from the general fund is reduced and 27.5 FTE positions are added to reflect the transfer of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation. This includes an increase of $5,031,222 of funding for the FTE positions and to operate the Tompkins Rehabilitation and Corrections Center and a reduction of $8,607,462 for contract payments to the Department of Human Services.

[6] Funding of $4,411,250 from the general fund is added, including $3,873,750 to contract with the State Hospital for up to 30 addiction treatment beds and $537,500 to expand juvenile day treatment to up to five additional school districts. Juvenile day treatment is currently provided in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

[7] Funding for the Dakota Women's Correctional and Rehabilitation Center contract is increased by $1,143,360, to provide a total of $11,905,311 for the contract.

[8] Ongoing funding is adjusted for the following other changes:

	General Fund	Other Funds	Total
Miscellaneous expenses	$571,322	($2,980,285)	($2,408,963)
Crime victims grants	20,000	6,822,251	6,842,251
Microsoft Office 365 licensing expense	618,699	110,208	728,907
Capital bond payments	(469,380)	16,180	(453,200)
Other adjustments, including the removal of ongoing funding used for one-time items	(2,759,741)	(80,000)	(2,839,741)
Total	($2,019,100)	$3,888,354	$1,869,254

[9] One-time funding is added for the following:

	General Fund	Strategic Investment and Improvements Fund	Roughrider Industries Fund	Total
Replace Elite servers	$40,000	$0	$0	$40,000
Roughrider Industries equipment	0	0	298,700	$298,700
Extraordinary repairs	876,250	141,000	315,000	1,332,250
Youth Correctional Center, James River Correctional Center, and State Hospital campus infrastructure studies	0	250,000	0	250,000
Scan/screen device	0	230,000	0	230,000
Redundant fence	0	160,000	0	160,000
Portable x-ray equipment	0	22,000	0	22,000
Oracle software upgrade	0	165,000	0	165,000
Contracts and payments processing system	0	100,000	0	100,000
Inmate tracking system	0	160,000	0	160,000
Intake and legal movement system	0	240,000	0	240,000
Total	$916,250	$1,468,000	$613,700	$2,997,950

House Bill No. 1015 - Other Changes - House Action

This amendment also adds sections to:

- Identify the amount of funding from the strategic investment and improvements fund for various one-time items.
- Provide an exemption to North Dakota Century Code Section 54-44.1-11 to allow the Department of Corrections and Rehabilitation to continue any unspent funds relating to the community behavioral health program and to expend the funds during the 2019-21 biennium.
- Authorize the Department of Corrections and Rehabilitation to deposit certain revenues in its operating fund.
- Transfer ownership of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation.
- Provide for a Legislative Management study of the Department of Corrections and Rehabilitation, including services and facilities for female inmates and minimum security male inmates.

2019 SENATE APPROPRIATIONS

HB 1015

2019 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

HB 1015
3/15/2019
Job # 33818

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Rose Laning / Florence Mayer

Explanation or reason for introduction of bill/resolution:

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

Minutes:

Testimony # 1 – 5.

Legislative Council: Alex Cronquist
OMB: Becky Keller

Chairman Holmberg: Called the committee to order on HB 1015. Roll call was taken. Sub-committee will be: Senator Wanzek, Senator G. Lee and Senator Mathern.

Leann Bertsch, Director, North Dakota Dept. of Corrections and Rehabilitation:
Dept. of Corrections and Rehabilitation testimony, Attachment #1.
Justice Reinvestment, Attachment #2.

Before I go into my testimony, I wanted to address the negative media in the last couple of weeks. I don't think it's any mystery what the media intended to do. It came out of the Dickinson Press and KFYR jumped on. My department and I will never apologize for doing the right thing. We will never apologize for treating people humanly. A headline like "Pizza Parties and Candy" is quite disappointing. Especially when, long before I became the director, we have treated people humanely in this department. From when this organization started until now, we've had to be more intentional about treating people with dignity. Long before I came, our folks could order outside food orders if they were behaving well. We've long gotten criticism for having cable TV.

Some of you were on the interim Human Services Committee a couple sessions ago when we took you through our special assistance unit and talked about how we actually use positive reinforcers to change behavior. Yes, some of those positive reinforcers are candy. "Shame on anyone that would talk about doing things humanely and not using excessive force to get a seriously mentally ill person to comply with medication". Here is what has happened over the years with our great efforts. I used to have forced medication hearing coming across my desk once every other week. I haven't had one in months. Why? Because our seriously mentally ill people are treated more humanely then ever. They don't need to have force against them, they aren't smearing feces across their cell, or having a special

operations response team gear up to give them their medication. We've increased positive reinforcement not only in the special assistance unit, but also in our behavioral intervention unit, which used to be called our solitary confinement unit. Long before the reforms, we were locking-up almost 100 people 23 hours a day. They were coming out worse than ever. Now we are in the 20s, they are coming out and staying out, and they are being safe individuals in our facilities. So shame on anyone who would talk about us being less safe. This is not unexpected. I have been in this job for almost 14 years. I know all my peers across the country and anytime you are pushing reform that is deemed as less punitive, the nay-sayers will always say "…making things less safe" or "…putting people in danger". That couldn't be less true. We are safer today then we ever were.

On Wednesday afternoon, I had the opportunity to go talk to the sergeants who work in the state penitentiary. I apologized to them for this. I underestimated that trying to do something right for a very disadvantaged population, namely the women incarcerated in our system, would bring back criticism on their professional job within our state penitentiary. As I would tell people who are taking under this difficult work of what we do, especially in a maximum-security prison, I would say, "Do not underestimate the toxic political machine that can target your reforms and agency as a strategy to sabotage your efforts to improve conditions for a population". The DOCR is staying the course. The work we are doing is worth doing. It is never easy when the work you are doing and the people you're advocating for are some of the most despised and disenfranchised individuals in your community. But let's remember that 97% of them are returning to our communities. How do you want them?
I will go into our budget now.

Chairman Holmberg: Thanked her for her comments.

(6:37) Leann Bertsch: Began to read testimony, Attachment # 1.

(11:00) Senator Grabinger: I am surprised by that decision of moving nurses building. I understand the nurse's facility is a lot less restrictive then the RT unit that houses the others. Why wouldn't you take over the RT unit? Is it the number of beds?

Leann Bertsch: The nurse's building is the unit that is separate from the state hospital functions. The Department of Corrections would have like to take over all of the beds and run the program, but we recognize that the state hospital really wants the autonomy. Those other units are in building where you have your traditional state hospital residents. That is the difficulty with taking over those units. The nurse's building is separate, fairly secure, but anyone in that unit has to be at least community level of status.

Continued with testimony.
Briefly went over page 12 before continuing with testimony.

(46:08) Senator Robinson: How do the residents in New England compare to Bismarck and Jamestown, as far as length of stay? Is the New England facility still owned by the community? Who's responsible for maintenance?

Leann Bertsch: That is owned by the Southwest Multi-Correctional Center, which included 6 counties. We have a contract with them that runs DWCRC. The average length of stay is approximately 235 days, although a small percentage are serving multi-year sentences. We

cycle them through there more quickly then we would like, due to the lack of services. We are doing them a disservice by not having them able to save longer.

Continued with testimony regarding the incarcerated women section. We don't need a study, we need changes.

(53:27) Senator Bekkedahl: It's obviously you've gone through a lot of discomfort with this. The services you need to exercise for these people in Bismarck area is very critical. The state doesn't have any of those services in the rural areas as we do in the big cities. In my area, there are 65,000 people there. There isn't a single critical access bed for behavioral or mental health issues. With the pre-trial services, you're talking about pilot regions, in assessing where you put those I'm guessing you'll be looking at the length of time it takes to go to trial in those areas? Some area have fewer judges then they need. A divorce case could be trialed out for 1-2 years from the date of filing. Statistics regionally with the number of inmates per population, so you know where you're having the most difficulty. Are those the things you're look at?

Leann Bertsch: The 3 judicial districts we would pick, the department of corrections as an agency won't pick those. One of the justices put a committee and work group together. That includes defense attorneys, prosecutors, sheriffs, all the stakeholders. Yes that data needs to be part of the decision to where we pick the three locations. We need a jurisdiction that is chomping at the bit for pre-trial services. I don't think that will be a problem. Three is a good number, so we can learn, because we haven't done pre-trial in state. Representative Hanson from the House was supportive enough to sponsor a bill that gave pre-trial services a policy hearing in the House Judiciary.

(57:20) Senator Robinson: In higher education, we have guidelines; do we have equity with men and women in criminal justice? In terms of accreditation and licensing.

Leann Bertsch: It is as far as equal access or equal opportunity. I don't have it with me, but an attorney who does litigation outlined what will happen if we don't do something. I can get that to you.

Senator Mathern: The example that you provided of the pregnant woman, reminds me that there are options that are leapfrogging even the pre-trial programs. Is it possible to make more change, faster? Maybe 100 women could use community placement. That's something we should consider.

Leann Bertsch: I think I have plenty of authority. Sometimes it comes down to good quality services. These women need more intense services, not only basic services that corrections offers. We are in a hub of services here. We have the University of Mary, all these services coming from the outside and embracing these women. If we could do things right for this population, we could cut it in half in a few years. We are 7% of our total population right now; we need to at least get it to the national average.

Senator Grabinger: You and I should have this discussion at a different time. One gal from Jamestown was there for over 5 years. She is now in a welding position she learned down there. That is a good thing. You talked about taking the LaHaug Unit and utilizing that. Was

there ever any consideration in taking the 12 & 16 west building at the state, and putting them into facility housing the men from the Missouri River Correctional? I used to work in those buildings, they are a dorm type. We are talking minimum-security prisoners anyways. The state could maintain the state hospital and that unit, give up those 2 buildings and provide the area you need for those inmates at a much reduced cost. Have you looked into that?

Leann Bertsch: The LaHaug building was an idea back in 2003. We haven't had any conversations with the state hospital about other buildings, that doesn't mean it couldn't happen. They have a very low number of additional patients at the state hospital, but a lot of unutilized space. It makes sense to consolidate services. We have infrastructure there. We have educators, food service, dental, medical, education, location. Same thing here in Bismarck. This isn't about disrupting people and environments. The economy in this state is much different in 2019 than it was in 2003. The #1 challenge facing this state is a workforce shortage. Job service and commerce did an evaluation when we talked about this relocation. There are over 800 jobs open in the SW part of the state. There is money to retrain the people working at the facilities to fit these open jobs. I don't think economic development and jobs should be driving this conversation. We've come a long ways with our economy, sophistication and knowledge of what works in corrections.

Senator Grabinger: Would this be something you would look into and consider? I have ideas that the New England building could have the sex offenders there. They could also have some treatment facilities in the Western part of the state. The savings and putting these women into a better place, is there a way of looking at doing this instead of 2-year study?

Leann Bertsch: I believe so. Those options are definitely worth looking into.

(1:05:30) Lisa Bjergaard, Director of the Division of Juvenile Services, ND DOCR:
ND Dept. of Corrections and Rehabilitation, Division of Juvenile Services, Attachment #3.

(1:11:15) Senator Bekkedahl: I serve on board of directors for Eckert Youth Homes in Williston. We work with your court on issues. In referrals in the last 5 years is a degradation of the quality of kids coming into the system. They seem to have more problems than we used to see 10-20 years ago. Are you seeing that as well? We don't have the skilled work force to handle these problems, we never had before.

Lisa Bjergaard: Some is fundamental lack, some family instability, and some economic instability. What we see is kids that are less able to think through problems and move into adulthood, but they aren't necessarily more criminal. I think it's such a point that you're highlighting that this is not about ax murderers and mayhem, but kids that can't navigate their way into adulthood.

Senator Bekkedahl: Apologies for my poor choice of words. I see kids with more problems than we used to see coming into our system. My point is, I worry that the RCCF system, which was good for the system overall, doesn't have the ability to hand what we're seeing anymore. That will be a pinch point for you. I hope there are places for kids to go for the necessary services.

Lisa Bjergaard: I agree. We don't know what will happen when the QRTPs will get here. The federal regulations and how the dollars come in will influence what we are able to do.
(1:15:15) Continued her testimony with the bottom of page 3.

(1:40:23) Senator Robinson: You talked about trying to track students of various high schools. How many are Native Americans? Are we looking at 15-20%

Lisa Bjergaard: Double that. It is between 35-40% depending on the day. The Native American population is a younger population. I don't know the percentage of North Dakotans that are Native Americans as a whole. The youth population is 9%.

Senator Robinson: Is it safe to say the Native American youth come from all reservation communities or is one disproportionate with numbers?

Lisa Bjergaard: These kids who are in the system come from state court. Some may have families on the reservations, but these are kids living in state communities. They come from Fargo, Devil's Lake, Minot, and Bismarck. They are a mobile population, not necessarily residents of a particular reservation.
Continued with testimony relating to youth correctional services in high schools.

(1:45:14) Senator Robinson: We fund community supervision programs. Most of that is a program designed before those youngsters who get involved in your program. Do we ever use that program when they come out and are being placed back in the community? It has been a standalone bill. It might be a retired or part-time police officer that takes this on. The idea is, we are intervening at the local level before they enter the juvenile system at YCC or whatever. The program has been successful. I'm sure the capacity is getting full.

Lisa Bjergaard: Their capacity is limited. We provide most of those services. We have case aids and paraprofessionals that help with that. They are great community corrections programs, but they are full of front-end kids.

Senator Robinson: Those programs keep a number of our youth from getting to the point of entering your program. (That was agreed.)

Senator Dever: When I was raising my kids, we said that family is the cornerstone of society. We have a bill coming up that says 24/ 6 ½ consumerism isn't enough and we don't need time for family or church. The libertarians among us are all about rights and not really concerned about responsibilities, but as we continue down that path, government becomes family and we see greater erosion of our freedoms. I have that concern. In the department of Human Services budget, we're doing more now in the areas of behavioral health than we ever have. We're expanding the Free Through Recovery program but those kind of things are targeted towards adults and also youth. Schools have those concerns. The rate of incarceration at the Youth Correction Centers is down, why are we having to deal with these kids in school? We try to provide the resources for them to do that. One of the questions I have is with the children of incarcerated parents. She talked about mothers having children. I suspect there is not a relationship with the father. I would imagine those kids are in the system somewhere. Are they in kinship care, foster care, residential facility, how do we keep that from being perpetuated into the next generation?

Lisa Bjergaard: Child welfare is not where my expertise lies. In terms of connecting all parents, I know there is a lot of good work with the early childhood intervention programs. You can see in our data on page 2, the effect of family instability. Our families struggle economically, and a lot of the time it's because there are not 2 parents in the home. Moreover, the one in the home has to work 2-3 jobs to keep things together. Kids who end up in corrections don't all get there because people didn't love them. I don't run into parents who, not matter how destroyed their lives are, don't love their kids. They didn't plan for their child to grow up at the youth correctional center. We have recognized that when we took those kids and pulled them out because we were going to be better parents, we now know that it does not increase family stability to take that at risk kid and put him on a different developmental track from the family. We are much better off addressing the needs that families have as a whole. Besides that, on page 3, it says we served 122 families the first year, but it affected 463 family members. When there are younger kids in the home, or when you get a therapist in the home and you can start asking those tough questions. Those are the kinds of interventions we need to turn towards. We can serve a lot more families with intensive in-home than we can by bricks and mortar and paying for facilities. The younger you can serve families the better because by the time that family has been struggling for as many years as it takes to get the 17 year olds to us, something that could've saved the entire community a lot of pain could've been stopped if we could do it earlier.

Senator Dever: I agree. 3-4 months ago, our pastor went into Wachter Middle School and a 7th grader approached him. They talked and he found out the child was suicidal. The child asked if he could call him later, and he did. One question our pastor rhetorically raised in church was, should we have chaplains in schools. The thought that went through my mind was, we have them in prisons, why not catch them earlier? We had a conversation a number of years ago. We talked about children and early intervention, you leaned over and said, "Those are my kids a few years from now". It requires a system wide approach. It requires that we revisit our whole value system.

Lisa Bjergaard: The thing you guys need to take seriously are things like this trend line that shows we're committing too many kids to corrections. This is somebody's fault.

Senator Dever: Our youth corrections center has a capacity of 100, whereas SD has a capacity of 400.

Lisa Bjergaard: SD has a capacity of zero. They finished session just this week. In the session 2-years ago, they closed their youth correctional capacity and relied on their private provider network to pick up those kids. They had the same issues with way too many kids in the deep end of their system and they just decided to shut it down. It sounds like a great idea, right? They did not do their child welfare reform at the same time. That's what I'm talking about with the dual status youth and the juvenile court stuff. We need to make sure those front end systems have the capacity and the will. As long as they have a back end system they can dump kids into, it's a lot harder to create that will to really do what you need to do at the front end to shut that door. In South Dakota, they closed their back end. They have community corrections, like my division of juvenile service officers and then they're relying entirely on their private network of residentials. What happened is, once child welfare didn't have the ability to just put kids in corrections anymore, they jammed those residentials full and now there are no beds for those serious deep-end kids who really need some help. So

South Dakota is in a position of trying to get other states to take them. They're paying for them to go out of state. Think of what that does to family connections and ever being able to get those kids home. I don't think that's what they intended, but the lesson we learned from that is push your child welfare reform, push your juvenile court reform, make sure you're asking for data out of those systems. When we looked at our dual status youth data, a bunch of kids crossed over from child welfare into delinquency in the residentials because they're high need kids; they get into a facility and hit somebody and now they're delinquent. There are a bunch of kids that cross from child welfare into delinquency in the schools. The schools know they have issues. We need to get behind those people and figure out what we're doing at that level, so you're not paying for it later. If we don't do this now, the population line shows you we are going to have a bunch of teenagers with worse problems. What services can we start putting into these schools so kids don't cross over and so families are reengaged? We have generations of families who don't find school to be a particularly need fulfilling place for them. We need to find ways to connect people back to schools.

Senator Dever: In the Human Service budget, we were asked to build new state hospital this biennium with 80 beds. Instead, we're asking for a study for the next 2 years of the delivery of healthcare services across the state. In consideration of that, we could build a smaller hospital and provide services utilizing other beds across the state for people who don't need the intensive care. You're saying we need to still have that, but that shouldn't be where everyone goes.

Lisa Bjergaard: Thank you for reminding me to thank Senator Mathern for the amendment he made to our budget last time. It really gave us permission to start looking at what we could do to continue to reduce the capacity of the YCC also how it should be purposed. You will hear more from Dave on this. I won't be here that many more years, but you need to consider what we need for highly at risk kids for the next 50 years. I think we will need to consider some small capacity of public mental health beds for kids. Part of what we've seen with that rate of commitment into the division of juvenile services are those really high risk mental health kids. Once the state hospital closed the adolescence unit, they don't have a place to go. For those kids then, because of their behavioral health needs, ended up in the corrections system. It doesn't make sense to me to be running a full high school for 10 mental health beds at your state hospital when you've got a facility and acreage in Mandan. It has food services. It has a school. It has a lot of room for kids to run and get out. These kids shouldn't have to be criminalized to get the help and support they need.

(2:02:00) Senator Robinson: Rather than invest $35M in one location, there might be an opportunity to invest smaller amounts of money in multiple locations where the residents would be closer to family. We need to think outside the box.

Lisa Bjergaard: When I was trying to figure out what we were going to come in with, we landed on day-treatment. The "world perfect" plan is a little pine cottage (their secure building unit), one in Fargo, Grand Forks, Minot, etc. Just one little unit that can provide to communities. We are going to start with day treatment services, and then we will see where we go.

Senator Robinson: Home and community based services make sense. You have to have the resources to have those in multiple locations around the state.

Lisa Bjergaard: LSS has our in-home contracts. They have people in homes doing therapy in the middle of Flaxton.

Senator Robinson: Are we still accessing the wrap-around program, where you're department works with the school setting, judiciary, law enforcement, etc.?

Lisa Bjergaard: Yes, DHS still has some partnership positions.

Senator Wanzek: Our focus is to ultimately get down to the budget. Some of the decisions we make, we need to know what to expect in the future to make better decisions today.

(2:05:45) Dave Krabbenhoft, Director of Administration, ND Dept. of Corrections and Rehabilitation:
Actual Average Male Inmate Population by Facility / Program, Attachment #4.
2019-2021 Budget Overview, Attachment #5.

(2:09:37) Senator Robinson: We have 7,000 on parole and probation?

Dave Krabbenhoft: Yes. We are actually are decreasing on all of them. That's a one-day count. We have for the first time since 2010, dipped below that for an average count. We average about 75 caseloads per officer. That is too high, but we are trying specialty things to manage that.

Continued with testimony.

(2:13:16) Senator Bekkedahl: We heard testimony earlier, that the concern of the counties was that this cap would shift more inmates into the county systems. Has that happened or is there a corresponding drop?

Dave Krabbenhoft: The numbers in the counties are down as well. We shone a light on it and asked the hard question of what is it we are locking people up for? Are we mad at them or do they need some help. The awareness of the problem around why people come to prison is risen and we are starting to see the rewards of that. We're aware that the oil boom is lower, that has had an impact too. Some of the reforms, budgeting is having a positive effect. The same ability we have to control our budget and be innovative, you provided that same authority to the counties. Now if we add on pre-trial services, we'll have more results that are positive.

Continued with testimony related to rend lines with female inmates.

(2:26:51) Senator Grabinger: When you talk about taking over that facility, I've heard concerns from employees. With transferring from the state hospital to the Department of Corrections and the switching of those jobs. Do you anticipate any of those people being downgraded in positions or changes in their compensation?

Dave Krabbenhoft: We hope to have a seamless transition. The budgeted amount wasn't for entry level, it was for established positions. We'd like to flip the switch on July 1st and those people wouldn't even see any changes. I can't guarantee everyone will be dollar for

dollar. Some positions might get an increase. We want to be fully aware of that and we don't want to make it a negative change.

Continued with testimony regarding differences in the House versus Executive recommendations.

(2:52:35) Senator Krebsbach: Do you have a sheet that shows all the budgets, for each division that you have?

Dave Krabbenhoft: I can sure get that for you.

Chairman Holmberg: Closed the hearing on HB 1015.

2019 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

HB 1015
3/28/2019
Job # 34347

☒ Subcommittee
☐ Conference Committee

Committee Clerk: Rose Laning and Alicia Larsgaard

Explanation or reason for introduction of bill/resolution:

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

Minutes: Testimony # 1 - 3

Legislative Council: Alex Cronquist
OMB: Becky Keller

Senator Wanzek: Called the committee to order on HB 1015.
Senator G. Lee and **Senator Mathern** were also present.

Alex Cronquist handed out the Base Level Funding Changes – attached # 1.

Leann Bertsch, Director, North Dakota Dept. of Corrections and Rehabilitation:
Outlined some of their priorities.

I gave the overview of some of the key components we have in the budget; pretrial services, transferring the Tompkins nurses building over to the Department of Corrections – at least for the 60 beds. The biggest thing is relocating the women residence to Bismarck from a location that is currently in New England. That is a contract facility referred to as the Dakota Women's Correctional Facility.

Outlined, in great detail as to why that is a priority for the department, continues to be a a priority for the department. We would like to see that happen. As I indicated in the House, there were three options considered of the Governor's recommendation which was relocate the women to the Missouri River Correctional Center with about $1.8 M to do some renovations to make it a temporary multi custody facility for the women. Then they would relocate the minimum security men to the campus of the James River Correctional Center using those temporary housing units that are much like the 36 bed unit we used located down at the Missouri River Correctional Center.

The other option considered was a compromise where we would allow a mission to remain in New England and put approximately 100 minimum security men there with the remaining minimum security men, in two of those multi-purpose buildings at the campus of JRCC. The

third option was to remain the status quo. That was not a good option for all of the reasons I outlined. I am very concerned that if we don't do something now, this decision will be taken out of legislature's hands as well as the executive branch and put into the hands of a federal judge. I think the circumstances are not very public. There has been a plaintiff's case outlined in the media and on the record.

I think it is high time that correctional services for women in our state have parody with men. I recognize there are concerns about economic impact on the town of New England. The compromise position would reserve the correctional mission for New England. I would refer you to century code 54-23.3-03. Those are the duties of Director of DOCR. They are exhaustive. I have a lot of responsibilities and I take them seriously. I will guarantee you, out of 17 enumerated responsibilities, economic and job development is not one of them. Right now, the number one thing facing the state of ND is a lock of work force. There are plenty of job. One of the handouts is an info graph that job service and commerce put together. It shows the number of open jobs in the southwest part of the state which encompasses the town of New England. By job service, if the qualifications of the open job and the existing workforce, which is approximately 56 individuals, there is training to allow that training to be done. I do not think we should be concerned about jobs when we have lots of open jobs and our biggest challenge is a workforce. I don't think throwing good correctional policy aside should be part of this budget.

Senator Mathern: When you speak of jobs, you're talking of present employees that are getting alternative jobs. What if we look at the compromise plan and we put 100 men down there? Could they be, in your corrections mission, selected in such a way that they could also fill jobs?

Leann Bertsch: Yes. I believe the compromise plan could have merit outside of the correctional realm where you could actually do more of a vocational village. Some states have done that where you really invest in vocational training. Those are the population that want to see people getting the vocational skills and actually engaging in work before they are released. We do a good job of that at the Missouri River Correctional Center. We have increased work release opportunities.

There is a lot of opportunity for that in the southwest part of that state, particularly with the oil jobs picking up. That compromise plan is a little more palatable to the Department of Corrections for this reason. Right now, all of the women who come into the Department of Corrections go to that place because it is our orientation and reception. No matter how high their medical, mental health, or dental needs, there are no services. If it was minimum security men, they would all come to the Department of Corrections NDSP where we assess. Then we decide where they can go. With the men, when we have high needs for them, it is very unlikely that we are going to put them in a facility where we cannot accommodate.

If we had minimum security men, we could pick those that we believe do not have high medical and mental health needs. They may have a substance abuse thing in which they do provide 2.5 level of substance abuse addition treatment. That would be accommodate. Then, if we could really beef up vocational opportunities in that area such as partnering with business in Dickinson since they already transport the women to Steffes in Dickinson. They

would probably have to do some more of that. We would actually want some more vocational training on site at that place for the men as well.

Senator Mathern: Would the staff of the New England facility be trainable to transfer from women to men?

Leann Bertsch: Absolutely. I think there is a concern that they have more women staff then male. That is not a barrier. In a lot of correctional systems, they've actually tried to increase the number of women in the security positions because of the qualities they bring. For example, at our medium custody male facility, over 40% of our security staff are women. In fact, a number of them are in leadership roles such as the Deputy Warden and the Chief of Security. They work well with men.

Senator G. Lee: Where are the men now?

Leann Bertsch: Right now, our minimum security men are located at the Missouri River Correctional Center. We have approximately 186 right now on the campus of MRCC. We would look at 100 for New England and the remaining in these 2 temporary housing units. We would put 2 units on the campus of JRCC with programming there?

Senator Wanzek: Refresh my memory of the census of women inmates in New England.

Leann Bertsch: The facility holds 126. Our census today is around 210.

Senator Wanzek: Is it 210 that are actually incarcerated.

Leann Bertsch: That is 210 that are on inmate status.

Dave Krabbenhoft, Director of Administration, ND Dept. of Corrections and Rehabilitation: They could be at halfway house.

Leann Bertsch: We have approximately 30 treatments beds on the campus of the state hospital which is the Tompkins Rehabilitation Program. Most of our women take their higher level of treatment at Tompkins. A number of them are in our BTC which is our re-entry facility here in Bismarck. The remaining go to a halfway house here in Mandan and then in Fargo.

Senator Wanzek: I know Senator Mathern has been on these before and so I have I. We've had the luxury of seeing these sites. Senator Lee has not.

Leann Bertsch: Since you have seen it, when we are referring to temporary housing units, it is a man-camp. We would have another unit that is the day room and programming and office space. That temporary housing unit is a man camp we got from Tioga.

Senator Wanzek: This alternative potential solution; was it discussed in the House as well?

Leann Bertsch: It was about halfway through, Representative Nelson chaired the subcommittee; all communications with the folks from SW Multi Correctional Center just stopped. They refused to have any more discussion on that option. I do not know what

happened because during the public hearing, the administrator of the facility was asked that question is they would consider taking a difference population. The answer was yes. One of the board members was asked that and he said they would definitely take a different population. It just didn't go anywhere. I do not know what that is about.

Senator Wanzek: That is one thing we'll have to resolve whether we do it on this side or in conference committee. Anything else you want to add?

Leann Bertsch: Not on that issue. I think Dave can outline some of the concerns. There are some holes that are left in our budget as it comes out of the House.

Dave Krabbenhoft: The budget coming out of House, is the same & similar to what has been. We have our facility at Bismarck (NDSP) and minimal security at MRCC. Those remain as men facilities in the House budget.

The women's facility still remains VWCRC. The medium custody remains at JRCC at the state hospital campus there. The one change on the state hospital campus is the Tompkins program that is a 60 bed unit. We refer to is at the nurses building. That holds 60 men. Those FTEs transfer over to the DOCR.

As it stands in the House budget which was the same as the executive budget recommendation, we will assume responsibility of running the Tompkins program. The plan is to seamlessly flip the switch. Hopefully some hospital people that are working there now will want to come over and continue to work with the DOCR and admission because that admission is not going to change. It will still be a treatment program for men. The only difference is that we will have the FTEs and will not be paying the hospital to run it.

There are an additional 30 beds in our budget that the hospital wanted to keep as treatment beds. So, we have 30 beds on a contract basis for that. The reason is that they have 47 available. They wanted a program they could offer to county jails or some other community members that are in need of treatment. We wouldn't be the exclusive user of those 30 beds. We have 30 beds in our budget that we would use. We are targeting those as female beds to continue the treatment. The hospital would run that program. They would have the hospital employees. We are splitting the Tompkins program.

Senator Wanzek: This weekend, I have an offer from Senator Grabinger. He drove me up there so I could get a feel of these building. I got a map too that helps put it in perspective a little more.

Dave Krabbenhoft: The 30 beds we are talking about are not in the nurses building. The nurses building will go to the DOCR. (Looked at Senator Wanzek's map of JRCC) Cass County has approached them for treatment resources. That is how it is set up in the budget. We would have 30 beds and we would be able to contract with them for those 30 beds throughout biennium. That is a change from last time.

With women, we have DWDRC with 126, BTC secure can house up to 34-35 however, we like to keep them around 15-16. We have all those other resources. In House version, all stays same except we do not have BTC secure. If you adopted the budget as it comes from

the House, we have a hole in our budget. We need those additional beds at BTC secure if we do that. If we use Leann's plan and go to MRCC, we'd need BTC secure for the entire biennium. We would have more bed capacity down at MRCC. That would make up that loss.

One of the things that is with this, is the timing of it all. Due to renovations that are needed at MRCC, if we go with a hybrid plan where we ship men there, if there is no emergency clause on the bill, we are probably going to need like 7 months of DWCRC to house women. They are going to need some time to get their facility ready for men. There are some dates in there. I penciled them out. There would be a combination of entities we would use to house people throughout man camp units. It takes about 60 days to acquire and set them up. We would have to bring in electricity, sewer, and water.

Depending on how this goes, we are going to need some time. We need about 90 days. We had an architect and look at MRCC. This is a temporary solution for MRCC. Next biennium, it's our plan to approach the governor's office and get money for a new women's facility. That would be built on the property of MRCC. That would be a gender specific facility just for women. We have never had that. We have always put women into men's prisons or former catholic boarding schools. We have never had something designed for women where we can actually programs. Research is showing how important physical space is to this kind of work. We look at asking for that. When we did MRCC and before the oil crash hit, we had about $28 M - $32 M for a new MRCC facility. We are thinking we can have a women's facility around that $40 M mark. We have not had anyone come in and look at it. That is just a guess from previous costs. I want to get that out right away. We are not saying MRCC is a long-term solution for women. We are saying that we can make this happen and really benefit that population.

In the mean term, we need about 90 days if we are going to do women at MRCC. That will be vacant for 90 days while we those renovations. We can provide that report to the committee as well. We had a consultant group come in that is specific towards women's issues and incarcerations. We also had an architecture firm that has had experience in that CGL in building gender specific facilities that are targeted toward rehabilitation.

In a nutshell, that is where we are at. Our budget has a few holes. We have an error. I pointed out a double counting of funds in our MRCC cost center in the executive recommendation. The House removed those funds but they removed it from the base budget instead of the executive recommendation. As a result of that, we are down about $1 M in that area that we need to have restored. That is mainly covering food, utilities, repairs, equipment, and inmate wages.

(22:16) Senator Mathern: You have done considerable work to reduce recidivism to try to reduce people coming in and crossing your threshold in advanced as well as preparing people for release. I am a little concerned. Has that work been done for the women to the same extent as we have for men?

Leann Bertsch: It has not because of the history of our department. I outlined that in my testimony. Because they have always been a small number, they have been an afterthought. That is not unique to ND. Other states have remedied it. The national average as far as total inmate populations are 6-7% but we're about 12% of our population that are women. That is

because we're not investing in the services and meeting their needs. If we did that, we could reduce their numbers.

Senator Mathern: In light of the next biennium questions, are you targeting the number that is basically status quo and we aren't really doing anything different for women? Are we just going to re incarcerate 12% forever or do the same preventative work before we build? Is that in the budget to do preventative work to get our 12 down to 6 or 7?

Leann Bertsch: Right now it's a spinning door. We do not have an adequate facility where we can do the intensive work we are doing with the men. I do not consider replacing MRCC as expanding. That facility needs to be replaced. We have to replace it anyhow, so let's dedicate a facility to women where we can do the work in a location where the services are available. 34% of women incarcerated in our system are Native American. We need culturally responsive services for that population as well. Bismarck is the hub of services.

Senator Mathern: Are you anticipating that we will continue at that high rate of incarceration with this new facility or are you hoping that we will be introducing services so we will be closer to the norm?

Leann Bertsch: Our goal is to cut the women's population in half. That is if we could dedicate the services we need to. Most women are high in needs but not high in danger. They are a needy population in terms of attending to their behavioral health needs. Most have history of trauma and abuse. We are really not attending to that. What we are doing for them as far as mental health is, we are medicating them. We are then giving them some drug and alcohol treatment. We are not attending to the whole compilation of their needs. That is concerning. If we were able to do that over time, we would be able to move away from some of the contracts we use in the community to keep people in a bed. It would be nice to put a lot of our system out of business. I recognize it is difficult but, if you're going to do criminal justice reform correctly, you should be able to reduce the numbers. Other states who have done criminal justice reform really well, have closed prisons. I have talked to my colleagues because it is difficult and emotional.

All of the stuff that has come out at me, should not have been a surprise for me but we have never been through that type of situation before. If not total prisons, we should be able to close housing units if we are able to do things right. That means taking those dollars and putting them into the communities where you can target prevention and the needs of people without having them come into the criminal justice or correctional system. There have been some good efforts, but we need to do a lot more. These problems didn't creep up overnight. This is a compilation of years in the making where we do not have adequate services and we continue to rely on a system that before, never put out a no vacancy sign. They gave us that authority to. We have not evoked it. I would rather not have to evoke that authority ever If we can continue the good work. I am really concerned that we are doing a huge disservice to this population. It has been a huge concern since I started in this department but as we have progressed and provided more services to the men, it becomes more apparent that we are failing the women. That is particularly with the rapid growth in the numbers. A lot of these women do not need high custody. They need high levels of services.

Dave Krabbenhoft: I would agree too. It is an interesting time. We have Free Through Recovery money in our budget that has continued. We then have an exemption to use the funds we have not spent in this biennium. That is good. In all my years, now is the time. It always has been a talking point of ours. We have got up and said our budget is too big and we need to get it back. We're looking at ways getting people out of prison and get those people out that have been sent there to get treatment. With what the legislature has done with behavioral health, I think there is a long way to go but we are talking about behavioral health and services in the community. It's key for corrections to look at populations and control that growth. Our projections still show a little bit of a growth. That growth is starting to drop. That is a result of the way we project.

We go back about 60 months and look at felony filings and revocations. That level of growth is starting to dip off. Hopefully, next biennium will show that we are reducing out population. Leann and I always say it would be great if we close the west sell house and a floor at JRCC because we do not need the beds. We know that would be difficult because people have jobs with corrections. I am not discounting that and the work that people do. When you look at corrections, there's a perverse incentive to continue to lock people up. We try hard to not let that incentive creep into our thinking. I think that is reflective of the leadership Leann has shown the department. We are trying to find ways to get people out and get them successful. It is a challenge. We're just at the cusp of this. It looks like we're going in the right direction.

We're not looking to build a bigger structure to house more women. We would like to have something appropriately sized and have it so we can get those services to those people.

Senator G. Lee: You talk about numbers going down, but your budget projections look like they are going up in this next biennium.

Dave Krabbenhoft: The reason for that is the way that we're projecting. I re projected those numbers based on our February admissions and releases. I can share that with the committee. The way we've projected over the years is that we have taken felony filings from the courts and we try to anticipate what those filings are going to be. We also take the revocation data and apply that to the number of people on supervisions. Our admissions are starting to tail off. Felony filings bounce around a bit. That formula and what we are looking at, are starting to trend in the right direction. Instead of seeing an increase of 250, we are seeing an increase of 100 less. It is going to take a while. Maybe we should look at how we're projecting those inmate populations. Those populations are the backbone of what we use to build the budget. We need to know how many people we are going to have in our custody. That is used in that matter.

Currently, we were way off. We have been tweaking this all along but we are like 260 below the projections of men. I attribute that to the work that was done in the legislature last biennium with criminal justice reform and also with the authority you gave us. All of a sudden, it raised the awareness in the community across the state. Correctional resources are limited. I do not mean to sound flippant about this. There should be a really good reason to send someone to prison. I am not saying they are being sent to prison with bad reasons but it is making people think twice and look at what is available in the community to do something different for this person. Free Three Recovery is a great start to that. Some of the other

resources included increasing behavioral health and drug and alcohol treatment throughout our state. Those are the things that are coming up.

We can sit down and show you the method we use to project those populations. It is showing a growth. There is a hesitation for me. My guts are telling me that we are going to be good but there is a hesitation for me to move away from that as well because the oil activity is picking up again and there are other factors out there.

Senator Wanzek: We are reaching the end of our hearing for now. I can see we have some heavy lifting to do.

Dave Krabbenhoft: I have some stuff here to give to you guys. We have an expansion to day treatment. Lisa has some wonderful things cooking on the juvenile side that we are trying to be transformational with as well.

Lisa Bjergaard, Director of the Division of Juvenile Services, ND DOCR:
Day Treatment:
In parallel with everything that you're hearing about regarding treating people with an appropriate level of care, the commitment rate of kids into the juvenile system is higher than it should be if you look at what has happened with juvenile crime. Serious juvenile crime is at an all-time low. I really do not think the state should be providing services at this very high test deep in just because are there.

We have really been trying to work with all of our partners closer to the front of the system; juvenile court and the child welfare people to help strengthen those systems so they are abler to care for kids without having them slide to the deep end. It is expensive. It is all general fund dollars. It is not good for the kids and families to be putting them in the facilities.

We have been working for several years in that direction. It takes a while to get some traction. We think we are at a point now where the next step can be to strengthen local communities by providing day treatment programs in their schools and prevent or reduce the incarceration of another group of those kids. We've cut the population in half twice over the last ten years. I think we can do that about one more time. We have not been at 50 kids in over a year. I would like to get it down to 35 or so. We have to have a little more strength in the community to do that.

We have always funded day treatment and in home. They have been backbone programs we have used for 30 years. The data is really good. We know they work and it gives us a chance to keep kids in the community.

The goals are:
Risk assessment
Risk management
Risk reduction

We spend a lot of time learning how to do risk assessment because in 20 years ago, that was not a robust science. We now know how to do that really well. Corrections and communities have always relied heavily on risk management containing people. It is easy to

manage people by just confining them. I think that is what you are hearing Leann talk about. We need to strategize around risk management. Risk management and risk reduction are gears that have to work together.

If all you have done is look at yourself as an incarcerator and you just think that is what you should do, then you miss the opportunity to truly do risk reduction which is how you cut that population in half over time. They do not come back. You are trying to prevent them from coming back for their2nd & 3rd time through the system. We are hoping to do it with some community based day treatment programs. Leann has some ideas about great gender responsive stuff. There is also going to be great stuff happening with the adult men as well as all the addiction programs. The more we do treatments in communities and stop criminalizing that behavior just so we can manage the risk, then we will truly be able to get at the risk reduction work.

Senator Wanzek: I am hearing an ounce of prevention is worth a pound of cure. It seems like that rule applies to a lot of aspects in our lives.

Lisa Bjergaard: Part of what is not as well illuminated in that phrase is that cure is prevention. This stuff all has a real circular nature to it. We have always throughout we had to do one or the other. I think that is what I am saying about management and reduction; it has to happen simultaneously. We cannot just confine people, we have to take care of them, get to their root issues, and help them to move on without coming back again.

Dave Krabbenhoft: Handed out proposed amendments of the Community Behavioral Health Program – attached #2.
This is for Free Three Recovery. Section 4 is in the bill right now but we have added the underlined portion. This would be folks that are under supervision and have timed out but continue in the program. This would allow for that to happen. This just gives access of the treatment records to the folks that are doing to work.

Amendment – Pre-Trial Services Pilot Project – attached #3.
It is in our budget for a pilot to pre-trial services in 3 judicial districts with 7 FTEs. When we were in the House, I thought we had enabling legislation already. That expires so we need to have this language in the bill to enable those pre-trial services to happen out in those pilot programs.

Leann Bertsch: In section 4 of the Free through Recovery, it is not only the ones that have timed out. We are hoping that rather than just focusing on adults, this would open Free Through Recovery peer and case coordination up for our juveniles as well.

Senator Wanzek: With that, we will end the hearing. I am sure there will be a few more meeting.

Dave Krabbenhoft: If there is any information anyone would like, feel free to reach out and we will get it for you.

2019 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

HB 1015
4/2/2019
Job #34461

☒ Subcommittee
☐ Conference Committee

Committee Clerk: Rose Laning and Alicia Larsgaard

Explanation or reason for introduction of bill/resolution:

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

Minutes: Attachments: 2

Legislative Council: Alex Cronquist
OMB: Becky Keller

Senator Wanzek: Called the committee to order on HB 1015.
Senator G. Lee and **Senator Mathern** were also present.

Rachelle Juntunen, Warden at Dakota Women's Correctional Center
I was asked to come and give information on the programming that is offered at the facility and give you an idea of some of the things that are going on there. Currently, we have 3 human relation counselors and 3.5 licensed additions counselors. We have 1-part time master level LPCC. We also have a clinical phycologist that is on site. As we need her she is part time and is willing to do individual counseling and therapy. We have 7 different groups in both custody units. We have 2 housing units. We have 126 women that we have to separate into two different housing units. We have 7 different groups that are offered to them at any given time. They rotate through but they are all voluntary and they included the substance abuse counseling 2.1. We have submitted an application for 3.5 because that has been raised as an issue.

I am a licensed addiction counselor. The difference between a 2.1 chemical dependency program within the prison system and a 3.5 within the prison system is almost nothing. In the community, the 3.5 has a residential component. When they are in prison of in a residential living environment, they already meet that. At the other facilities that offer 3.5 are engaged in weekend activities. It is schedule recreational programming. They are going through the exact same programming as the 2.1. They are doing to same program with the same hours and they have structured weekend activities.

We have requested to be licensed as that because it will not be a problem. We also have groups seeking safety which is a trauma specific group. A lot of our groups are gender specific. We are offering female specific groups seeking safety. There is a responsive risk

reduction program for women which is an open ended group. It was written by the DOCR clinical director. It was geared towards, when we moved to that, what has happened to the women is that they are moved out so quickly. They came back. We were having a hard time getting through programming that was 12 weeks long because they are not with us for 12 weeks. We abandoned most of those manualized programs and went with ROW group. In that group, it is a skill practice cognitive behavioral group. We have that group that is running all the time and a moving on group which is specific for women that are incarcerated. We have sex offender treatment and a few other different groups. There are 7 different groups that are offered.

We have 15 enrichment classes. It is crochet groups and art classes. We have a serve safe program where they are certified. We have a dog program. We have a quilting group. There are different community volunteers that come in and lead some of these activities for the women. We have 100 plus volunteers. We have a lot of community that have come in and embraced the facility and offer services that are not part of our budget to these women. We have ten onsite industry opportunities. That is at the facility and it is sewing and commissary involved. They also have those 8-10 offsite opportunities where they are working at Steffes. There is a total of 18 industry options.

Our current pass rate for education is about 95%. I went through the DOCR monthly reports from October and on. We had not been testing much because of the audit. We were having to get approval from the Department of Corrections. We are not having to do that anymore. Out of the 22 tests given, 21 have been passed. That is a comparable rate to what is happening at the men's facilities. We now have 4 GED graduates since December 31. If you look at the numbers of the male facilities, that is a comparable rate. I think it is important to note that when women in New England are in the education program, they are in it for about 72 days. They have a very short amount of time in that program because the first 30 days are orientation.

Since 2012, we have had 103 GED graduates. That averages about 14.5 per year. There is definitely programming that is happening in that facility. One of the things, in regard to the movement of the females and how quickly they are moved out is that when they are moved out, it is driven by their parole date. When the women come into New England, they go through a 30-day orientation period. During that time, we are assessing for chemical dependency, mental health, and medical needs. We look at that and the we make the make recommendations if they need their GED to the Department of Corrections. Their case committee puts a plan together on what they are going to do.

When they are transferred to a treatment program, it is based on when their parole dates are. Unless the parole dates are going to change with the women on how much time they are actually serving in a sentence, it will not matter where you move them to. Some of the women are moved out while they are in programming. One of the things that has happened is that we had a lady who was one week away from completing the welding program. She was pulled out of New England and put at BTC - at the transition center where she is not able to finish that program. I do not think it is fair to say the women are pulled out of New England because we do not have programming. We do have programming. Sometimes they are pulled out in the mist of programming when they could complete.

Some of the other women who have a longer sentence are moved into halfway houses when they are engaged in the programming. We have the resources there but it is a matter of timing when they are moved out.

Senator Wanzek: Is this your handout?

Leann Bertsch, Director, North Dakota Dept. of Corrections and Rehabilitation Submitted Attachment #1.
We had seen that handout and there was a lot of misinformation in there that Rachelle had sent to a number of Senators. We thought we should highlight the misinformation that was in there. Our comments are in blue.

Senator Mathern: Rachelle, I am wondering about the structure of your organization and the decision making. I would like to understand that.

Rachelle Juntunen: The facility is run by Southwest Multi-County Correction Center. We are governed by a board. I have a board that I report to and it is one county commissioner from each board. We actually follow all the policy and procedures of the Department of Corrections. The board is an oversight but as far as what we do and how we operate, is followed by the policies and procedures of the Department of Corrections.

Senator Mathern: Does you board set salaries?

Rachelle Juntunen: Yes. The board determines the salary rates.

Senator Mathern: Is this a non-profit? (Answer – Yes) So they are your board or directors. Who contracts a contract with the Department of Corrections?

Rachelle Juntunen: That board of directors.

Senator Mather: Who is your President?

Rachelle Juntunen: Dwayne Wolf.

Senator Mathern: How often do they meet?

Rachelle Juntunen: Monthly.

Senator G. Lee: How long is the contract with DOCR?

Rachelle Juntunen: It is through July 30, 2025. It was a 10-year contract. It was first initiated in 2015 and it was signed in 2017.

Senator Wanzek: Does the contract establish fixed rates?

Rachelle Juntunen: It is set by the legislature. Every two years the numbers changes.

Senator G. Lee: You've been with New England since initiation?

Rachelle Juntunen: No. I started there in 2006.

Senator Wanzek: How many FTEs do you have?

Rachelle Juntunen: 50-60

Senator Wanzek: Where do they live?

Rachelle Juntunen: Dickinson, Bowman, Hettinger, Reeder, Mott, Regent

Senator Wanzek: I know I heard it in House. Leann talked about moving women to Bismarck and moving male inmates that could fit the bill to New England. Is that even something that you'd consider?

Rachelle Juntunen: Leann approached in October of last year about doing this. I did talk to the board and they said yes. They were willing to look at it. Right now we can't establish this program overnight and there are investments that have to be made by the counties. It is not a long term commitment. I think there is a general consensus that if it is not it's just to appease things. We might as well put men in there and then abandoned the contract but then what is the point? We might as well just be done now if that is what the decision is made. I think there are a lot of questions and uncertainty about how that would play out. Overall, what does that facility need to look like? It is hard to put numbers together or determine what the needs would be without knowing exactly what that would look like. The board needs to be involved in that process. I cannot make that decision. Our board meets once a month and because of their open meetings, they cannot just step aside and attend a private meeting without having a formal meeting.

Senator G. Lee: You said you follow the rules of DOCR. If there's a disagreement, how is it corrected or changed?

Rachelle Juntunen: There was an audit in January and it was first time we've had any written documentation on issues they felt needed to be corrected. We have 30 days to respond and put policies into place. For the most part, it was a lot of verbal communication between myself and the women's service director on things that needed to happen. If there were things to implement, we always implemented them. We went with whatever they requested that we did.

Senator G. Lee: Women are moved out quickly and they have a 30-day orientation. They are moved out by parole date. Is there an average time that an inmate is there for?

Rachelle Juntunen: Over 65% of the ladies that come in are gone in 90 days or less. A vast majority of that 65% are gone in 60 days or less. The amount of time they serve on their sentence is not the actual amount they are serving in New England. On average, the women are paroled in about 30% of their sentence.

Senator G. Lee: If someone comes in there with a 2 year sentence, will they be out and somewhere else in 90 days?

Rachelle Juntunen: Yeah. I have pulled a few of those. On two year sentences, on average, they were there about 4 months before they were moved out to a treatment center.

Senator G. Lee: That is why they go somewhere for treatment?

Rachelle Juntunen: We do offer the treatment. Some stay with us. There is chemical dependency treatment that is offered in New England, Jamestown, Mandan, Bismarck, and Fargo. There is a whole array of places they can go for the chemical dependency treatment. That is always done right before parole. That is 2-3 months before they see parole board.

Senator G. Lee: Why don't they stay in New England to get their treatment?

Rachelle Juntunen: Almost all of them need chemical dependency treatments. We have one group. We offer if three times a year. We had offered it every quarter and when we re-did the contract, we were told to drop it to 3 times a year because there are enough beds in the community. The wish was to get them into the community sooner. We were asked to decrease the amount of times we offered chemical dependency treatment from 4 to 3. That was changed in contract.

Senator Wanzek: When they are getting treatment and they are still under sentence, how are they housed?

Leann Bertsch: One of the reasons we find it so imperative to relocate the women into Bismarck and not have them in New England is because a lot of these women have young children. Often, it is difficult for them to engage and want to stay in New England to complete their treatment when their kids are in Fargo, Bismarck, or Mandan. There is very little stability as we move them out quickly. They are not ready to be in a community based facility such as center incorporated. What happens is, even though they might be engaged in treatment there, they do not have enough structure in that facility and they walk away and pick up and escape charge. Then they end up going back to DWCRC except they are stuck in the basement in the minimum custody unit. Right now, one of the things our women services director and us have discussed it that there is so little stability for these women. As soon as they get out to DW, there is no stability because they don't know where they will have treatment and how fast they are going to be moved. They are always wondering. If we could slow down that movement by having adequate services in a facility here in Bismarck, we think we could bring some stability to this population and have more success with them.

Senator Wanzek: Some are going to Tompkins.

Leann Bertsch: We have 30 beds in Tompkins. Those are still in the budget. That would be a premium rate that we would not contract.

Senator Wansek: Is that for women only?

Leann Bertsch: They have different units. Now, the women's unit is separate with 30 beds. We then have a 16 bed unit for men and another 60 beds in nurses building. That is the one we will be taking over. They are not co-ed.

Senator Mathern: What is the condition of the plant? What is the investment of the physical facilities?

Rachelle Juntunen: The counties have invested $3.7 M into that facility with startup costs. There have been two additions built on. There was a special management and an orientation unit that was put on in 2006. There was the control room expansion in 2011 and it's right at $3.7 M.

Senator Mathern: How is that rated? For example, there are women in the basement. Is there a licensing authority or an oversight that determines what is acceptable space and what is not?

Rachelle Juntunen: We meet the guidelines that are established through the ACA as far as the number of bathrooms. The basement is actually ground level. The basement is ground level but it is based on a slope. Our outside rec yard is the ground level and then you walk into the building and into the medium security unit. All of the dorms have windows. Our day rooms downstairs have windows. When you come in the main entrance, you do downstairs. It is actually ground level. It is not underground.

Senator Mathern: So there is a national facility organization that has approved the facility?

Rachelle Juntunen: It's guidelines they set. The Department of Corrections has been in and inspected. The Fire Marshall comes out.

Senator Wanzek: You talked about the audit. Would that be by the ND state auditor?

Rachelle Juntunen: The Department of Corrections.

Leann Bertsch: We audited according the bare minimum that is in the contract. The contract is bare minimum because we were trying not to put things in the contract that were obvious that the facility could not meet. This contract has never been arm's length. If DWCRC went under, there's really no place to put the women. It has been this less than arm's length relationship for more than 15 years. It has been difficult.

Senator Wanzek: Cody, what do you audit?

Cody Bryant, Warden, ND State Penitentiary
This was a contract based audit. There are some performance majors. We have pieces within that that look at the compliance of the facility and the operations within it. You use the ACA standards and use that as the basis. The contract is bare minimum of what you have to provide.

Senator Wanzek: For the most part have they been meeting minimum standard?

Cody Bryant: Yes.

Leann Bertsch: There were 14 deficiencies we have asked the New England facility to correct. The Women's Services Director is still going through their response to the 14 deficiencies that we identified during January audit.

Rachelle Juntunen: There were no major deficiencies. One of them was that we do not have methadone treatment. We are in the process of getting that. Our staff have gone to heart view and have been trained. We are working with an MOU. We are going to have that established. Last fall, I was told by the Chief Nursing Officer, to stop communication with Heart View to stop that plan. Their medical director was going to use sub Oxone instead of methadone because it is a monthly injection. It would be easier to incorporate within New England. We had stopped talking to Heart View.

After this audit I got in touch with Heart View and we can work it out. We are almost ready to sign MOU. Some deficiencies were because they didn't have policies on certain things. We follow the Department of Corrections policies so some of the policies that we did not have, was because they do not have it. That was 2 of the deficiencies. There was some updated literature that needed to be purchased. Everything was attainable. We had to do some tweaking with our dental policy in different ways things were worded for emergency dental care. It is all stuff we were able to meet. Our psychiatry was a big one. Our contract says to have a psychiatrist. In 2014, we had one and the DOCR had hired another one and we were asked to abandon our contract and go under DOCR psychiatrist they had just hired. That was a deficiency because we do not actually contract that but we get the service through the DOCR and that was removed from our budget request.

Education testing – they had done it and now they said we had to have our own staff to do the testing. We have found and secured that. It is up and running. There are things that are easily remedied.

Senator G. Lee: If you have medical needs at the facilities, where do you get that kind of help?

Rachelle Juntunen: We have 24/7 nursing that is on site all the time. We then have a physician's assistant that comes on sire 3 days a week. She is on call all the time too. If there is an emergency in the middle of the night, we would go to Dickinson which is 20 minutes to the ER. If it is a specialist appointment, we transport them there. Deliveries are at the hospital.

Senator Wanzek: One final thought. In visiting with Leann, I did go online and looked up Michigan's vocational village concept. Is there a way we can work with the resources we have here and make it work for everyone? I do not know if we can do that. I was a little intrigued with that concept. If we were to make that change and move the female inmates to Bismarck and minimum security males to that part, do you see any potential in expanding into that and providing vocational educational classes?

Rachelle Juntunen: Yeah. We'd have to find instructors. There is a lot of details to work out in that plan. A lot of renovation – do we need to add on or look at different programs so we have more on site? Right now, our girls go up to the school to do the welding program. The number of men was thrown out – 100. That's 2 housing units. One is 70 beds and one is 56. 100 men would be a housing unit and a half. We are going to be staffing for two housing units

and one would be half full. I do not know if that is an ideal number either. There are a lot of details. I think there is a plan that could be worked out. It needs time.

Senator Mathern: I have not heard from any board member. What is the motivation here to keep the facility? Is it the staff, community, or the board? Where is the energy to maintain the facility? Who is leading that.

Rachelle Juntunen: They want the facility to stay open. It was put there for economic development. They have invested. There is now a $4 M investment into having something in the region. For addiction counselors, we have been the only member of the consortium in western ND. The women's prison has trained 5 addiction counselors in 7 years. We are the only training site in western ND. The badlands have just been able to come back on board with that because they have a clinical supervisor. That's a lot of clinical staff. I have been watching job service and there are no job openings for behavioral health. That is scary considering the crisis. People are established and there are all these resources there. There is a system in place and the resources are there.

Senator Wanzek: Any questions of Rochelle? I appreciate you sharing with us. We have a tough decision to make. We are going to do our best. I think we all understand and maybe a question to Leann is, if we were to move the female inmates into Bismarck, what kind of time frame would there be to do that?

Dave Krabbenhoft, Director of Administration, ND Dept. of Corrections and Rehabilitation
Submitted Attachment #2.

Lisa Bjergaard, Director of the Division of Juvenile Services, ND DOCR
There would be time to do that. Dave can talk about the time frame more specifically because he has put together a schedule. I do not think the excuse is that we need more time because the fact of the matter is the session is a quick paced thing and we need to make some critical decisions. I would hate to punt and put this decision to redo what we need to do to bring parody of services to women in our system. Right now, we are doing harm. The one thing Rochelle cannot talk to and she said in the public hearing in the House is that she recognizes that the services in Bismarck would be much better for the women. 31% of these women come from Bismarck/Mandan alone. 90% are from central ND east. The one thing they cannot do is provide the visitation on the same level that the men are having.

There is a slide in the packet I gave you that shows the disparity in the visits the women are having with their children. We are creating intergenerational trauma to those families by not addressing the contact with their families. The services are not there. Since the budget address came out, they have been scrambling to try to put things into place. They did not really try that hard for the last 15 years because they have not had to try for the last 15 years because the status quo was the status quo and we were stuck with this.

I think we have a courageous Governor that asks how you will transform your system to be better. I would have been remised to say I feel very strongly that we are doing harm to a whole population and a gender within my care custody and control. I understand that they want to keep their correctional mission. I do not think they should dictate how we do out

correctional services. If they want a mission, let's work with them and give a mission to that facility that actually provides benefit and good correctional benefit to the Department of Corrections in the state. When the number one issue is job development and workforce development in this state, there should be an investment in that. I read the Dickinson press which said to put $4 M of state funds into a county facility. I think that would be a slippery slope. If you want to put funds into an investment, fund a vocational program that services to make people better. That could actually fit the role for minimum custody men.

The Governor, when we were meeting with the House, brought in the subcommittee and asked what it will take for the state to get out of there? If the investment is a little over $3 M or even $4 M, pay it off. Figure out what you want to do with that facility. There are a ton of jobs. It is not the Department of Corrections job to make sure everyone has their same job in that same area. I think that is wrong to handcuff us to something we have identified as not working for our agency. We have tried to make it work. It is not working well. The fact is that good enough is not good enough. We need to do something now.

I think the task should be that they go back. If the board members want to keep a mission, they should come forward with a solution that makes them relevant to the Department of Corrections going forward. If I am in this role and the legislature punts and does not do anything, I can tell you the Department of Corrections is not committed to moving forward and even if the legislature would say you are still stuck with contracting for women's services in 25 when the contract is up, we will do a whole new RFP and they might not get is. They will then end up with no mission and an empty hall in the middle of their little town because they won't be able to compete with other institutions that will be able to address a very critical need for the women. That is access to the children.

The other piece of it is 34% of the women are Native American. During the house public testimony, we had a number of Native Americans talk about how Bismarck/Mandan is the hub for Great Plains Indians and the services are difficulties to get for different cultures. We are because we have a number of those agencies and organizations that come in and provide those spiritual services. That is very important when you have an over representation of those Native American women that are stuck in a place where they are not having their cultural responsive needs met in a way that connects them to their recovery services. I think that there should be an urging for that board member to come up with a plan that can be moved forward in this biennium because there is not going to be a commitment from the Department of Corrections to continue this unless they have some relevance of something that provides value. Right now, we do not see the value.

Senator Mathern: We have a time schedule that I would like to hear about but I would also like to know how this works with a contract. We have a contract until 2025. Is that yearly or what?

Leann Bertsch: In any contract, there's always an out. We can end that contract at the end of the biennium if the legislature didn't fund it.

Senator Wanzek: Would that get us sued?

Leann Bertsch: No.

Dave Krabbenhoft: It is a clause in the contract that if funding isn't acquired through the session, the contract is void.

Leann Bertsch: No state agency is able to bind legislative intent. That is required in any state contract for service.

Senator G. Lee: Does it need to be paid off? (Answer – No)

Senator Wanzek: I can understand that but it can make me wonder how to get anyone to invest and to renovate if they only have a 2 year guarantee.

Leann Bertsch: None of our contractors have a guarantee longer than the current biennium. That is just a risk of doing business with the state.

Senator Wanzek: I visited with the Attorney General. We are not really getting into the numbers here. This is the sticking point. This is the issue.

Senator G. Lee: I understand this as being the issue that needs to be resolved. As I looked at the material, I thought maybe there were 4 things: one was to assume control of the Tompkins rehab, relocate the women's prison, and the third would be the pre-trial service and parole things and the equity paid for the educators. Are those the key things that should be focusing on in total of this?

Dave Krabbenhoft: Pre-trial services is a big one. That is on the list. It's those three. Pay is a big deal for our staff. The compensation package and that stuff has all of our employee's attention. The teacher's equity roles into that too. We have teachers at YCC being treated differently than teachers around the adult side. We want to make that equal. I role that in with the compensation for all our people. Pre-trial services are a big one. The big elephant in the room is the women's issue that we have. We got into the situation but it is looking at when Governor Burgum took office and challenged us to do better. It is not really a criticism of what New England has done for us. It's about what we are unable to do and what we can do by moving that population to Bismarck. I would love to see a mission change in them.

Looking at attachment #2.
Under these scenarios, we have them flipping to a men's facility. I put down a month for renovation at DWCRC. I have no idea if that is adequate. I do not know what would happen. The first thing that comes to my mind is to change out toilet fixtures. It depends on availability of contractors and funds. Under best case, we would have the women of MRCC by February 2020. We would have the men at the women's facility in April 2020. We would need to use PTC secure for the women all the way through January of 2020 and the JRCC minimum would get them there in November of 2019. That is an easier move because that is just moving those mobile units into the campus at JRCC and hooking up sewer, water, and electricity. They are skilled at turning those around quickly. That just gives an idea. It's not meant to say it is all going to happen by that time. It depends on the type of bids we get for A&E services. It depends on the contractors that are biding and if they come on budget. If they go over, then we have to go back. That is just a general idea.

This biennium, I'm making some broad assumptions for DWCRC that I do not know are accurate because from when they didn't want to talk anymore, I did not pursue it anymore. After we found that out for the House, I said it's a minimum custody facility. If we are looking at men being employed in the area or doing locational things, we could get them there and ramp it up as we go along.

Senator G. Lee: It is only a couple months' difference. Is this a temporary plan and the long term objective would be to have a women's facility? Would that be the goal?

Dave Krabbenhoft: This is a transition. We believe the urgent need to get the women to Bismarck and start and appropriately providing services to those people. We made no secret about it. We are looking at a facility that we would like to be constructed on the site of MRCC for a gender specific facility for women. We had a replacement for MRCC when the men were down there. We got an estimate between $28 M and $32 M. We are looking in the neighborhood of $40 M to build a women's facility. It is something we need. Leann pointed out that women have always been shoehorned into a men's facility. If it isn't a men's facility, then we are putting them in an old boarding school. We're doing a disservice to them. Leann has made the comment that if we get a women's service, we can reduce the number of women over time. The last thing is to set facilities in stone and not making any changes because of the job piece of it. I get it and I am sensitive to it but state government has made a lot of changes from last biennium. A lot of jobs were lost in state government in the last biennium as well. We are talking about a correctional system here. We are not talking about a jobs program.

Senator G. Lee: Did you put a price on this?

Senator Wanzek: We have some numbers put together. We knew we weren't going to settle this in one or two sub-committee hearings. I hope everyone understands the decisions we are going to make is in the best interest of the Department of Corrections. I have empathy for the community of New England and we don't want to lose that. When looking at the comparison to house, I am assuming some of those numbers come into play like the $10 M and the reduction in contract fees.

Dave Krabbenhoft: There is an error on my part and an oversight about BTC secure and MRCC operating. If we were to stay in the status quo, we would have to have some additional adjustments to keep MRCC for our normal biennium operating cost. The main thing is clothing and utilities. The way the executive budget was prepared, doubled up on those costs. I offered that to the House. When he House made the reduction, they made it form the base level budgeting and not the executive budget. That was my fault. I should have pointed that to them right away.

I don't take this lightly either and I don't want to disparage anything New England has done for the DOCR and for the state. They filled a need. If we want to continue to improve our system and the challenge we have been given, this is a necessary move. I think it can be a win-win if we do the mission change. At the same time, the state has to be careful because we have other contractors. One has probably up to $10 M a biennium from the DOCR as well that is comparable to DWCRC. We don't want to get into the position where we have contractors coming in and dictating what we are doing in our correctional system for reasons

other than the correctional system. When I made that comment, that was my intent. It was not meant to portray it like hey we will kick them to the curb now that we used them up. We have a lot of partners and a lot of contract dollars. I do not think we want to get to the point where we have those contractors coming in and dictating the direction we take the department or the correctional philosophy.

Senator Wanzek: Okay. We will be meeting again. Next time, we will dig more into the number of what this is going to cost if we make this decision or if we are going to stick with female inmate in New England and what is will cost. I know we are going to have to kick this out. They were saying Friday but we will not get it done by Friday and I think Ray knows that. I wanted to get into pre-trial service as well. I know the counties have something too. I want to understand how that works. I know she has expressed some things to me and I have not quite got that figured out.

2019 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

HB 1015
4/4/2019
Job # 34515

☒ Subcommittee
☐ Conference Committee

Committee Clerk: Rose Laning / Lynn Wolf

Explanation or reason for introduction of bill/resolution:

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

Minutes: Testimony # 1 – 3.

Legislative Council: Alex Cronquist
OMB: Becky Keller

Senator Wanzek: Called the committee to order on HB 1015. **Senator G. Lee** and **Senator Mathern** were also present.

Senator Wanzek: The major issue is the Women's facility in New England and move that population into the MRCC (Missouri River Correctional Center).

Senator Mathern: ***(See Att. #1)*** As long as you have brought up that issue, I have some amendments to hand out – not to take action on – but so they are available – not only for our senators, but anybody that is interested from the department. I have not shown these amendments to anyone. I would like to do that and I would also like to hand out an amendment regarding doing a study of the needs of our female inmates going forward. Again, this amendment I would like to hand out so that people have some ability to look at them and then consider at a future meeting for action. Amendment 19.0203.02005 – section 8 of the amendment would be section 8 of the bill. Essentially, it creates the intent language that the women would be moved to other facilities and that we would place male inmates at that facility. It would get the governor involved in that process to insure that we not only have a facility to house people, but that we create a workforce training and work release program there and that would involve – I believe – other agencies of government, other entities in the southwest and I think our director of Corrections does an excellent job in the work that she does, but I think that making this change requires that we have our governor do some work to make sure it all works and to make sure that all the agencies are working together. Section 9 is added as an emergency clause because the testimony thus far in the timeline handed out by the Department of Corrections – I think is very aggressive. To make sure this actually works, they have to have word from us now and the ability to get going on this before July 1st. This amendment, essentially creates the process of changing of that facility. Next, I will hand out an amendment regarding a study resolution ***(See Att. #2-***19.0203.02007***).*** Although

the issue of the women in New England is pressing on us as to the need for a change, there are actually bigger issues. We do not have a proper long range plan in regards to rehabilitation of the women that are sent to us. This is an amendment that would give the department $100,000 to actually get into an in-depth study, where they might not only work with other agencies of government and the tribes, judicial branch, Department of Human Services – but they might include some other entities. I was thinking the council of state governments or the Pew Charitable Trust or – but anyway, it would give them the authorization to do such a long term study – give them some money to hire some consultants and to consider the whole situation of where inmates should really be. In some ways, most of them should be in Fargo – they are coming from Fargo. A lot of these people are pregnant or have children. The research says that if we don't address that family situation, we are actually growing another set of inmates through their children. This amendment is essentially giving a full authority to do an in depth analysis of what is needed, in what places, in what facilities, what services during the interim and then they bring back that data for us to make better decisions in the future. I offer them in the manner of information, in the manner of getting feedback from other folks then in the next hours or days. Then, the committee could take some action.

(8:07) **Senator Wanzek:** ***(See Att. #3).*** I did hand out some attachments to the members. These are amendments that were prepared by Senator Wardner. I just got them, so I haven't had much time to read over them. I think these amendments might be taking a different approach. Again, I am just reading them for the first time and you guys might want to read them, too. I believe it is about appropriating $4 million from the General Fund to establish a special assistance unit with program at the Dakota Women's Correctional and Rehab Center. I guess it appears to be – kind of heading in the other direction.

Senator Mathern: As I read it, there are some similarities, in that, I think the amendment does speak to the need for more programing. I think that is appropriate whether this is a facility for women or men, so I think there is that common element – in fact, the needs of our state are not only that we rehabilitate people, but that we have workers. We need people to work in our state and when there is programing like this, the outcome can be people getting well and people actually getting work skills. So, I think that is a common element.

(10:17) **Senator Wanzek**: Well, we certainly have a challenge in front of us, but, again, I think we need to approach it from the prospective of what decision can we make that best serves the Department of Corrections (DOCR) and their needs and I do like the idea of some flexibility. I think if we can provide the flexibility along with the intention of identifying the Dakota Women's Correctional Center as a resource for the DOCR and I know I have done a little bit of online researching on the Michigan model of the vocational village. I am asking you – Senator Mathern – I guess is that something you envision, too in giving them that flexibility and allowing them to manage those resources? We are not necessarily abandoning New England, we are maybe looking at how can we use those resources in a more efficient manner and also along the lines of providing workforce training and rehabilitation for inmates that are about ready to be released.

Senator Mathern: I think the vocational model that you noted is something we should be doing and I think the amendment that I handed out in terms of section 8 really does give flexibility to the DOCR and the governor's office for establishing such a village in New

England. But, it does also give the flexibility that they transfer the women and that men go there. It doesn't direct that it happens, but it gives the flexibility to the DOCR to make that decision and authorizes that decision, but the governor would be involved in that.

(12:44) **Senator G. Lee:** Senator Mathern, as I read yours, it seems like it is a little more direct than you are offering in terms of the last comments. I think I agree that the DOCR should have flexibility in making the decision that they see best and a timeline that they might see best. And, allowing them that kind of decision making in the process. It may end up – as you suggest here – in terms of moving the women out and something else in their place, but I think if we would allow language that would say DOCR is given the authority to make a decision as they see best in terms of placement of prisoners. I agree with your assessment of Wardner's amendment in that it does match up with their interest in rehabilitation for say a men's population and how we might develop a workforce even in a site if it ended up being in New England.

Senator Mathern: I would add on the fifth line down, it talks about how male or female inmates as determined by the governor in consultation with the DOCR, so it does have that option in there. But, I think we are on the same wave length.

(14:22) **Senator Wanzek**: Considering the fact that we're citizen legislators, we don't know how to run the DOCR. I feel a bit remiss in how they should manage their day to day affairs. I do like the idea of flexibility – allowing them to manage those resources, but what I am hearing is if we allow them to manage those resources, there still is a purpose that can serve both the DOCR and can provide an opportunity for vocational education and workforce development for those folks who are hopefully moving on from the prison and that's where New England can come into the picture. That seems to be a potential possibility and it is located in an area where there is a need for a lot of workforce with the energy industry. I am just not sure how we word that. I am kind of sensing there might be a mix of all these ideas and thoughts that we well ultimately arrive at and of course everybody understands we have one more step – conference committee before this is finally settled. When we had our last meeting, and I might have shared this with a few people, but as I was listening to this, I am trying to think and wondering to myself how did this farm guy get in the middle of this discussion, you know? I think if we put our heads together here, we can come up with more of a win-win solution that would allow the DOCR to carry out their duties and responsibilities as they best see fit.

(16:21) **Senator G. Lee:** In just looking at Senator Wardner's amendment, there is an important part of that of in terms of the dollars in that it isn't putting money into the building itself down there. It is for the services that are going to be provided. That building belongs to that consortium of counties down there and I think we should not be repairing and fixing that building. That would be their responsibility. The programmatic things that were developed would be part of our responsibility in terms of funding – but not the building itself.

Senator Mathern: I would agree. I think a fair amount of the investment that has been made there thus far, has actually been possible because of state funding and I am a little bit concerned of putting that much money into bricks and mortar. That essentially raises the question of who really owns the facility and is responsible for the facility. If we were to put this kind of money in there, I would hope we would put it into programing.

(17:36) **Senator Wanzek**: I would agree, totally tend to agree except from the standpoint of a – for those investors putting money into the building, they have to have some certainty, too. If we want them to improve or make investments into the infrastructure, so, that can be done by funding the programs and encouraging the development of a workforce development type program.

Senator Mathern: I would note that one of the things we have to be thinking about here, too, is there are many contractors. The DOCR has contracts with many nonprofit organizations. They also have needs. We essentially contract with these people based on – we are going to pay you so much for the services that you deliver. They figure out in the daily rate what kind of facilities they can put together to accommodate that. If we start putting money out to this facility, outside of the rate structure, we need to be cognizant of the fact that other organizations that they contract with may have a point of saying well, why don't we do that for these facilities? I suspect there is probably some other organizations that could probably tell that even have more inmates than this one. That would be a consideration we would have to think about in terms of the consequence of putting $4 million into one facility outside the rate structure.

(19:35) **Senator Wanzek**: I do sense that we all – more or less agree with that – it should be directed more towards programs, but the fact that we direct it towards program in my mind, might provide them with some of the certainty to make a contractor to make investments – no matter which contractor we are talking about. I know another thing – a thought – when – even when you are lying in bed at night and thinking about this issue which to some degree I have been doing the past few days – I get the sense almost to a degree that we are almost that we are being asked to make the decision now in whether we are going to be supporting the new women's prison. Maybe I am wrong in that assessment, and maybe if you don't mind commenting on that – we aren't necessarily making that decision now, but there is that talk out there that if we are going to allow this, we are going to ultimately have to address a new facility for women's prison. I hope I am not putting you on the spot.

(20:55) **Leann Bertsch, Director, North Dakota Dept. of Corrections and Rehabilitation:** There is nothing more permanent than a temporary solution. We have seen that across our whole department. It doesn't mean that we are actually binding the legislature to building a new facility. We did pick MRCC for a reason. As you may recall, in 2015, Governor Dalrymple at that time had suggested $30 million to replace that facility. The facility has physical infrastructure issues. The $1.8 million that we requested will allow for a temporary modification to house multi-custody women in that facility, but it makes sense that at some point that we do replace that facility and it would be a great opportunity to for the state – once and for all – to designate a facility designated and designed women to be built at that time. It doesn't mean it means it will be built in the next biennium. We know how long it takes anything like that authorized in our department. We do think that there is a role for New England – the facility – to actually provide value for our system, but we really feel strongly that is not the women's population where that is best suited.

Senator Mathern: I have not shared these amendments with the department. They got it the same time as you did. I am wondering would the department care to comment on these 3 amendments, or is that too short of time?

(22:30) **Senator Wanzek**: Well, that is up to them. You know, even myself, I haven't read – we just glanced through them quickly. You might be a lot sharper than me Senator Mathern, it takes me a while to absorb.

Leann Bertsch: So, the proposed amendment 19.0203.02005 – I really do think this is a good amendment. It really gives the department the flexibility to determine the best use of still contracting with the facility in New England. It really does identify the issue that we really think would be a niche for that community is workforce training and work release and really targeting a population where not all a population whether they are high need – high risk would go down there, but we could actually pick individuals who need this type of training that would not have all the high mental health and behavioral health and high medical needs. The emergency clause – we definitely support - would allow us to work quickly and identifying this. The proposed amendment – which proposes the study – we do really think that a study looking at this is a really good thing – not the one that is currently in our bill coming out of the house which just really talks about all this New England stuff – I think that is way to narrow and it is just really focusing on a facility. This really talks about doing the best thing for the women including what we do as far as their families, all of the different things. That is a really good proposal. The one that is proposed by Senator Wardner I think is a slippery slope for the state to go down. Really, they are talking about $4 million to be invested into a facility that is owned by the counties and frankly, if you go this route we are going to have a number of county correctional facilities coming and saying where is my handout to improve and restore my county correctional facility. I can name a number of them that need some assistance right now in improving their facility. I think if you designated this towards services that be fine. This is really targeting some of the deficiencies we have put down there. This really is – we kept the women down there – which is a special assistance unit. You can build a special assistance unit – which is basically a more secure unit – the fact of the matter is you are not going to get the workforce to service a special assistance unit in that area because you have high levels of behavioral health staff that you would have to have to do that and that would be an ineffective cost – ineffective in funding something like that in such a remote area. Our hope is that we wouldn't have these high needs behavioral health individuals in that facility so you wouldn't have a need for a special assistance unit in that facility like that. I think if you would channel some of the $4 million if you wanted to roll that into increasing the services that are hinted at in the one that talks about contract housing for the state, I think that would be a good compromise to blend all three of these amendments together.

(25:42) **Senator Wanzek**: Do I understand, Senator Lee, you need to leave at 10:30 – Senator Holmberg is going to sit in. I think all of these are good food for thought. Give us some time to absorb them and think them through. I think when we are done we are going to seriously consider somehow, how can we combine all three of these to achieve the purpose that we are after. We have talked so much about this issue, we never really get into any other issues and I admire Lisa there – she has come to every single meeting and we hardly ever had her say a word. I don't know how the others feel, but maybe we should give Lisa a few minutes – before we do that, if it is okay, if we could call on Rachelle, I don't mean to put you

on the spot, but – I would like to get a little bit of input or feedback – you know we are looking at this as allowing those who run DOCR to run DOCR. Make the decisions that appear to be best for the population that they are responsible for, but we are also seeing there is purpose for your facility. Those resources can possibly fit in there somewhere. Is there any – I know I am putting you on the spot and I don't mean to – is there any possibility that you can see that kind of potential?

(27:29) **Rachelle Juntunen, Warden at New England Women's Correctional Facility:** I do, this had been pretty seriously talked about and was beginning to be explored as possibly changing the mission between the women and putting a vocational camp out there starting last September – I think that was when I was first approached by Leann Bertsch on this. I think the opportunity is there, but like I have said before, the board needs to be involved and the board needs to make that decision. I can't make that decision. Yes, I think that is a feasible solution. I think we have a vocational program that we have with the women at Steffes is good and they would like more people – more workers, but because of the rapid rate of the women that come out of that facility we don't always have extra workers for them. They have opportunities there to get their electrical -we have talked to one of the electrical companies out in Dickinson and they would very seriously consider working with this group and this population. There is such a shortage and there is people in western ND that would be willing to provide opportunity. It is just going to take timing and planning and that sort of thing.

(28:50) **Senator Wanzek:** Any funding that the state would provide – I am sensing and I tend to agree with it that it should stay in the programing, whether that be programing for enhancing workforce environment opportunities – workforce opportunities for inmates or vocational ed. for inmates. You know if it is going kind of programs, would the commitment to that kind of thing provide some certainty for your board for instance to make some of those longer term decisions on infrastructure and that?

Rachelle Juntunen: I can't speak for the board, but I think programing as a whole and what this looks like – you know the $4 million amendment – the facility is set up to house minimum security – we are set to house maximum security. So there isn't really any renovation – as far as what would happen within the facility to house minimum security men. But, what that program would look like, we are obviously not going to be able to take everybody off site, so we are going to have to have space to provide on-site vocational training. The school has been very committed to provide other opportunity and that sort of thing as well. I think if it as an option for programing – but there will be a space thing. If we have to build a shop or whatever to make that happen, that is something we would have to look at and the board will have to make those decisions on that, but programing would definitely – we would need additional programing.

(30:26) **Senator Wanzek**: What about the possibility of private employers. People who are looking for workforce?
Rachelle Juntunen: So for work release, we can do work release with the women right now, but like I said, with the rapid movement with them out, they aren't eligible. According to the DOCR policies, they have to be within six months of release. Very rarely, do we ever have a woman there that is within six months of release because they just don't stay with us that long. There are private industry sectors that – like I said – with some of these electricians

and Steffes, I think we can really work with them to get more people in the community and working and trained and just establish jobs. One of the things we see with the women – or anyone – coming out is that if they don't have a good job – a good paying job – it is difficult for them. They will say that – when you have them in treatment they will say – It is hard to get out, support myself, support my family on minimum wage. It is just not possible. So, if you can get them into a job training program where they are able to make more money, - we have had girls complete Steffes that have been hired at Steffes for $50,000 a year coming out of prison. That makes a huge difference in whether or not they will succeed. They are also with an employer that has a lot of social support and is a pro-social community or workforce area instead of maybe they are working with a bunch of other people who are still using. I think the private industry would be interested – for sure.

Senator Mathern: I have spoken with the president of your board. I talked to him about board involvement. I thought it was too heavy of burden without the board someway engaging. Is there anybody from your board here?

Rachelle Juntunen: Yes, that is John Plaggenmeyer.

(32:33) **John Plaggemeyer, President, Board of Directors, Southwest Multi-County Correction Center (SWMCCC); Hettinger County Commissioner**. This is pretty interesting, listening to the comments and amendments that have been presented. From the board's point of view, when there are changes being done, especially big changes like is proposed to be implemented now, it just becomes overwhelming without some type of study – moving the men to New England. I think the community itself has to be involve in that decision. We owe it to our people of New England to be on board with this. This thing has happened so rapidly that we haven't had time to do any of this. We are caught off guard. We are trying to get our feet under ourselves now again and hope that we can have something in that facility. Right now, I personally don't really see anything that is broke. To make this big of change on something I don't feel is broke, kind of overwhelms me. I worked in this facility for three years – part time – after I retired and I know what goes on there. I know the facility itself – the structure is – we send a lot of money on it to get it to fit this population of people. You know when it comes to family members being able to visit and stuff, I have been involved in foster care, I am also chairman of our social service board for about 27 years. In an ideal world, that can happen, but in foster care, you get kids from all over the state. Sometimes it is short term and sometimes it is long term. Group homes, for troubled children – us counties place – aren't necessarily local we have kids in Utah, Colorado – all over, so, I know that is an issue, but I think with the population coming in for short periods of time, I am not sure that is that big of issue. The whole thing is – as far as the board is concerned – is we got blindsided this thing and we haven't had time to do anything to fix this. As far as us putting more money into the facility – we don't have any problem doing that if we have some guarantees for the future of this facility. Right now we have over $3 million stuck into it. Now, it looks like there may be some uncertainty.

(37:28) **Senator Wanzek:** I hope you can appreciate that is why this decision is so difficult for us. We're empathetic to your situation and it appears to me in visiting with the department of correction folks and others that there appears to be a purpose or a need for your resources and I am just sensing that people are saying it could be better utilized in another way. I would

assume that it would be beneficial to the community if – versus just abandoning your resources and just walking away.

John Plaggemeyer: And, I agree. But, I feel, if we got the time, we can do whatever is needed. We need to make it happen. But, it's the time – not a lot of time, but we need some time

Senator Wanzek: Are there any questions of John by committee members? Thank you, John. Now we will get back to Lisa. We will switch gears here; I know this is the elephant in the room we are talking about. Again, I know you provided a little bit of input, but I want to make sure the YCC (Youth Correctional Center) needs are being met in the budget and that is_ we haven't talked much about it, so – are there any requests or things that aren't in the budget that you need to address?

Lisa Bjergaard, Director of the Division of Juvenile Services, ND DOCR: I think this is always the issue for kids – we have such big issues to discuss and such little time to do it. Kids kind of get sliced off. I would like to take just a second again to really thank all of you for passing SB 2313 unanimously the other day on the floor because that is really going to give us – Senator Dever helped write part of that bill – and what we have done there is really going to take some time to really examine kids issues so that we are all able to come in thoughtfully and give you our best ideas on how we can be moving the juvenile justice system forward given you more time to on these other big issues. I am really looking forward to that work and I think it will be tremendous. The other thing that that bill does – and I would like to have confetti cannons because it mandates that the Department of Human Services (DHS) Division of Behavioral Health will develop a behavioral health continuum for kids. When that happens, and our attention is on the place and we have built services in the right area, then you won't have me coming in and asking for money for intensive in home and some of those other programs because it will be taken care of in a more appropriate place. That should help what you have to do with what you have to do with youth corrections. We do have in our budgets some expansion for day treatment that is part of our effort to really try to keep kids closer to home. I don't think anyone has had any real questions about that being not a good plan, but I am certainly willing to talk about philosophy if that is what you want me to do that. You are right to wait to the end because otherwise I won't shut up.

(41:40) **Senator Wanzek**: We're interested in your philosophy, but we are the Appropriations committee, so we are trying to focus on the financial needs.

Lisa Bjergaard: Well, there is a little bit of money in there – you know I was listening to your comments about depending on the choice we make are we obligating ourselves to another women's facility? We have always had to be looking at our facilities I mean, we just do. The YCC is an old outdated facility – I mean we have sewer pipes in the ceiling leaking and these things just wear out and you have to be looking at them. We have some money in this budget to take a look at what the YCC should look like that can serve the state for the next hundred years and I think we are going to have to take a look at that and I think this body is going to have to consider – as part of that – looking at some mental health – public mental health that – and I think it makes sense that you put those probably those groups of beds for kids in the same place. One of the reasons that the state hospital decided to shut down its adolescent

beads, was because when you have kids, you have to run a full school and it makes sense to me that you would do those things in one place – have your school, have your mental health pod, your corrections pod – whatever other kinds of – and then to have it all centralized, but that will be something that we will get into as we study that and then as I said, make some good recommendations for you all going forward for the next biennium.

Senator Mathern: Is there enough in this budget for you to do the correct study and have a full report to us?
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Lisa Bjergaard: I let the money guy decide how much we need to do that because he knows what you need for study.

Senator Mathern: We started in last session to give you some authorization, but now we are getting into actually doing it. Is that adequate?

Dave Krabbenhoft, Director of Administration, ND Dept. of Corrections and Rehabilitation: We have, I believe – I am just going from memory, but I believe it is $75,000 to look at YCC, so – well, when it came out of the house, it was dropped. We had asked for $150,000 and we were funded coming out of the House for $75,000. So, we are confident that we can do good things with that.

(44:29) **Senator Wanzek**: I know another issue is the funding for teacher salaries. Dave, you want to expound on that a little bit, too?

Dave Krabbenhoft: Right now, we have two sets of teachers. At YCC, we have an accredited school. Those teachers are on the composite schedule which is School for the Deaf, School for the Blind and then YCC. That is a different rate of pay than it is just being a classified employee with the state. Our education department now spans all the way across our two lines. We have teachers on the adult side that are being compensated at a different rate from those teaching at YCC. We are requesting funds in order to bring those teachers on the adult side up – pay them in accordance to the composite schedule on the adult side, so in the budget, we have I think it is a little over $200,000 to continue the teachers on the – at YCC on the composite schedule and then about $1.4 - $1.35, I think it is, to bring the teachers on the adult side up to that composite schedule. So, the next biennium, you won't see such a big jump, you will see a smaller amount – parallel to what is happening on the youth side.

Senator Wanzek: So, on the budget, Dave, it shows $1.357,780 for increasing funding for teachers' salaries and wages. It looks like the House adopted that. Now does that include that $200,000 for the YCC?

Dave Krabbenhoft: Oh, okay, I read that wrong this morning.

Alex Cronquist: So, that is about $230,000 for YCC and about $1.12 million for the adult side.

(46:24) **Senator Wanzek**: So, we are addressing the – bringing the equity or equalizing the pay for.

Alex Cronquist: Right will be able to compensate the teachers no matter if they are working for.

Senator Wanzek: So we won't have to amend it in – it is already in there?

Alex Cronquist: It is there. It is on the House.

Senator Holmberg: Refresh my memory, the – when you look at the teachers at the School for the Blind, Devils Lake and here, when you talk about the composite schedule, that is kind of – do you try to match the salaries that teachers in Grand Forks get or is it using all three and coming up with a salary arrangement?

Dave Krabbenhoft: I am working from memory here – I think it is more so not necessarily the big school districts, but more of an average of the school districts on a whole for the state of ND. For instance, if you are on the composite schedule teaching in Mandan, I don't think that salary is 100% equal to those teachers being employed by Mandan Public Schools. I think it is more of an average statewide what they are looking at.

Senator Holmberg: Do you lose to public school?

Dave Krabbenhoft: All the time. We lose teachers all time. That is one of the reasons that motivated us to – not only for the equity piece, but it was a revolving door on the adult side where we are getting people coming out – once you have those teachers that have been with us for quite a while and they see the value in it and they are committed to the mission, so they will stick around. But, those younger teachers, we tend to lose more and more of those folks all the time.

(48:04) **Senator Wanzek**: Didn't we do something, Dave, similar for the correctional officers a session or so?

Dave Krabbenhoft: That is correct, about two biennia ago, we had salary equity for correctional officers. That was really beneficial as well.

Senator Wanzek: We have just enough time for one last question I have. I know you had commented to me or maybe in the last meeting about there was an error – something to do with based of the base budget – versus the executive budget. What was that again?

Dave Krabbenhoft: The executive recommendation – when we prepared our information and testifying to the committee, we are supporting the executive recommendation. So, I pointed out in the executive recommendation that the operating in MRCC – the way I did the adjustment in the software bars – it doubled up operating costs in MRCC in the executive recommendation. I pointed that out and then when the amendments were made, I should have spoken up and it just didn't occur to me at the time, but, so we took out that double up, but it was taken from the base budget. So, it effects then, it wasn't doubled up in the base budget, it was just stated as what it was and removed the operating cost for instance that running the facility for food, clothing, those kind of things.

Senator Wanzek: So, Alex, which line would that be on? I am looking at my green sheet.

(49:37) **Alex Cronquist:** Mr. Chairman, it would be the last line under the ongoing funding changes; right before the onetime funding changes, so right before the onetime funding changing. There is a line that says reduced funding for transitional services is the way we had it and it is just over a million dollars.

Senator Wanzek: It was meant to be $1M of the executive budget, but we took $1M off the base budget.

Alex Cronquist: Right.

Senator Wanzek: So, we would have to make a correction there?

Dave Krabbenhoft: Add that money back would be great.

Alex Cronquist: Right, my interpretation is if the women are not moved to the MRCC, then this money needs to be added back.

Dave Krabbenhoft: Well, either way, depending on how the budget comes out of this committee, right now, MRCC has no operating to pay for meals, clothing, that kind of thing is how it shows. I presented it in a misleading way and didn't pick up on it.

Senator Wanzek: So if we were to change anything, we need to

Dave Krabbenhoft: Put in the million dollars, yes.

Senator Wanzek: I was looking at the clock wrong, I thought we had only less than five minutes, but – I think with that, I guess we are going to have to be pretty aggressive in meeting next week. I have my Chairman beside me – this is a significant issue – probably, something we will have to visit about with ourselves, too, in trying to formulate some sort of solution to these amendments and I am not sure – do we have time to meet again tomorrow or should we make it first thing on Monday?

Senator Holmberg: The schedule does allow that – my computer just decided I needed to change passwords and the only passwords I know are the ones that I have used within the last year. There is – you are busy at 8:00 tomorrow. At 9:00, there is room in the (in audible) – well, you could do a 9:30. You call it, you are the Chair, but there is room, but you'd have to talk to –

Senator Wanzek: So we aren't meeting as a whole group.

Senator Holmberg: We are meeting at 8:30.

Senator Mathern: I would suggest some homework be done before our next meeting and maybe that could be done by tomorrow. The homework – specifically would be Senator Wardner's bill and how that would fit with or not fit with the other sections of the bill and how the money would actually be allocated – programing, brick and mortar, the board authority,

the board of directors, what their thoughts are and I think that is important. There is communication that needs to take place.

Senator Wanzek: I am tending to agree with Senator Mathern. Maybe we would be better off as long as no one objects to do some homework in addressing that for instance yourself and me sitting down and maybe we could get things moved along quicker if we do that and then let's schedule Monday morning when we come back. I would ask Rose to put us in the schedule wherever it fits on Monday morning. With that, we are going to close the hearing on HB 1015.

2019 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

HB 1015
4/8/2019
Job # 34593

☒ Subcommittee
☐ Conference Committee

Committee Clerk: Rose Laning / Florence Mayer

Explanation or reason for introduction of bill/resolution:

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

Minutes: Attachments # 1 – 2

Legislative Council: Alex Cronquist
OMB: Becky Keller

Senator Wanzek: Called the subcommittee to order on HB 1015. Senator G. Lee and Senator Mathern were also present.
This weekend I had the privilege of getting an escort around the state hospital campus. That helps me visualize what we're talking about.
I think we all know the big issue in this budget is the situation with the women's prison in New England. We are faced with 3 options. We either stay with the status quo, which I don't think will be a popular option with a lot of legislators. There is the executive approach and there is also the approach to move the women out of New England and move minimum security male inmates into that New England Corrections Center. If Alex could go through some of the numbers on the spreadsheet that would be good. The spreadsheet pertains to the amendments Senator Mathern presented.

(2:49) Alex Cronquist: Handed out an updated Base Level Funding Changes for the Department of Corrections and Rehabilitation (DOCR), **Attachment #1**.

Senator Mathern: Presented amendment #19.0203.02008, **Attachment #2**. These amendments relate to both the transition and all the other budget items.

(3:24) Alex Cronquist: If you look at the far right group of columns, that is where the changes of the Senate version versus the House version are located. You will see salary and health insurance increases. Those amounts changed due to the adoption of the 2% with the $120 minimum/$200 max and the 2.5%. There are some changes in there related to FTE positions that have been added. The health insurance increased $156,170 from the general fund that is due to new FTE positions that have been added. The next one is 8.6 FTE positions to convert the MRCC to a female correctional facility. Those are primarily treatment positions and it is about $1.89M from the general fund. The next adds funding in FTE positions to establish a minimum-security correctional facility at the James River Correctional Center.

That is 25.2 FTE positions and about $4.2M, because in this plan, the minimum-security male inmates will be split between James River Correctional Center and the New England facility. Next item is just under $2.4M from the general fund and that is to rent two-man camp facilities for the James River Correctional Center for minimum-security male inmates and that would hold approximately 72 inmates there. Throughout the rest of that front page, it is all the same. Senator Mathern's proposal is the same as the House version. Going onto the second page, there is a line titled Adjust Funding for Transitional Services. There was just over $1M from the general fund that was an error taken out by the House so that was added back in. Then there was an additional just under $550,000, and that was to provide funding for the Bismarck Transition Center contract for female inmates.

(5:49) Senator Wanzek: Is that the one that Dave (Krabbenhoft) talked about before, where it was based on a change to the executive budget but they made the change to the base budget? (Correct.) And that needed to be corrected?

Alex Cronquist: Right, that is how they explained it. Next under the one-time funding items, there is $1.14M from the Rough Rider Industries fund. That is to construct a new Rough Rider Industries building at the James River Correctional Center. Because of the influx of new inmates with the minimum-security males being moved over, DOCR has indicated they would need an additional facility for those inmates to do Rough Rider Industries work. That is just Rough Rider Industries money.
The next item is $1.85M from SIIF, which is to do renovations of the MRCC, to convert it to be able to house female inmates. The last dollar item is $100,000 from the general fund as one-time funding to study gender responsive services in facilities. This would be DOCR's study in consultation with the Department of Human Services and few other groups. They would also be able to use that money to hire a consultant that has a professional background in gender related DOCR issues.
Going into the other sections at the bottom of the second page, section 3 was added. That provides a 2017-2019 biennium appropriations, so a deficiency appropriation of $3M and that is to enhance vocational and educational opportunities for inmates for workforce development.
Section 4 is the section, which identifies the amount of funding from SIIF. That amount was changed to reflect the $1.85M that was added for the MRCC renovations to convert it to a female facility.

Section 5 is an amendment to Century Code which relates to the disclosure of treatment records for inmates and it would allow DOCR to disclose those treatment records to additional service providers that they contract with.

Section 6 provides for that DOCR study of gender responsive services in facilities so that is where the $100,000 would be spent on that study.

Section 7 provides legislative intent that the governor determine the location of male and female inmates that are placed in contract housing. The governor is to consult with DOCR and the South-West Multi-County Correctional center. That is the group that owns the facility in New England.
Section 8 provides legislative intent that the campus infrastructure study of the James River Correctional Center and State Hospital. The House had included $175,000 for that study. The Legislative intent is that the campus infrastructure study consider the potential for placement of minimum-security male inmates in a current structure that is already on the campus.

Section 9 provides legislative intent that no fencing be placed around the temporary housing units that are used for minimum-security male inmates at the JRCC. Currently at the MRCC, there is no fencing around that facility. With minimum-security prisons, they prefer not to have a fence.

Section 10 provides for the establishment of a pre-trial services program as a pilot project in one or more judicial districts. The House included 7 FTE positions and just over $750,000 for that pre-trial services program. This just puts in some legislative language to allow for that program.

Section 11, which was section 4 in the House bill and it hasn't changed. It provides for the carryover of the Free Through Recovery Program funding that hasn't been spent in the current biennium.

Section 12 was section 5 in the House version, there was no change. The State Auditor told DOCR that they should have legislative authority to use funding from their operating fund so this just gives them legislative authority for them to deposit money in that operating fund and to spend from it.

Section 13 was not changed; it was section 6 in the House version. It transfers the ownership of a portion of the Tompkins Rehabilitation and Correctional Center from the Department of Human Services to the DOCR. Next was a section that is removed in Senator Mathern's amendment. It had provided for a legislative management study of the DOCR. This was something that the House had put in to provide for a study of the location of female inmates and minimum-security male inmates.

Section 14 provides an emergency clause and that is to allow the department to start working early on getting the temporary housing units for the minimum-security male inmates at the JRCC and start working early to renovate the MRCC for female inmates.

(12:04) Senator Wanzek: On the front page, it is the same as House version, the increasing funding for teacher salaries and wages. Does that address discrepancy between teachers' salaries at the YCC and the adult education? That is one issue we have heard about, but it is in the budget already?

Alex Cronquist: Correct.

Senator G. Lee: That just means that they would get the same salary adjustment as every other state employee?

Alex Cronquist: They would get more. At least certain teachers would get more than the 2% and 2.5%. It is to bring them up to a level that is comparable to other teachers.

Senator Wanzek: It is an equity increase on top of that 2% and 2.5%.

Senator G. Lee: What line is that?

Alex Cronquist: $1,357,000 right after the health insurance increase so it is about the 4th line.

Senator Wanzek: Some questions based on my visit to the hospital. The hospital has a different view on turning the Tompkins Center over to the DOCR. I read through the hearing notes that you provided. Do you want to expound on that more? I know that there are 30 beds

for women in one building and 15 more for male inmates. Then in the Tompkins building that you would take control over, we are going to have 60 beds or there already are 60 beds there?

(14:18) Leann Bertsch, Director, North Dakota Department of Corrections and Rehabilitation: There was an interim study that was proposed by the subcommittee out of the House last session as to why DOCR wasn't running Tompkins as a whole. During the interim, I believe it was the behavioral health committee that took on that issue. It is their program and always has been. We just contracted with the state hospital. We provided all the case management, GED services, educational services, and food service and laundry services. The State Hospital had concerns with us taking over the entire program. That 30 bed women's unit and the 16 bed men's unit is really in the state hospital's buildings where they house their traditional state hospital patients. They were concerned about having another agency running those units. The nurses building is a completely separate building apart. It was the same mission. All it would be is, instead of those individuals running the treatment and doing the direct supervision, they would just become DOCR employees. We would not be having general funds converted to special funds just to operate that program, it will operate the same.

Senator Wanzek: I'm trying to recall what Rosalie shared with us. How many beds in the building we're looking at changing control to?

Leann Bertsch: 60 beds.

Senator Wanzek: Just 60 and they are all DOCR beds? (Yes.) There are no state hospital beds in there?

Leann Bertsch: It is run by the State hospital but it has always been DOCR.

Senator Wanzek: You continue with the contractual agreement for those other 30 and 16 beds in the other?

Leann Bertsch: It is in the budget for 30 beds. Right now, we have the 30-bed unit for the women, and we still need that. So we will be contracting directly on a per diem basis from the state hospital for treatment beds. Then there is the other 16-bed unit, we have traditionally used that for community-based men who are struggling in the community. We bring them into that unit for treatment rather than them having to be sentenced to prison to access those Tompkins beds. The state hospital isn't going to contract with us for 46. We have it in the budget for 30, because they want to have flexibility to contract with perhaps some counties and other entities to provide alcohol treatment for other individuals outside of the DOCR.

Senator Wanzek: I have a map in here that shows when you add that Tompkins building into the prison, it cuts off the state hospital the South part from the North. I understand there is no fence; it doesn't necessarily cut them off logistically.

Leann Bertsch: Nothing will change. It is just a swap of FTEs with who's running it. Physically nothing changes.

Senator Wanzek: It just goes from a contractual agreement to the DOCR having complete control? You are already providing food services?

Leann Bertsch: Case management, education and laundry. We pretty much run the whole thing. We dictate how they run it, and we dictate the treatment protocols. It is just a matter of us taking it over and having more flexibility. Right now, they can say yea or nay on some of the individuals,

they may or may not want to take into the program. At the end of the day, it really won't change anything logistically or how the program is operated.

Senator Wanzek: From my perspective, I know we have $2.4M for man camp buildings or temporary housing. Maybe Dave could comment on that. We look at the formerly chemical dependency units, West 12 and West 16. While they are older buildings, they seem to be structurally sound and they have fire escape ladders on all floors. It would take some cleaning up and renovation dollars. I am wondering, instead of spending that $2.4 on a temporary solution, what if we directed that towards that possibility. It looks like those buildings fit in well with the prison. Since they are minimum security there wouldn't need to be a fence around it.

(19:30) Dave Krabbenhoft, Director of Administration, ND Department of Corrections and Rehabilitation: That is correct. We wouldn't put a fence around the temporary units either. When we were going through this, those buildings weren't part of the discussion. We could definitely look at those buildings. I think it is a possibility to get an architect through there that is familiar with correctional facilities or old facilities into correctional facilities - just to get a dollar amount on what that would take.
Multiple floors that we would have that obviously leads to higher staffing. If we had two man camp units, those are separate as well so staffing might be similar, but it is something we would be interested and willing to take a look at.

Senator Wanzek: If we were able to word it in such a manner that you look at that first and consider investing that money into something more permanent like renovating and using those buildings. If it doesn't work maybe some flexibility to use the second option, which would be as it is in here now.

Dave Krabbenhoft: That would be fine. With all the talk in the background going on about moving TRCC under DOCR control and then having ownership of that building, I would want to make sure the hospital administration is aware of that, so we don't get any noise in the back ground about this effort as well. Definitely want to make them aware. We would have to have some language that would move those structures to the DOCR. I think it would be prudent to get someone through there and say ok this is what needs to happen to these buildings in order to make it safe. They don't build buildings like that anymore, they are pretty solid. I know they have done some work to them recently.

Senator Wanzek: I think you understand what I'm saying. The layperson in me is saying why invest $2.4M into temporary housing situation where if those work, and are more permanent then put the money into them instead.

Dave Krabbenhoft: I think we should take a long-term view of those things as well. You can get them up and appropriate to use those buildings, but what is the lifespan of that use and what is the full picture going forward. Looking at the building we are using now for the JRCC, it is the old hospital; it is challenging to keep up. Just so, everyone has their eyes wide open and full disclosure. What it takes to staff and get the building ready, and also what it takes to keep it appropriate.

Senator Mathern: I would note that when I met with Alex and people from DOCR last week, the intent was there would be flexibility in timing and building use. Question for Alex. Is there anything here that restricts DOCR or anyone else from using those other buildings?

Alex Cronquist: In the Statement of Purpose of Amendments, we have stated that the funding is for the lease or purchase of 2 temporary Housing units. We would want to put in less restrictive language to allow them to use it for the renovation of current facilities. If DOCR was going to take over those two buildings, they would need authority to transfer. We would add a section that would, perhaps with governor approval, allow for the transfer of facilities from DHS to DOCR.

Senator Mathern: I think that would make sense.

Alex Cronquist: Dave just said they would require additional funding to operate those buildings as well.

Dave Krabbenhoft: All the utilities, just the things to keep the lights on.

Senator Wanzek: Wouldn't that be after you make the decision? If we give you the authority to transfer, you're still going to investigate or research whether it is doable or not. Is it feasible based on what architects or engineers will provide?

Dave Krabbenhoft: It all depends on the timing of it. If we are able to go into the buildings that the hospital still has and make that evaluation, and the evaluation comes out with what it would take. Then we would have to flip that. My bigger concern is if that change in ownership happens at some point in the current biennium, that we have the ability to then start paying for the electricity and the heat.

Senator Wanzek: The $2.4M identified for temporary housing would be part of it. It would probably take more if we're going to go in that direction. I am looking at it this way - we are going to spend $2.4M of temporary, then we decide to be more permanent, then we would start from scratch again. If that works and it were a more permanent solution, I would rather invest the $2.4M into that.

Dave Krabbenhoft: Everything we've been talking about is so connected. Just want to make sure, when we insert discussion into a timeline that we are aware of where that timeline is from the biennium and funding standpoint. If you think it can work out, I trust that.

Senator Wanzek: Alex, make a mental note on that potential amendment. Let's move to the most significant issue. I have read through the language Senator Mathern has in his amendment. I am just generalizing, it provides the authority to the department and the governor is the one who makes the call; as to whether there is a change in the population at the current female prison to moving them out and utilizing it for either male or educational or vocational training services. That is all part of this amendment, right?

Senator Mathern: That is correct. Then there is another feature to it, which is the emergency clause. I see that as important in terms of permitting the individuals to begin working on some sort of transitional place. Nothing in here says that this is the date the transition must take place. It permits those discussions. There are some ideas of having training in the local public school, Dickinson, having institutions working together. Maybe this is important for the South West, beyond the inmate population. There is a need for work force and training. I think there are partnerships between the other public schools; the businesses in that area and DOCR to make sure we do more than just relocate a bunch of people. I would like to see those 100 people be working. That is a part of this. There was an amendment from Senator Wardner

about $4M which has been changed here to $3M and clarified it is not for bricks and mortar, it is for programing. To have proper programing you need people to communicate. There are facilities in the local public school. I see it as, signaling the transfer, the transfer-taking place, but permitting entities to do the details. I believe it is important to have the governor in there, as he is responsible for a number of state agencies that I think need to cooperate to make this work. I believe the South West can use this facility for their economic development along with meeting the needs of the inmates. I think other areas of the state would do this if the South West does not want to. Other areas of the state need the workers and other areas of the state have the population being sent here. I think that is important to give flexibility, but also signal a direction

Senator Wanzek: I would want to emphasize the purpose of using New England for the vocational training type pieces. It is a decision we would make because it is legitimate. It is not about just trying to protect jobs. It is a program that could be very worthwhile. The prison system could use a resource for that purpose. I think that provides more sustainability in the long term if we are using those resources and those assets to help streamline and management of the corrections systems. I think it has a purpose. I truly believe that. It is not just about trying to save one economic development project for the community. A thought I had from what I'm hearing from that community is this is all happening too fast. What if we used Senator Mathern's amendments and allowed them to go into effect and start planning? But have some sort of provision where as long as they all agree and the plan is in place, then go ahead and implement it. But if there is not agreement on the plan, there is a delay and deadline. If one party decides they just won't support it, then we allow the DOCR to go ahead. Say put that dead line 2 years out there. In the next 2 years they can negotiate, have the flexibility to work amongst themselves. If they come to an agreement, let them go. If they don't, in 2 years, we would allow DOCR to make the call and move forward. That would give the community some time to work with them and figure out how all this will work.

Senator Mathern: I think time is important, I also think time is slipping away. There will be a change, that's why there is this big study about gender specific services for women. If we don't make a change, the courts will make a change. It is important we are aware of that bigger environment. I have talked with board members from the South West. If we don't make changes, the environment of economic development will change so there is less of a need in the SW. We have a responsibility to make sure these inmates lead a productive life, get a job skill/vocation and move into the economy. I am speaking from the perspective of economic development from these individuals. If we don't move them quickly into the community of supporting themselves and their family, they deteriorate and become a long term obligation. Anything we can do to move, is beneficial to them. There is this latitude in here, maybe there is more. I don't know if the South West needs more time, are asking for more time, or if they are ready to go. We sometimes presume they aren't ready. Maybe they are ready. Sometimes you have to strike, brand when the iron is hot. I'd like to hear from them and the department. There is nothing in here that is an iron clad guild line.

(36:28) Senator G. Lee: In regards to the decision makers. You see DOCR as the agency with the authority to make the decision whether or not the prison inmates are in New England or not. Is that correct?

Leann Bertsch: We do with the language that is proposed in the amendment. We need the amendment because right now we don't have any other options because you control the checkbook.

Senator G. Lee: So you have the responsibility of saying where the best fit might be for the prisoners, but we have the authority financially to allow that decision to go forward?

Leann Bertsch: Yes, right now without some modification to one of our existing facilities, we don't have the means to relocate them.

Senator G. Lee: I was on the committee that decided in 2003 that women prisons should go to New England. It was a tough decision then and today as to what is the right thing to do. At that time, we thought it was the right thing to do, even though we didn't have a lot of information on making that decision. Now we are looking at making a decision about them again. The people in New England need to be feeling positive about a decision to move the women out and move men in. They have to be on board. Maybe they don't want to be in the business anymore if the women are moved out. They need to feel good about the men population coming in there. In terms of the vocational stuff, that is good talk. I believe that is what the end result should be if they will have a better life when they finish their sentence. We don't know if it's going to work there. We don't know the business plan. If that is the direction we think we should go, we need to figure that out. What is being described here offers an opportunity to say ok we think this is the way we're moving, all these other discussions need to happen before we pull the trigger. I think we are on the right path. But making a decision to do this today, I don't think we are ready to make that kind of decision.

Senator Wanzek: The Attorney General has listened to some of the discussions and asked me to make the point that as far as litigation, we have been sued. The case was about sexual discrimination, alleging that the state prison system didn't provide equal programs and facilities. The court ruled in favor of the state on all accounts. It was appealed to the 8th circuit. They held up the ruling that the facilities provided to the female inmates was equal to those provided for the male inmates. I know the director and the DOCR will say it was 7 years ago and costly. No one wants that, we want to try to prevent that. We did prevail and he had contacted me and provided a one-page sheet to make sure we were aware of that. Who would we like to visit with from the South West?

Senator Mathern: I would think the chairman of their board or whoever they designate.

(41:00) John Plaggemeyer, Chairman, Board of Directors, Southwest Multi-County Correction Center (SWMCCC); Hettinger County Commissioner: After the meeting we had with the governor this morning and listening to the dialog here this morning; It sounds like either we have the men in the future or nothing. Right now, we have to groom or educate the community that this is ok. It will take time. We had big problems when the prison opened in the first place when it was proposed to have young men there. The community had a big problem with that. Then they found out we were going to have women, and there was less of a problem. I went back after the committee hearing Thursday and visited with the Mayor and a few citizens. They were shocked to hear we would take on men. I think with time; everyone can get what they want. We need to educate some people and we have to have a plan. It will take time to get that done. I feel positive that if you want something bad enough, you can make it work. I think that with a good plan and some time to educate, we can pull this off.

Senator Mathern: I don't know if you received these amendments and were able to look over them? (Yes, he did.) Do you see anything in here that is too ridged that would limit time? Does this give you freedom in time to make this work?

John Plaggemeyer: When I'm talking about time, we're talking about educating men to go out into the workforce. We have a lot of companies that basically are related to the oilfield. I think we have to have time to educate these individuals also and groom them to get involved. We have room on our campus to put in a facility for education to where the school systems can come down and educate or TMI or an oil company could come train individuals there. There are all kinds of opportunities, I just think we need time to plan and implement them.

Senator Mathern: How does your staff feel about it?

John Plaggemeyer: I don't think there's any problem with the staff. I think Rachelle does a great job down there. She can handle that part.

Senator Wanzek: You do understand, as this written we aren't necessarily saying the women will or have to be moved. We're leaving that discretion up to DOCR, which it does appear that is what their intent is. We're not micromanaging them. We're not telling them the women have to leave. I don't know if their position would change.

John Plaggemeyer: That's the way I see it too. I'm sure we can work something out. We just need to talk.

Senator Wanzek: You heard me in the meeting this morning say, as a citizen legislator I feel in a tough positon to make this decision. I don't work in that environment every day. It's like someone coming to my farm and providing advice when they've never been there before. I guess it's my interest to give them the discretion. Say we give it to them and ask everyone involved to get together and work towards this direction. As long as everyone agrees. Logistically it will take a year or more to do that. What if we put a deadline on this of 2 years that all parties agree and this is the direction they are going to go. If your community cannot come to an agreement, then we will release them to do what they believe is best for their Department of Corrections.

John Plaggemeyer: I truly believe we can work something out as long as we aren't pushing down someone's throat. Everyone gets scared of the unknown. There is a lot of fear right now. If the newspaper comes out and says they are moving men to New England in 3 months, we'd have a problem. If we had the opportunity to groom the people, I don't know how long that will take. Maybe 6 months or 2 years. If it's presented to them in the right manner. We need to educate them by bring them up here, showing them the MRCC and talk to some of the people. I think Director Bertsch needs to come to New England and explain the population that is coming there. I think through dialogue, we can come up with something.

Senator Wanzek: I'm thinking if we come together on a plan unified, it will be a much better solution and work a lot better. I agree, when you bring someone to the table kicking and screaming, it is probably going to be less effective. We have to give them the authority to manage the DOCR and not completely micromanage this decision. I am speaking for myself; I am willing to let that play out over the next 2 years. If there isn't a mutual agreement at the end of 2 years, we will allow DOCR to go forward with the plan. Or even sooner if everyone agrees

John Plaggemeyer: If everyone is in agreement and we all have a plan, then why not implement it at that time.

Senator Wanzek: We will have to close the hearing soon. Some of the tweaks to the amendment we talked about, I will work with Alex Cronquist. I will visit with the other 2 senators about my thoughts about giving the authorization with the hope a plan can be put together and given them the authority to initiate the efforts to put the plan in place. Maybe language in line with what I just said.

Senator G. Lee: I think they indicate they have the authority; it's just about the timing when we release the money to let them do it.

Senator Wanzek: Closed the hearing on HB 1015.

2019 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

HB 1015
4/9/2019
Job # 34632 (16:46)

☒ Subcommittee
☐ Conference Committee

Committee Clerk: Rose Laning/ Meghan Pegel

Explanation or reason for introduction of bill/resolution:

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

Minutes: 2 Attachments

Legislative Council: Alex Cronquist
OMB: Becky Keller

Senator Wanzek called the subcommittee to order on HB 1015. **Senator G. Lee** and **Senator Mathern** were also present.

(see attachment #1)

Alex Cronquist: Page 1, section 3 provides a deficiency appropriation from the general fund of $3M to enhance vocational opportunities, educational opportunities, and workforce development for individuals sentenced to the department of corrections and rehabilitation. That's the same as what was proposed yesterday in Senator Mathern's amendments; there weren't any changes made there.

Page 2, section 5 was added. This was also the same as Senator Mathern's amendments. There was a request from the department to allow treatment records to disclosed to a community behavioral health program, a vocational rehabilitation program, or a transitional living facility

Section 6 was also included in Senator Mathern's amendments, and that was $100,000 for the Department of Corrections to do a study of gender-responsive services in facilities. That's to allow them to contract with a consultant to assist in that study.

Section 7 is legislative intent for the contract housing for state inmates. That is the section relating to New England. There is about $11.9M included in the budget for the contract with the New England facility. This section provides that the Governor shall determine what inmates to be placed there, and the Southwest Multi-County Correction Center, which is the owner of that New England facility, has to approve the Governor's determination. Another change that was made is that if the Southwest Correction center does not approve the

Governor's determination by June 30th, 2021, the DOCR may move forward with placing inmates at another facility.

Section 8 provides legislative intent regarding the James River correctional center and state hospital campus infrastructure study. It states that it's the intent of the legislative assembly that the $175,000 appropriated for the campus infrastructure study of the James River correctional center and the state hospital consider the potential for the placement of minimum security male inmates in current structures on the state hospital campus.

Section 9 is another statement of legislative intent relating to minimum security facilities on the James River correctional center campus. It states that any minimum security facilities on the campus not be enclosed with a fence. Before that section was in there and referred to the two temporary housing units. Now that we're wanting DOCR to look at placing minimum security inmates in facilities that are already in existence there, we left it open so that it could include other buildings as well.

Senator Wanzek: On section 8's study on the infrastructure, is that conducted by the DOCR?

Cronquist: Yes.

Senator Wanzek: Is there an emergency clause?

Cronquist: Section 15 will provide the emergency clause. Section 6 with the $100,000 for the gender-responsive services study also has an emergency clause attached.

Section 10 is the pretrial services pilot program language. There was already funding and FTE positions included by the House. This just provides some language as far as how that is to be implemented, and there were no changes from Senator Mathern's proposal on that.

Section 14 provides for the conveyance of land and buildings. It allows for the transfer of the 12 west and 16 west buildings from the state hospital to the DOCR. It doesn't force it; it just allows for it.

Section 15 is that emergency declaration and applies to the study of the JRCC and state hospital, the study of gender-responsive services and for the workforce development appropriation of $3M to allow that to be a deficiency.

Page 4 is the adjustment for the salary and benefit increases, and there were no changes from Senator Mathern's proposal there. It adds FTE and related operating expenses. That's for the MRCC treatment positions for female inmates and JRCC minimum security positions. Adjusting funding for transitional services is to correct that error that Dave Krabbenhoft has mentioned before and to add just under $550,000 for the Bismarck transition center contract. Again, that is the same as Senator Mathern's proposal. It adds one-time funding for minimum security facilities. Before this had been added as ongoing funding for the lease of temporary housing units. Here we've got it added as one-time funding, and it can be used either for the lease of temporary housing units or for the renovation of facilities that they take over from the state hospital campus. If the decision is made to go forward with the temporary housing units, DOCR will have to come back next session and request funding for that again.

Senator Mathern: What you just explained, where is that in amendment?

Cronquist: Page 4, footnote 4 of the amendment.

Senator Wanzek: It's leaving that decision up to the DOCR. We would like to see them look into the investment of renovating the current buildings first, and if it doesn't work, they still have that option of temporary housing.

Cronquist: Correct, it leaves it open.

Footnote 5 provides the one-time funding of $100,000 for the study of gender-responsive services that we've discussed. Footnote 6 provides one-time funding of $1.85M from SIIF to convert the MRCC into a female correctional and rehabilitation facility. Footnote 7 provides one-time funding from the Rough Rider Industries fund for the construction of the Rough Rider Industries building at the JRCC.

Senator G. Lee: Was the Rough Rider Industries building on the JRCC there before?

Cronquist: It was included in Senator Mathern's amendment. They have one facility for the Rough Rider Industries on the JRCC; however, with the potential influx of minimum security inmates, they indicated that they would require an additional space for them for the Rough Rider Industries. That would only be built if they moved the inmates over.

Senator Wanzek: A lot of this will only go into effect if there's actually a movement from the inmates from New England into MRCC and MRCC to another location. A lot of this is dependent on that. Do the numbers we're putting in the budget provide funding for a full biennium for those FTEs?

(10:05) Dave Krabbenhoft, Director of Administration, ND Dept. of Corrections and Rehabilitation: No. The funding isn't for the full biennium. For instance, the funding for the minimum housing at JRCC is for 20 months. For the additional positions at MRCC, the treatment and medical positions, I think that was 17 months. That's reflected into those numbers.

Senator Wanzek: For all this to be utilized, an agreement would have to be reached and minimum security inmates would have to move into either temporary housing or renovating the current buildings there. that would all have to fall into place.

Krabbenhoft: Correct. A lot of this is contingent and will take time even with the emergency clause. The months we have built into those, it would still be appropriate for this. I don't think that we're adding too much, but you wouldn't have enough money to fund all those positions for the biennium, and we wouldn't do that anyways; we would wait to hire them when it was appropriate to get them trained when needed.

Senator Mathern: When I worked on the amendments, the DOCR had two timeline options: one if we have an emergency clause, and one if we don't. The timeline was between now and the end of the next biennium, so we chose amendments that related to that timeline.

They had provided that timeline to the full committee also. We use that timeline as a way to figure out what FTEs would really be needed at what months.

Cronquist: To further clarify, there isn't a required contingency in this bill; however, there is clear legislative intent provided. They shouldn't use the money for anything else, but there isn't a legal contingency here.

Senator Wanzek: If it was misused, next session would be more interesting than this one has been.

Senator G. Lee: In terms of where funds are coming from, I see the 175 for the JRCC infrastructure study is from SIIF, and there is a 1.85 for the MRCC. Those are the only two SIIF money sources, and the rest is general fund?

Cronquist: No, there are other SIIF appropriations that were already included by the House, but these are the two that are in here.

Senator Wanzek: These are amendments that are made in relation to the House?

Cronquist: Correct, these are to the House version.

Senator Wanzek: I gave a copy to the Director and Dave to look over to make sure they feel comfortable with it.

Senator Mathern: Moved amendment 19.0203.02009.
Senator G. Lee: Seconded the motion.

A Roll Call Vote Was Taken: 3 yeas, 0 nays, 0 absent.
Motion carried.

Senator Wanzek: Thank you everyone. Alex prepared a spreadsheet as well. They're in relation to the Senate changes made and how it affects the budget **(see attachment #2).**

Senator Wanzek ends subcommittee discussion on HB 1015.

2019 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

HB 1015
4/9/2019
JOB # 34637

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Alice Delzer

Explanation or reason for introduction of bill/resolution:

A BILL for an Act for an appropriation to defray the expenses of the DOCR. (Do Pass as Amended)

Minutes: 1.Proposed Amendment # 19.0203.02009

Chairman Holmberg: called the Committee to order on HB 1015. All committee members were present except Senator Bekkedahl. Alex Cronquist, Legislative Council and Renae Bloms, OMB were also present.

Chairman Holmberg: Thank-you, Senator Dever, for sending out the reminder. Has anyone approached you yet? Why don't you mention it while we are getting our papers ready?

Senator Dever: For those of you in the first 4 years of service, the deadline for applying is tomorrow. Six House members have applied and 0 Senators. Normally we generally send three, generally we send 2 from the House and 1 from the Senate. So, no Senators, it's not a good deal. I sit on this steering committee that selects those and it's a little embarrassing but if you know any freshman that would like to go, come see me.

Chairman Holmberg: But no one here is eligible. HB 1015 is ready to go.

V. Chairman Wanzek: submitted Attachment # 1, Proposed Amendment # 19.02003.02009 and explained the amendment to the committee. **(0.13.59)** At this time he explained the Thompson Rehabilitation Center. All sixty of the patients or people there are there as Department of Corrections residents or inmates and the DOC already provides the laundry service, the food service, the program service and it was their request that we just turn it over to them. That was already done in the House budget but that's not part of this amendment.

Senator Robinson: Regarding Thompkins, that will all be part of Corrections? I am just wanting to follow it or is it part of Human Services?

V. Chairman Wanzek: Part of it will go to Corrections. The building where they're occupying the entire population as DOC occupants. There's another building, I think they call it the New Horizon building, there's still Thompkins, people that are going through the Thompkins

treatment program in that building, there's 30 beds contracted for female DOC inmates and 16 for men, and the rest are for the hospital. So there's still another building. This takes the one building, the Thompkins building, and moves it into the DOC. And now that I think about it I am getting into the bill. I am going beyond the amendment.

Senator Robinson: You mentioned Thompkins and I just wanted clarification. So it's kind of a split responsibility there.

V. Chairman Wanzek: There is. No, it's all in the Human Services, the DOC- the 60 inmates in the Thompson Center have a contract, it's pretty much all DOC funding that Thompkins has. There was an interim committee that met and discussed this and they thought it should be an executive decision. I've had the DOC and Mr. Jones from DHS in support of this. Just so you know.

V. Chairman Wanzek: I would move the Amendment # 19.02003.020009 to Engrossed Bill 1015. 2nd by Senator Mathern.

(0.16.02) Senator Sorvaag: In all this talk of Missouri River transferring, conveying land, conveying property, was there any talk about the fact that in the park budget there's a thing to convey 250 acres of corrections property over to the park district. Was that discussed at all?

V. Chairman Wanzek: That was not discussed at all. The Missouri River Correctional Center area won't be transferred to anybody. That stays with the DOC, but that might end up being used as a female inmate site rather than a male minimum security site.

Senator Sorvaag: But some of this land out there, and it's been talked about before, but in the park budget they're showing taking 250 acres of that land.

Alex Cronquist, Legislative Council: That's correct. The 250 acres being transferred doesn't include the land that the facility sits on. And there is some agricultural land also in between the MRCC facility and the land that would be transferred to parks, so there is a buffer there.

Senator Sorvaag: This is the same parks and land we've been discussing for about 2 biennia.

Alex Cronquist, Legislative Council: I believe so. It actually was transferred to parks at one point and then transferred back to MRCC, and now the House is providing for it to be legislatively transferred.

Senator Dever: I am looking at Section 3, am I understanding that assuming that Southwest Multi-correctional center comes to an agreement with the governor and the DOC that they will then move the women to MRCC and the men to New England?

V. Chairman Wanzek: Well, the key to this whole budget is, in my opinion, not just – It's section 7, that is probably the key to this whole budget. It's the language it's authorizing the Department of Corrections to start putting together a plan on what they want to do in regards

to the New England site. It's giving them the flexibility to determine whether it should be female and male inmates. But what we heard from New England and the multi, they call them SWMCCC (Southwest Multi-County Correction Center) they said this is happening to fast. They would probably consider a transition to a vocational center with minimum center with minimum security male inmates and consider a workforce trade vocational component to it. But they said this is all happening too fast, so we're basically giving them the next two years to come do a negotiation. If they come and do a negotiation before the two years is up, if they come to an agreement, they can put it into place and move the female inmates as soon as everybody's in agreement.

(0.19.37) Senator Dever: So there wouldn't 'be in further legislative authority necessary.

V. Chairman Wanzek: No. We're giving them the legislative authority, but in a sense we're giving the multi-county site an opportunity to work with the department for two years. In visiting with other legislators from that area, and visiting with the board, I believe there will be an agreement before the two years are up. We are giving them an opportunity, not only to meet a need, not only to meet a purpose of the prison that they're interested in providing, but, in meeting their needs too. They've got to decide. They kind of hold the key to that. They asked for more time. The leadership said they'd like to see more time, and this is the position we arrived at.

Senator Gary Lee: Just a comment too on that section 7, the DOC has the responsibility to make the decision where the inmates end up, whether it's in MRCC or in the Southwest Correctional Center, but the responsibility the legislature has is providing the revenue, the financial support. So we have a part of that decision based on the finances in where they end up.

Chairman Holmberg: Any other questions of the amendment that has been made and seconded. All in favor of the amendment say aye. It carried.

V. Chairman Wanzek: Moved a Do Pass as Amended on HB 1015. I was going to say it was a tough bill. **2nd by Senator Grabinger.**

Chairman Holmberg: Call the roll on a Do Pass as Amended on HB 1015.

A Roll Call vote was taken. Yea: 12; Nay: 1; Absent: 1. V. Chairman Wanzek will carry the bill.

The hearing was closed on HB 1015.

SR pg 1165 4/1

19.0203.02009
Title.03000
Fiscal No. 2

Prepared by the Legislative Council staff for
Senator Wanzek
April 8, 2019

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 5 of section 12-47-36 of the North Dakota Century Code, relating to disclosure of confidential records;"

Page 1, line 3, replace "for a legislative management study; and" with "a statement of legislative intent; to provide for a study;"

Page 1, line 3, after "report" with insert "; to provide for an exemption; and to declare an emergency"

Page 1, replace lines 13 through 18 with:

"Adult services	$220,757,448	$30,293,935	$251,051,383
Youth services	30,740,509	1,545,821	32,286,330
Total all funds	$251,497,957	$31,839,756	$283,337,713
Less estimated income	37,161,253	8,038,937	45,200,190
Total general fund	$214,336,704	$23,800,819	$238,137,523
Full-time equivalent positions	845.29	88.30	933.59"

Page 2, replace lines 12 through 17 with:

"Rough Rider industries building	0	1,140,000
James River correctional center minimum security facilities	0	2,390,334
Missouri River correctional center renovation	0	1,854,301
Gender-responsive services and facilities study	0	100,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$8,482,585
Less estimated income	2,102,907	5,076,001
Total general fund	$0	$3,406,584"

Page 2, after line 21, insert:

"**SECTION 3. APPROPRIATION - 2017-19 BIENNIUM - WORKFORCE DEVELOPMENT - EXEMPTION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $3,000,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation to enhance vocational opportunities, educational opportunities, and workforce development for individuals sentenced to the department of corrections and rehabilitation, including individuals placed in contract housing, for the period beginning with the effective date of this Act, and ending June 30, 2019. The department of corrections and rehabilitation shall consult with the southwest multi-county correction center regarding potential providers of vocational opportunities, educational opportunities, and workforce development. The appropriation in this section is not subject to section 54-44.1-11 and any unexpended funds from the appropriation may be used for enhancing vocational opportunities, educational opportunities, and workforce development for individuals sentenced to the department of corrections and rehabilitation during the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 2, line 23, replace "$1,468,000" with "$3,322,301"

Page 2, line 25, after the fourth comma insert "renovation of the Missouri River correctional center,"

Page 2, after line 26, insert:

"**SECTION 5. AMENDMENT.** Subsection 5 of section 12-47-36 of the North Dakota Century Code is amended and reenacted as follows:

5. Medical, psychological, or treatment records may be disclosed without prior application to the court to a public hospital or treatment facility, the department of human services, a community behavioral health program, a vocational rehabilitation program, a transitional living facility, or ~~to~~ a licensed private medical or treatment facility, when necessary for the evaluation, treatment, or care of a person who is or who has been in the custody of, or is or who has been under the supervision and management of, the adult services division of the department of corrections and rehabilitation.

SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION STUDY OF GENDER-RESPONSIVE SERVICES AND FACILITIES - REPORT. The appropriation in section 1 of this Act includes $100,000 from the general fund for the department of corrections and rehabilitation to study long-term gender-responsive correctional and rehabilitation facility and service needs during the 2019-20 interim. The department of corrections and rehabilitation, in consultation with representatives of the department of human services, judicial branch, tribal governments, and other private and public entities as determined by the department of corrections and rehabilitation, shall study gender-responsive facility and service needs of individuals sentenced to the department of corrections and rehabilitation. The study must include the preferable location of facilities, the service needs of individuals sentenced to the department of corrections and rehabilitation, and the impact on families of individuals sentenced to the department of corrections and rehabilitation. The department of corrections and rehabilitation may contract with consultants to assist in the study of gender-responsive correctional and rehabilitation facility and service needs and shall consider the results of the study in future appropriation requests. The department of corrections and rehabilitation shall report the results of its study to the legislative management by June 30, 2020.

SECTION 7. LEGISLATIVE INTENT - CONTRACT HOUSING FOR STATE INMATES. It is the intent of the sixty-sixth legislative assembly that the $11,905,311 appropriated in section 1 of this Act to house inmates at the southwest multi-county correction center's correctional facility in New England during the 2019-21 biennium be applied to house male inmates or female inmates, as determined by the governor with the approval of the southwest multi-county correction center. The governor shall consult with the department of corrections and rehabilitation and the southwest multi-county correction center in making the determination. The governor shall also consider the potential for workforce training and work release in making the determination. If the southwest multi-county correction center does not apporove the governor's determination by June 30, 2021, the department of corrections and rehabilitation may use the funding appropriated to house inmates at another facility.

SECTION 8. LEGISLATIVE INTENT - JAMES RIVER CORRECTIONAL CENTER AND STATE HOSPITAL CAMPUS INFRASTRUCTURE STUDY. It is the intent of the sixty-sixth legislative assembly that the $175,000 appropriated in section 1

of this Act for a campus infrastructure study of the James River correctional center and the state hospital consider the potential for the placement of minimum security male inmates in current structures on the state hospital campus.

SECTION 9. LEGISLATIVE INTENT - MINIMUM SECURITY FACILITY - JAMES RIVER CORRECTIONAL CENTER. It is the intent of the sixty-sixth legislative assembly that any minimum security facilities on the campus of the James River correctional center and state hospital not be enclosed with a fence.

SECTION 10. PRETRIAL SERVICES - PILOT PROGRAM - REPORT. The appropriation in section 1 of this Act includes $755,034 and seven full-time equivalent positions for pretrial services. The department of corrections and rehabilitation may establish a pretrial services program as a pilot project in one or more judicial districts of the state during the biennium beginning July 1, 2019, and ending June 30, 2021. The department of corrections and rehabilitation and the judicial branch shall collaborate to develop guidelines and procedures for the administration of pretrial services for the district courts. The department of corrections and rehabilitation and the judicial branch shall provide a report regarding the process and outcome measures of the pretrial services program to the sixty-seventh legislative assembly."

Page 3, line 1, after "program" insert "for individuals in custody or under the supervision of the department of corrections and rehabilitation or for the continuation of programming, when necessary, for individuals no longer in custody or under the supervision of the department,"

Page 3, line 15, remove "The provisions of chapters 48-01.1 and 54-44.7"

Page 3, remove line 16

Page 3, line 17, replace "services for construction and renovation" with "Sections 54-01-05.2 and 54-01-05.5"

Page 3, remove lines 18 through 31

Page 4, replace lines 1 through 11 with:

"**SECTION 14. CONVEYANCE OF LAND AND BUILDINGS - 12 WEST AND 16 WEST - EXEMPTION.** The state of North Dakota, by and through the department of human services, may convey ownership of the 12 west and 16 west buildings and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. Sections 54-01-05.2 and 54-01-05.5 do not apply to this conveyance.

SECTION 15. EMERGENCY. The appropriation of $175,000 from the strategic investment and improvements fund for the James River correctional center and state hospital campus infrastructure study in section 1, the appropriation of $100,000 from the general fund for a gender-responsive services and facilities study in section 1, and sections 3, 6, and 8 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehab. - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Adult services	$220,757,448	$236,440,488	$14,610,895	$251,051,383

Youth services	30,740,509	32,095,945	190,385	32,286,330
Total all funds	$251,497,957	$268,536,433	$14,801,280	$283,337,713
Less estimated income	37,161,253	42,139,308	3,060,882	45,200,190
General fund	$214,336,704	$226,397,125	$11,740,398	$238,137,523
FTE	845.29	899.79	33.80	933.59

Department 530 - Department of Corrections and Rehab. - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adds FTE Positions and Related Operating Expenses[2]	Adjusts Funding for Transitional Services[3]	Adds One-Time Funding for Minimum Security Facilities[4]	Adds One-Time Funding for a Study[5]	Adds One-Time Funding for Female Facility Renovations[6]
Adult services	$1,411,771	$6,115,122	$1,599,367	$2,390,334	$100,000	$1,854,301
Youth services	190,385					
Total all funds	$1,602,156	$6,115,122	$1,599,367	$2,390,334	$100,000	$1,854,301
Less estimated income	66,581	0	0	0	0	1,854,301
General fund	$1,535,575	$6,115,122	$1,599,367	$2,390,334	$100,000	$0
FTE	0.00	33.80	0.00	0.00	0.00	0.00

	Adds One-Time Funding for a Rough Rider Industries Building[7]	Total Senate Changes
Adult services	$1,140,000	$14,610,895
Youth services		190,385
Total all funds	$1,140,000	$14,801,280
Less estimated income	1,140,000	3,060,882
General fund	$0	$11,740,398
FTE	0.00	33.80

[1] Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of $120 and a maximum monthly increase of $200, and 2.5 percent on July 1, 2020. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

[2] The following FTE positions and related funding are added:

	FTE	General Fund
Missouri River Correctional Center treatment positions	8.60	$1,891,810
James River Correctional Center minimum security positions	25.20	4,223,312
Total	33.80	$6,115,122

[3] Funding is adjusted for transitional services, including the addition of $549,626 for the Bismarck Transition Center contract and the restoration of $1,049,741 removed by the House.

[4] One-time funding is added for facilities for minimum security inmates at the James River Correctional Center. The funding may be used to renovate facilities transferred from the State Hospital to the Department of Corrections and Rehabilitation or for the lease or purchase of two temporary housing units for use as minimum security housing at the James River Correctional Center.

[5] One-time funding of $100,000 from the general fund is added for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.

[6] One-time funding of $1,854,301 from the strategic investment and improvements fund is added to convert the Missouri River Correctional Center into a female correctional and rehabilitation facility.

[7] One-time funding from the Rough Rider Industries fund is added for the construction of a Rough Rider Industries building at the James River Correctional Center.

House Bill No. 1015 - Other Changes - Senate Action

This amendment also:

- Adds a section to provide a 2017-19 biennium appropriation of $3 million from the general fund to the Department of Corrections and Rehabilitation to enhance vocational and education opportunities for inmate workforce development.
- Adjusts the section identifying the amount appropriated in Section 1 from the strategic investment and improvements fund.
- Adds a section to amend North Dakota Century Code Section 12-47-36(5) relating to disclosure of confidential records.
- Adds a section to provide for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.
- Adds a section to provide legislative intent that the Governor determine the location of male and female inmates in consultation with the Department of Corrections and Rehabilitation and the Southwest Multi-County Correction Center.
- Adds a section to provide legislative intent that the campus infrastructure study of the James River Correctional Center and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
- Adds a section to provide legislative intent that no fence be placed around facilities used for minimum security male inmates.
- Adds a section to provide for the establishment of a pretrial services pilot project.
- Adjusts the section providing carryover authority relating to the free through recovery program to allow the funding to be used for the continuation of programming for individuals no longer in the custody or under the supervision of the Department of Corrections and Rehabilitation.
- Adds a section to allow for the conveyance of the West 12 and West 16 buildings from the State Hospital to the Department of Corrections and Rehabilitation for use as a minimum security facility.

Date: 4-9-19

Roll Call Vote #: 1

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

Senate Appropriations Committee

☒ Subcommittee

Amendment LC# or Description: 19.0203.02009

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

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Mathern Seconded By G. Lee

Senators	Yes	No	Senators	Yes	No
Senator Holmberg			Senator Mathern	X	
Senator Krebsbach			Senator Grabinger		
Senator Wanzek	X		Senator Robinson		
Senator Erbele					
Senator Poolman					
Senator Bekkedahl					
Senator G. Lee	X				
Senator Dever					
Senator Sorvaag					
Senator Oehlke					
Senator Hogue					

Total (Yes) 3 No 0

Absent 0

Floor Assignment _____

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

Date: 4-9-19

Roll Call Vote #: 1

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

Senate Appropriations Committee

☐ Subcommittee

Amendment LC# or Description: 19.0203.02009

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

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Wanzek Seconded By Mathern

Senators	Yes	No	Senators	Yes	No
Senator Holmberg			Senator Mathern		
Senator Krebsbach			Senator Grabinger		
Senator Wanzek			Senator Robinson		
Senator Erbele					
Senator Poolman					
Senator Bekkedahl					
Senator G. Lee					
Senator Dever					
Senator Sorvaag					
Senator Oehlke					
Senator Hogue					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Voice Vote
Carried

Date: 4-9-19
Roll Call Vote #: 2

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1015

Senate Appropriations Committee

☐ Subcommittee

Amendment LC# or Description: _____

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

Motion Made By Wanzek Seconded By Grabinger

Senators	Yes	No	Senators	Yes	No
Senator Holmberg	✓		Senator Mathern	✓	
Senator Krebsbach	✓		Senator Grabinger	✓	
Senator Wanzek	✓		Senator Robinson	✓	
Senator Erbele	✓				
Senator Poolman	✓				
Senator Bekkedahl	A				
Senator G. Lee	✓				
Senator Dever	✓				
Senator Sorvaag	✓				
Senator Oehlke	✓				
Senator Hogue		✓			

Total (Yes) 12 No 1

Absent 1

Floor Assignment Wanzek

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

REPORT OF STANDING COMMITTEE

HB 1015, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1015 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 5 of section 12-47-36 of the North Dakota Century Code, relating to disclosure of confidential records;"

Page 1, line 3, replace "for a legislative management study; and" with "a statement of legislative intent; to provide for a study;"

Page 1, line 3, after "report" with insert "; to provide for an exemption; and to declare an emergency"

Page 1, replace lines 13 through 18 with:

"Adult services	$220,757,448	$30,293,935	$251,051,383
Youth services	30,740,509	1,545,821	32,286,330
Total all funds	$251,497,957	$31,839,756	$283,337,713
Less estimated income	37,161,253	8,038,937	45,200,190
Total general fund	$214,336,704	$23,800,819	$238,137,523
Full-time equivalent positions	845.29	88.30	933.59"

Page 2, replace lines 12 through 17 with:

"Rough Rider industries building	0	1,140,000
James River correctional center minimum security facilities	0	2,390,334
Missouri River correctional center renovation	0	1,854,301
Gender-responsive services and facilities study	0	100,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$8,482,585
Less estimated income	2,102,907	5,076,001
Total general fund	$0	$3,406,584"

Page 2, after line 21, insert:

"**SECTION 3. APPROPRIATION - 2017-19 BIENNIUM - WORKFORCE DEVELOPMENT - EXEMPTION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $3,000,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation to enhance vocational opportunities, educational opportunities, and workforce development for individuals sentenced to the department of corrections and rehabilitation, including individuals placed in contract housing, for the period beginning with the effective date of this Act, and ending June 30, 2019. The department of corrections and rehabilitation shall consult with the southwest multi-county correction center regarding potential providers of vocational opportunities, educational opportunities, and workforce development. The appropriation in this section is not subject to section 54-44.1-11 and any unexpended funds from the appropriation may be used for enhancing vocational opportunities, educational opportunities, and workforce development for individuals sentenced to the department of corrections and rehabilitation during the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 2, line 23, replace "$1,468,000" with "$3,322,301"

Page 2, line 25, after the fourth comma insert "renovation of the Missouri River correctional center,"

Page 2, after line 26, insert:

"**SECTION 5. AMENDMENT.** Subsection 5 of section 12-47-36 of the North Dakota Century Code is amended and reenacted as follows:

5. Medical, psychological, or treatment records may be disclosed without prior application to the court to a public hospital or treatment facility, the department of human services, a community behavioral health program, a vocational rehabilitation program, a transitional living facility, or ~~to~~ a licensed private medical or treatment facility, when necessary for the evaluation, treatment, or care of a person who is or who has been in the custody of, or is or who has been under the supervision and management of, the adult services division of the department of corrections and rehabilitation.

SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION STUDY OF GENDER-RESPONSIVE SERVICES AND FACILITIES - REPORT. The appropriation in section 1 of this Act includes $100,000 from the general fund for the department of corrections and rehabilitation to study long-term gender-responsive correctional and rehabilitation facility and service needs during the 2019-20 interim. The department of corrections and rehabilitation, in consultation with representatives of the department of human services, judicial branch, tribal governments, and other private and public entities as determined by the department of corrections and rehabilitation, shall study gender-responsive facility and service needs of individuals sentenced to the department of corrections and rehabilitation. The study must include the preferable location of facilities, the service needs of individuals sentenced to the department of corrections and rehabilitation, and the impact on families of individuals sentenced to the department of corrections and rehabilitation. The department of corrections and rehabilitation may contract with consultants to assist in the study of gender-responsive correctional and rehabilitation facility and service needs and shall consider the results of the study in future appropriation requests. The department of corrections and rehabilitation shall report the results of its study to the legislative management by June 30, 2020.

SECTION 7. LEGISLATIVE INTENT - CONTRACT HOUSING FOR STATE INMATES. It is the intent of the sixty-sixth legislative assembly that the $11,905,311 appropriated in section 1 of this Act to house inmates at the southwest multi-county correction center's correctional facility in New England during the 2019-21 biennium be applied to house male inmates or female inmates, as determined by the governor with the approval of the southwest multi-county correction center. The governor shall consult with the department of corrections and rehabilitation and the southwest multi-county correction center in making the determination. The governor shall also consider the potential for workforce training and work release in making the determination. If the southwest multi-county correction center does not apporove the governor's determination by June 30, 2021, the department of corrections and rehabilitation may use the funding appropriated to house inmates at another facility.

SECTION 8. LEGISLATIVE INTENT - JAMES RIVER CORRECTIONAL CENTER AND STATE HOSPITAL CAMPUS INFRASTRUCTURE STUDY. It is the intent of the sixty-sixth legislative assembly that the $175,000 appropriated in section 1 of this Act for a campus infrastructure study of the James River correctional center and the state hospital consider the potential for the placement of minimum security male inmates in current structures on the state hospital campus.

SECTION 9. LEGISLATIVE INTENT - MINIMUM SECURITY FACILITY - JAMES RIVER CORRECTIONAL CENTER. It is the intent of the sixty-sixth legislative assembly that any minimum security facilities on the campus of the James River correctional center and state hospital not be enclosed with a fence.

SECTION 10. PRETRIAL SERVICES - PILOT PROGRAM - REPORT. The appropriation in section 1 of this Act includes $755,034 and seven full-time

equivalent positions for pretrial services. The department of corrections and rehabilitation may establish a pretrial services program as a pilot project in one or more judicial districts of the state during the biennium beginning July 1, 2019, and ending June 30, 2021. The department of corrections and rehabilitation and the judicial branch shall collaborate to develop guidelines and procedures for the administration of pretrial services for the district courts. The department of corrections and rehabilitation and the judicial branch shall provide a report regarding the process and outcome measures of the pretrial services program to the sixty-seventh legislative assembly."

Page 3, line 1, after "program" insert "for individuals in custody or under the supervision of the department of corrections and rehabilitation or for the continuation of programming, when necessary, for individuals no longer in custody or under the supervision of the department,"

Page 3, line 15, remove "The provisions of chapters 48-01.1 and 54-44.7"

Page 3, remove line 16

Page 3, line 17, replace "services for construction and renovation" with "Sections 54-01-05.2 and 54-01-05.5"

Page 3, remove lines 18 through 31

Page 4, replace lines 1 through 11 with:

"**SECTION 14. CONVEYANCE OF LAND AND BUILDINGS - 12 WEST AND 16 WEST - EXEMPTION.** The state of North Dakota, by and through the department of human services, may convey ownership of the 12 west and 16 west buildings and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. Sections 54-01-05.2 and 54-01-05.5 do not apply to this conveyance.

SECTION 15. EMERGENCY. The appropriation of $175,000 from the strategic investment and improvements fund for the James River correctional center and state hospital campus infrastructure study in section 1, the appropriation of $100,000 from the general fund for a gender-responsive services and facilities study in section 1, and sections 3, 6, and 8 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehab. - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Adult services	$220,757,448	$236,440,488	$14,610,895	$251,051,383
Youth services	30,740,509	32,095,945	190,385	32,286,330
Total all funds	$251,497,957	$268,536,433	$14,801,280	$283,337,713
Less estimated income	37,161,253	42,139,308	3,060,882	45,200,190
General fund	$214,336,704	$226,397,125	$11,740,398	$238,137,523
FTE	845.29	899.79	33.80	933.59

Department 530 - Department of Corrections and Rehab. - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adds FTE Positions and Related Operating Expenses[2]	Adjusts Funding for Transitional Services[3]	Adds One-Time Funding for Minimum Security Facilities[4]	Adds One-Time Funding for a Study[5]	Adds One-Time Funding for Female Facility Renovations[6]
Adult services	$1,411,771	$6,115,122	$1,599,367	$2,390,334	$100,000	$1,854,301
Youth services	190,385					
Total all funds	$1,602,156	$6,115,122	$1,599,367	$2,390,334	$100,000	$1,854,301
Less estimated income	66,581	0	0	0	0	1,854,301
General fund	$1,535,575	$6,115,122	$1,599,367	$2,390,334	$100,000	$0
FTE	0.00	33.80	0.00	0.00	0.00	0.00

	Adds One-Time Funding for a Rough Rider Industries Building[7]	Total Senate Changes
Adult services	$1,140,000	$14,610,895
Youth services		190,385
Total all funds	$1,140,000	$14,801,280
Less estimated income	1,140,000	3,060,882
General fund	$0	$11,740,398
FTE	0.00	33.80

[1] Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of $120 and a maximum monthly increase of $200, and 2.5 percent on July 1, 2020. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

[2] The following FTE positions and related funding are added:

	FTE	General Fund
Missouri River Correctional Center treatment positions	8.60	$1,891,810
James River Correctional Center minimum security positions	25.20	4,223,312
Total	33.80	$6,115,122

[3] Funding is adjusted for transitional services, including the addition of $549,626 for the Bismarck Transition Center contract and the restoration of $1,049,741 removed by the House.

[4] One-time funding is added for facilities for minimum security inmates at the James River Correctional Center. The funding may be used to renovate facilities transferred from the State Hospital to the Department of Corrections and Rehabilitation or for the lease or purchase of two temporary housing units for use as minimum security housing at the James River Correctional Center.

[5] One-time funding of $100,000 from the general fund is added for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.

[6] One-time funding of $1,854,301 from the strategic investment and improvements fund is added to convert the Missouri River Correctional Center into a female correctional and rehabilitation facility.

[7] One-time funding from the Rough Rider Industries fund is added for the construction of a Rough Rider Industries building at the James River Correctional Center.

House Bill No. 1015 - Other Changes - Senate Action

This amendment also:

- Adds a section to provide a 2017-19 biennium appropriation of $3 million from the

general fund to the Department of Corrections and Rehabilitation to enhance vocational and education opportunities for inmate workforce development.

- Adjusts the section identifying the amount appropriated in Section 1 from the strategic investment and improvements fund.
- Adds a section to amend North Dakota Century Code Section 12-47-36(5) relating to disclosure of confidential records.
- Adds a section to provide for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.
- Adds a section to provide legislative intent that the Governor determine the location of male and female inmates in consultation with the Department of Corrections and Rehabilitation and the Southwest Multi-County Correction Center.
- Adds a section to provide legislative intent that the campus infrastructure study of the James River Correctional Center and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
- Adds a section to provide legislative intent that no fence be placed around facilities used for minimum security male inmates.
- Adds a section to provide for the establishment of a pretrial services pilot project.
- Adjusts the section providing carryover authority relating to the free through recovery program to allow the funding to be used for the continuation of programming for individuals no longer in the custody or under the supervision of the Department of Corrections and Rehabilitation.
- Adds a section to allow for the conveyance of the West 12 and West 16 buildings from the State Hospital to the Department of Corrections and Rehabilitation for use as a minimum security facility.

2019 CONFERENCE COMMITTEE

HB 1015

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
4/17/2019
34817

☐ Subcommittee
☒ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:
Conference committee.

Minutes: A,B

Opened hearing. Took roll. **Attachments A and B** were handed out before meeting.

Chairman Nelson: Being this is the first meeting, tell us what you did.

Senator Wanzek: I am looking at the amendments that we passed. I would like to look at section 7, that is the most critical thing that we did. We were shown 3 different options, as you were too. The executive option was to move the women into the (MRCC) Missouri River Correctional Center, another is to leave it as it is, and another is to let the people that are qualified to make these decisions.

Chairman Nelson: So we are working off the engrossed 3000 version, section 7.

Senator Wanzek: We heard from the folks from New England, and they think that this is all happening too fast. We did hear from the people at the corrections and they felt that there would be more benefits to move the women to the Bismarck area and then move some men out to the New England facility. We felt that we saw a purpose for the New England facility to help those men transition back into society. That is what section 7 is. We are giving them 2 years to make that decision. We also included an amendment that would provide 3 million dollars to update the vocation training out at the New England facility.

Chairman Nelson: You are funding the general fund for 3 million dollars.

Senator Wanzek: That is the discussion now, and if that if the choice then we can include the 3 million to update those services. We are not telling them to move the women, but we are giving them a choice along with others to do so. We also put in a study for the gender response facility and service needs. There is also a study in section 8 that will address the Jamestown Correctional facility at the State Hospital. That is also for the minimal security inmates that are currently at the MRCC. There are emergency clauses on those 2 studies. Then we get to section 14, the 2 buildings. In the budget there are dollars identified to man camps to house inmates in the camps at the state hospital. That will not require a security

fence. Our thought was that if you are going to but 2.4 into a housing plan, only 1 floor of the one building and that could be transferred to a different section of the building. So rather than spending that 2.4 million in the temporary housing, we felt that instead they should do some research on those 2 buildings and see how they can become a more permanent fix for housing male inmates. That all triggers some FTE (fulltime employees) requirements and some dollar requirements. If the women are moved to MRCC, we were informed that it would require 8.6 FTE and their salary would be a 1.89 million with a onetime fee of 1,854,000 form the SIIF fund for repairs. There is also the onetime funding for the JRCC (Jamestown River Correctional Center) minimum security facility that we would like to see a permanent fix for those 2 buildings. We left that option open really. So after research is done, and those buildings just absolutely won't work, then we will be left at looking at the man camp type facilities.

Chairman Nelson: Do you have the worksheet that Legislative Council (LC) prepared?

Senator Wanzek: Yes.

Chairman Nelson: Let's walk through that. **(see attachment B)**

Senator Wanzek: I think that we made an assumption that that decision would be made within a certain amount of time.

Chairman Nelson: The employees wont, but what about the 1.8, what is the timeline to renovate?

Senator Wanzek: The need for these FTE and dollars will not be there until the women are moved and the whole domino effect is triggered.

Chairman Nelson: So it's a contingent?

Senator Wanzek: Yes. I'm hoping to give the New England staff and facility some time to process this and to have some say in the process.

Chairman Nelson: That was our efforts as well. **(continued attachment B)** Is there a significant change in resources and staffing if that change is made with the JRCC?

Dave Krabbenhoft, DOCR: We don't know yet, but we are willing to see what happens with it.

Chairman Nelson: (continued attachment B) So you are paying the per day census costs?

Senator Wanzek: Yes, we are agreeing to continue with the contract that we have with the Dakota Women's Correctional and Rehabilitation Center.

Chairman Nelson: If there was an agreement to accept the men at the New England facility, there will be a significant difference in the daily rate for those men as compared to the women that are there now.

Senator Wanzek: We did not drill down on that number and how it will change. We may need to discuss that.

Chairman Nelson: The study that we funded in the first half, it looks like the Senate has split that into several parts. Are there similarities?

Mr. Krabbenhoft; There is. We are directed to sit down with the Governor's office and figure out the gender that will be housed at the New England facility. We also have to determine the gender specific updates in the facilities. The language that might not be there, but I think that they are similar.

Senator Mathern: I would see them as somewhat different. The one study is to see how we make a local deal here work. And the other study is to see how was as a state respond to female needs in long term. The reason the wording is as they are being because there are certain consultants across the country that are experts at this. We are having someone who has done research and someone who can tell us what the outcome studies have for the women. When you look at corrections and rehabilitation work, you recognize that people don't get well unless they are getting treatment in the community they will live in. That one study will be more comprehensive and then other one is to see how we make a local deal work.

Chairman Nelson: I see that you have left the 250,000 that we had in there and added 100,000 for the new study. So it is now 350,000 total for study?

Mr. Krabbenhoft; Yes, some of it is for YCC (Youth Correctional Center) and then for the JRCC and MRCC and the New England facility.

Chairman Nelson: Ok, I do remember that you added the YCC in there as well. I wouldn't have a disagreement with that. I think in principle we agree with a lot of the amendments you made.

Senator Mathern: I would like to add that a lot of the Senate changes came from the rumors that came from the House and that you didn't have the time to work out the details.

Senator Wanzek: I think the Senate version is a mix of what you did and the executive budget recommendation.

Meeting closed.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
4/18/2019
34852

☐ Subcommittee
☒ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:
Conference committee.

Minutes: A

Opened hearing. Took roll.

Chairman Nelson: I know that there are some discussions on some areas of the bill. But today we can discuss section 10 for the bill. **(see attachment A)**

Leann Bertsch, Director of the Department of Corrections and Rehabilitation: This amendment is to the language in Section 10 really just clarifies what we were intending to do anyway, so we don't have any objections.

Chairman Nelson: The 3 judicial districts were what?

Ms. Bertsch: The department will not pick the districts. We plan on bringing in all of the stake holders, and then they will give the input as to where they should be.

Senator Wanzek: Is the significance mostly for collaborating for some of the county and regional folks?

Ms. Bertsch: It clarifies. We were intending that it would be larger than the department, and this will clarify that.

Senator Lee: There was a shall, is that?

Ms. Bertsch: I think that it is good that it is shall. You are giving us the resources to do it, and I think that we will.

Chairman Nelson: When Representative Hanson brought that to me, and then there is an appropriation in the bill there is an expectation to do that, so I think that you are right.

Ms. Bertsch; I think that it is good.

Representative Holman: It says the fact that they will make recommendations to the next legislative session I think is of importance too.

Chairman Nelson: I think we took care of that. We're really at a standstill. My understanding is that leadership is visiting about the provisions that the Senate put in about where and how the timelines will be. There were some misunderstandings about the timelines and about how an agreement is going to be made. As I read the bill, we would be back in session before this would take place if all of the time is used.

Senator Wanzek: When we first met in the subcommittees in the Senate, as we worked through this process and kept hearing that, we didn't want to discourage any movement before if everybody is in agreement. However, we gave everyone some veto power if it moves along or not. If the governor and New England is in agreement, then I would think that they would see some opportunity for economic development in utilizing these resources. If they are interested, we would be interested. That would require all of them to be in agreement.

Senator Mathern: I really think Senator Wanzek is correct. We have added emergency clauses to permit them to get going right now. I think there are other entities in the state that would be interested in this proposal. I think that there are other contractors of the department that would be interested and other employers that would like to participate. I think New England has first opportunity because of their relationship and services they have provided but I think that the longer that this is not developed, then more people will come forward.

Chairman Nelson: So you think that is the leverage that New England has, is time in the upcoming biennium, because they are the only player in this conversation. So before we come back next session, there might be other players.

Senator Mathern: I think they will be interested even before this coming session. They are the first ones that have the floor though.

Senator Wanzek: I guess to be blunt honest about it. The 2-year delay is for New England's sake because of the relationship and commitment they made in this center. We are giving them first option to provide this other service for us, and I think that the longer they wait, they will lose more opportunities. There will be another session before the 2-year deadline is here. This is mainly to give them some empathy and consideration while the department is still getting stuff done.

Chairman Nelson: I would like to spend some more time on the language, are we looking at the same group doing 2 different studies, or are they the same?

Ms. Bertsch: The 2 different studies. The 1 study is for the physical infrastructure, that is architectural and engineering services to look at the structure of the buildings. The other study is for the gender responsive centers. That is a specialized service. That is to look at what is the state doing for women that are incarcerated in our system. That would be a specialized study done by a consultant that is hired by the department.

Chairman Nelson: So the contract would go through the department and would hire the consultant?

Ms. Bertsch: Yes.

Chairman Nelson: Is it the same with the architectural study as well? When we did the addition to the state penitentiary, was that the same?

Ms. Bertsch: Yes. When that happened we had to go out and get bids and then we reviewed the top 3 or 4 and had Representative Westlind to participate in our conversations as well.

Charmin Nelson: Was Representative Westlind the only pen to participate?

Ms. Bertsch: Yes.

Chairman Nelson: So would you look at having some legislative involvement as well?

Ms. Bertsch: Absolutely. We want to have legislative presence involved in the whole process.

Senator Mathern: We began this review last biennium in part because there is also a staffing issue when there is a huge campus and space between the buildings. The requirements for that size of buildings has certain staffing requirements with it. There are many buildings there and many acres and it isn't coordinated to the present population. We also learned that the director and the system is doing more in terms of related services to the home communities and in fact is involving the community more so. They have activities in supporting youth off of the campus and there are things going on in the arena of youth corrections that don't fit anymore with what we have for a campus. So I think the House putting that amount of money in is really impotent to the challenges that we have now.

Chairman Nelson: I would agree with you. We need to have a vary thorough look at how we are doing things. I think we have done about all that we can do.

Senator Wanzek: I need to ask; I am getting some push back from local employees about the transition for the Thompkins facility.

Ms. Bertsch: There is some concern from the current state hospital employees. We need to make this move. They will be better off under the department of corrections. There is stigma that by somehow working for the prison system we are less therapeutic. We run the most therapeutic prison system in the nation. The services at that building will still remain just as therapeutic and the programs will stay the same if not improve.

Senator Wanzek: Will this change traffic or change the road?

Ms. Bertsch: No! It is the exact same population and the exact same staffing as it is right now.

Senator Mathern: In relation to those questions, what has been done to talk with these employees?

Ms. Bertsch: Our staff there have done a lot to try to include them in meetings. There has been an interesting dynamic as to the administration that aren't allowing involvement so much.

Chairman Nelson: The issue that we have remaining is the transfer issue. Are there any other issues? I would hope that we would have some idea as to what direction the discussions are taking before we meet again.

Senator Wanzek: I was approached by one house member as to why I am making my own deals, and I have not made any of my own deals that the leadership doesn't know about. I think you are right. We will not solve this all on our own. I think we have tried to be fair in the approach that we are taking.

Senator Mathern: I think another thing we are dealing with is change. 15 years ago I used to fight with the director about the philosophy of corrections and I think that the directors and leadership have all become much more unified in the direction of corrections. That all took change.

Meeting closed.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
4/23/2019
34928

☐ Subcommittee
☒ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:
Conference committee.

Minutes:

Opened hearing. Took roll.

Chairman Nelson: We will start off with I don't know how this meeting got scheduled. I thought we were waiting on some clarity on leadership as to where to 2 leaders are on this. That having been said, I did visit with Senator Wanzek about the bill and I think it would be good to back up and look at the model of how the penitentiary was built.

Senator Wanzek: I don't know if I am the one to walk you through it. I can explain it a little bit. Leadership may not have decided, but when visiting with them there was request to find some savings in the budget, and I don't know how to do it without taking into consideration the female residents in New England. Before the weekend I left a message with both Leanne and Dave and I have a discussion with them as to how the penitentiary was built. They put a fund in that would establish that they were committed to that project. The fund wasn't used, but it was more symbolic that the legislature was dedicated to this project. In section 7 of that old bill they appropriated funds to a study of the penitentiary and the resources that are being used. Section 10 is then the main part of the way they addressed that issue and that was establishing a corrections facility review committee and how that plan would fall into place. We could take that same approach in addressing the female residents. We would put this similar committee in place to work on that in the next 2 years and bring a more comprehensive detailed plan for the next session. That would also include the vocational training that could be put in place. I am still hearing that everyone thinks this is happening too fast. The thought of having a more detailed comprehensive plan coming into next session, we would be able to address this situation more effectively.

Representative Anderson: I agree when you mentioned the study. I am very in favor of having a plan ad a specific one at that.

Senator Wanzek: I would hope that if we can't do it right now and can't make that move right now because of the funding, I hope we don't kick the can down the road. We have to put

together a plan for the next session on how we approach correction services for both female and male inmates.

Senator Mathern: I think we have a comprehensive plan and the executive budget laid it out and its being rejected. However, we should probably do a better job at explaining to leadership as to what the department has and what we put together actually is a useful plan. We have studies in there already. It probably isn't communicated very well to leadership. Maybe using an outline like it was in the past and then putting these things into context is useful. This is very flexible too. We think that this is happening very fast, but the people that are doing this have been planning this for years. We have a plan for this New England facility that carries us through to the time when we have a more comprehensive plan. I'm hoping that we can take out some money from the budget, but still realize that there are plans in here and we shouldn't take those out. I hope that we don't turn off the creativity in the department by not doing this. I think we need to do more communication with leadership, cut money out of this budget, and make the interim plan more cohesive and acceptable.

Chairman Nelson: I would disagree with much of what you have said, except with us trying to do some of the things that you have said and it hasn't been able to do them through the House side. I would say that it hasn't changed very much through this session. The way that it was presented to the legislature and to the community of New England wasn't on the right track and I don't think that we have been able to have those discussions on a serious path because of that. I think that if we out together a study that is much like what happened with the penitentiary then we can get to where we need to go in the next biennium. That commitment is a real one that we would make that leap and move forward. I think that is the direction that we can get past in the House. It's not just leadership, our body was very against this. They didn't want things to change as fast as they were being planned. I think we need to find out what we can do to move the bar and continue those discussions.

Leanne Bertsch, Director of DOCR: I think that study that you have in the House bill regarding James River Correctional Center (JRCC) and Youth Correctional Center (YCC) are separate from the gender issue. If we are going to look at a study to look at the women in the criminal justice system, I think that is a separate study. I think we would want some specific language around the women inmates. I envision that being something like what we did in 2007. There are national experts that can advise us as to what we can do with women. We have the opportunity that we are still small, and we can do some very different things. There are a lot of movement where we don't grow the number of women, but instead implement services to reduce the total number. The problem is that there is such a small part of the incarcerated population where we applied policies that are affective for men, but not for women. I think that we also need legislative influence for the entire interim on this study. I think there is a way of looking at this for the long term of North Dakota.

Senator Mathern: It seems like we are moving towards a comprehensive study, what would be the most useful outline of this? Would we take the 2007 format and then put these studies into that format, or do you want these separate?

Ms. Bertsch: I think the YCC and JRCC study are separate and can be put into this previous study format. I think that this women's study is separate and different. For women I think there are a lot of pieces to it, the facility for sure.

Representative Holman: In version 2009 which didn't go anywhere, section 6 talks about the study of gender responsive facilities, that is what you are talking about here?

Ms. Bertsch: Yes, but that language leaves it up to the department. I think that we should have a small legislative committee for the interim that can carry out these studies and figure out this plan.

Representative Holman: I am in that same position. This study I think is just a start, I think that the whole start needs to have a study on the facilities and resources. However, we don't do it over night and that is what is happening here. We are setting a timeline for this study.

Chairman Nelson: I have heard discussion about the need for more funding for the Bismarck Transitional Center (BTC) and their contract?

Dave Krabbenhoft, Director of DOCR: As you recall when the executive recommendation came out and how we prepared the budget, we were moving away from New England, and we have women housed at both facilities. So when we moved those women we wouldn't need the BTC facility anymore. As the budget stands now, there is funding for 8 months for BTC.

Chairman Nelson: So that just continues the current?

Mr. Krabbenhoft; Right, but if we continue with the New England facility we will still need funding for the BTC facility.

Chairman Nelson: I think we will get more information for the next meeting, but I think there is a main concern for the YCC facility as well.

Senator Wanzek: I did go visit Alex before this meeting, and I did plan the seed there.

Meeting closed.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Human Resources Division
Sakakawea Room, State Capitol

HB1015
4/24/2019
34991

☐ Subcommittee
☒ Conference Committee

Committee Clerk: Caitlin Fleck

Explanation or reason for introduction of bill/resolution:
Conference committee.

Minutes: A,B

Opened hearing. Took roll.

Chairman Nelson: Alex can you walk us through the amendment and the worksheet you put together?

Alex Cronquist, Legislative Council (LC): (see attachments A and B)

Senator Mathern: The study of the Youth Correctional Center (YCC) facility and programming, that is funded but there is no wording in here, is it someplace else in the bill?

Mr. Cronquist: No the YCC was not specifically included in the study. YCC is a part of the department, so they can study it but it doesn't specifically say it.

Senator Mathern: What is the 75,000?

Mr. Cronquist: it is for an infrastructure study.

Senator Mathern: I'm concerned that we don't have any wording for the youth study. I'm also concerned that there is not any ability to move on some of these decisions made in this session.

Chairman Nelson: I think that the appropriation is pretty locked in and I'm understanding that the committee is established and then the findings from that committee will be brought forward for next session. Do you feel you need language for the study for YCC?

Leanne Bertsch, Director of DOCR: Lisa, Dave, and I sat down and helped with the language and we feel that the linage gives us the ability to study the whole department, and it is efficient.

Chairman Nelson: That is separate from the work that this committee is set up to do?

Ms. Bertsch: I would think that that 6-person committee will look at the YCC.

Senator Wanzek: I think that the language is broad enough so that they can study the whole department. I agree with you that the purpose of this committee is to put effort into this to make a comprehensive plan for the next session. We see the purpose of this plan, we want to come back more prepared next time with a plan.

Senator Mathern: I'm disappointed, I think we had a great opportunity at New England, I don't think that there will be energy there come2-4 years.

Senator Wanzek: I move that the Senate recede from Senate amendments and further amend.

Representative Anderson: Second.

Roll Call Vote 1: 5 Yes, 1 No, 0 Absent. Motion Carries.

Floor assignment: **Representative Nelson and Senator Wanzek**

Meeting closed.

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Fiscal No. 4

Prepared by the Legislative Council staff for
Representative J. Nelson
April 24, 2019

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1734-1738 of the House Journal and pages 1429-1433 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 5 of section 12-47-36 of the North Dakota Century Code, relating to disclosure of confidential records;"

Page 1, line 3, remove "and"

Page 1, line 3, after "report" insert "to provide for a department of corrections and rehabilitation review committee; and to provide an exemption"

Page 1, replace lines 13 through 17 with:

"Adult services	$220,757,448	$18,590,187	$239,347,635
Youth services	30,740,509	1,545,821	32,286,330
Total all funds	$251,497,957	$20,136,008	$271,633,965
Less estimated income	37,161,253	4,794,636	41,955,889
Total general fund	$214,336,704	$15,341,372	$229,678,076"

Page 2, replace lines 3 and 4 with:

"Youth correctional center campus infrastructure study	0	75,000
Department of corrections and rehabilitation study	0	400,000"

Page 2, replace lines 15 through 17 with:

"Total all funds	$2,102,907	$3,222,950
Less estimated income	2,102,907	1,831,700
Total general fund	$0	$1,391,250"

Page 2, line 23, replace "$1,468,000" with "$1,218,000"

Page 2, line 24, remove "campus infrastructure studies,"

Page 2, after line 26, insert:

"**SECTION 4. AMENDMENT.** Subsection 5 of section 12-47-36 of the North Dakota Century Code is amended and reenacted as follows:

5. Medical, psychological, or treatment records may be disclosed without prior application to the court to a public hospital or treatment facility, the department of human services, a community behavioral health program, a vocational rehabilitation program, a transitional living facility, or ~~to~~ a licensed private medical or treatment facility, when necessary for the evaluation, treatment, or care of a person who is or who has been in the custody of, or is or who has been under the supervision and management of, the adult services division of the department of corrections and rehabilitation.

SECTION 5. PRETRIAL SERVICES - PILOT PROGRAM - REPORT. The appropriation in section 1 of this Act includes $755,034 and seven full-time equivalent positions for pretrial services. The department of corrections and rehabilitation shall establish a pretrial services program as a pilot project in three judicial districts of the state during the biennium beginning July 1, 2019, and ending June 30, 2021. The department of corrections and rehabilitation and the judicial branch shall collaborate with each other and with the commission on legal counsel for indigents and county and regional corrections to develop guidelines and procedures for the administration of pretrial services for the district courts for individuals charged with felony and misdemeanor offenses. The department of corrections and rehabilitation and the judicial branch shall provide a report regarding the process and outcome measures of the pretrial services program together with recommendations to the sixty-seventh legislative assembly."

Page 3, line 1, after "program" insert "for individuals in custody or under the supervision of the department of corrections and rehabilitation or for the continuation of programming, when necessary, for individuals no longer in custody or under the supervision of the department,"

Page 3, line 15, remove "The provisions of chapters 48-01.1 and 54-44.7"

Page 3, remove line 16

Page 3, line 17, replace "services for construction and renovation" with "Sections 54-01-05.2 and 54-01-05.5"

Page 3, remove lines 18 through 31

Page 4, replace lines 1 through 11 with:

"**SECTION 9. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS AND REHABILITATION REVIEW COMMITTEE - MEMBERSHIP - DUTIES.**

1. During the 2019-20 interim, the legislative management shall study the department of corrections and rehabilitation. The legislative management shall create a department of corrections and rehabilitation review committee to conduct the study, consisting of six members as follows:

   a. Three members of the house of representatives selected by the majority leader 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 selected by the majority leader 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 management chairman shall designate the committee chairman and vice chairman and the legislative council shall provide staff services for the committee.

3. The committee shall conduct a comprehensive study of the department of corrections and rehabilitation. The study must include:

a. A review, with input from a consultant engaged by the department of corrections and rehabilitation, of gender-responsive correctional and rehabilitation facility and service needs. The review must include:

(1) The preferable location of facilities;

(2) The service needs of individuals sentenced to the department of corrections and rehabilitation; and

(3) The impact on families of individuals sentenced to the department of corrections and rehabilitation.

b. An assessment of facilities at the Missouri River correctional center, the James River correctional center, and the state hospital, with input from a consultant engaged by the department of corrections and rehabilitation. The assessment must:

(1) Include the department of corrections and rehabilitation master plan, staffing plan, comprehensive service delivery strategy, and cost estimates;

(2) Be based on providing comprehensive services to those committed to the care, custody, and control of the department of corrections and rehabilitation;

(3) Include options for community-based and family-involved environments; and

(4) Consider the opportunity for vocational and workforce development.

c. A review of vocational opportunities, educational opportunities, workforce development, and medical and behavioral health treatment for those committed to the care, custody, and control of the department of corrections and rehabilitation.

4. The committee shall advise the department of corrections and rehabilitation on the department's selection of consultants to assist the department and the committee in its study, for which $400,000 is included in the appropriation from the general fund in section 1 of this Act.

5. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehab. - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Adult services	$220,757,448	$236,440,488	$2,907,147	$239,347,635	$251,051,383	($11,703,748)
Youth services	30,740,509	32,095,945	190,385	32,286,330	32,286,330	
Total all funds	$251,497,957	$268,536,433	$3,097,532	$271,633,965	$283,337,713	($11,703,748)
Less estimated income	37,161,253	42,139,308	(183,419)	41,955,889	45,200,190	(3,244,301)
General fund	$214,336,704	$226,397,125	$3,280,951	$229,678,076	$238,137,523	($8,459,447)

FTE	845.29	899.79	0.00	899.79	933.59	(33.80)

Department 530 - Department of Corrections and Rehab. - Detail of Conference Committee Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adjusts Funding for Transitional Services[2]	Adjusts One-Time Funding for Infrastructure Studies[3]	Adds One-Time Funding for Consultants[4]	Total Conference Committee Changes
Adult services	$1,082,780	$1,599,367	($175,000)	$400,000	$2,907,147
Youth services	190,385				190,385
Total all funds	$1,273,165	$1,599,367	($175,000)	$400,000	$3,097,532
Less estimated income	66,581	0	(250,000)	0	(183,419)
General fund	$1,206,584	$1,599,367	$75,000	$400,000	$3,280,951
FTE	0.00	0.00	0.00	0.00	0.00

[1] Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of $120 and a maximum monthly increase of $200, and 2.5 percent on July 1, 2020, the same as the Senate version. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

[2] Funding is adjusted for transitional services, including the addition of $549,626 for the Bismarck Transition Center contract and the restoration of $1,049,741 removed by the House. The Senate version also included this adjustment.

[3] One-time funding from the strategic investment and improvements fund for a campus infrastructure study of the James River Correctional Center and State Hospital is removed. The funding for the campus infrastructure study at the Youth Correctional Center is adjusted to provide funding from the general fund rather than the strategic investment and improvements fund. Both the House and Senate included funding from the strategic investment and improvements fund for the studies.

[4] One-time funding of $400,000 from the general fund is added for the Department of Corrections and Rehabilitation to hire consultants, with advice from a newly created Legislative Management committee, to assist the department and the Legislative Management in a study of the Department of Corrections and Rehabilitation. Neither the House nor the Senate provided funding to assist with this study.

The Conference Committee did not include the following adjustments made by the Senate:

- The addition of 8.6 FTE Missouri River Correctional Center treatment positions and $1.9 million from the general fund;
- The addition of 25.2 FTE James River Correctional Center minimum security positions and $4.2 million from the general fund;
- The addition of $2.4 million of one-time funding from the general fund for minimum security facilities at the James River Correctional Center;
- The addition of $100,000 of one-time funding from the general fund for a study of gender-responsive services and facilities;
- The addition of $1.9 million of one-time funding from the strategic investment and improvements fund for Missouri River Correctional Center renovations; and
- The addition of $1.1 million of one-time funding from the Rough Rider Industries fund for construction of a Rough Rider Industries building at the James River Correctional Center.

House Bill No. 1015 - Other Changes - Conference Committee Action

This amendment also:

- Does not include a section added by the Senate to provide a 2017-19 biennium appropriation of $3 million from the general fund to the Department of Corrections and Rehabilitation to enhance vocational and education opportunities for inmate workforce development.
- Adds a section to amend North Dakota Century Code Section 12-47-36(5) relating to disclosure of confidential records. The Senate also included this section.
- Does not include a section added by the Senate to provide for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.
- Does not include a section added by the Senate to provide legislative intent that the Governor determine the

location of male and female inmates in consultation with the Department of Corrections and Rehabilitation and the Southwest Multi-County Correction Center.

- Does not include a section added by the Senate to provide legislative intent that a campus infrastructure study of the James River Correctional Center and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
- Does not include a section added by the Senate to provide legislative intent that no fence be placed around facilities used for minimum security male inmates.
- Adds a section to provide for the establishment of a pretrial services pilot project. The Senate included a similar section.
- Adjusts the section providing carryover authority relating to the free through recovery program to allow the funding to be used for the continuation of programming for individuals no longer in the custody or under the supervision of the Department of Corrections and Rehabilitation. The Senate also included this adjustment.
- Does not include a section added by the Senate to allow for the conveyance of the 12 West and 16 West buildings from the State Hospital to the Department of Corrections and Rehabilitation for use as a minimum security facility.
- Adds a section to create a Department of Corrections and Rehabilitation review committee to study the department during the 2019-20 interim.

Date:
Roll Call Vote #:

2019 HOUSE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 1015 as (re) engrossed

House Appropriations Human Services Committee

Action Taken

- ☐ **HOUSE accede to Senate Amendments**
- ☐ **HOUSE accede to Senate Amendments and further amend**
- ☐ **SENATE recede from Senate amendments**
- ☐ **SENATE recede from Senate amendments and amend as follows**

☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: _____ Seconded by: _____

Representatives	4/17	4/18	4/23	Yes	No	Senators	4/17	4/18	4/23	Yes	No
Chairman Nelson	X	X	X			Senator Wanzek	X	X	X		
Representative Anderson	X	X	X			Senator Lee	X	X	X		
Representative Holman	X	X	X			Senator Mathern	X	A	X		
Total Rep. Vote						Total Senate Vote					

Vote Count Yes: _____ No: _____ Absent: _____

House Carrier _____ Senate Carrier _____

LC Number _____ . _____ of amendment

LC Number _____ . _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

Date: 4/24/19
Roll Call Vote #: 1

2019 HOUSE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 1015 as (re) engrossed

House Appropriations Human Services Committee

Action Taken

- ☐ **HOUSE accede to Senate Amendments**
- ☐ **HOUSE accede to Senate Amendments and further amend**
- ☐ **SENATE recede from Senate amendments**
- ☒ **SENATE recede from Senate amendments and amend as follows**
- ☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Sen. Wanzek Seconded by: Rep. Anderson

Representatives	4/24			Yes	No	Senators	4/24			Yes	No
Chairman Nelson	X			X		Senator Wanzek	X			X	
Representative Anderson	X			X		Senator Lee	X			X	
Representative Holman	X			X		Senator Mathern	X				X
Total Rep. Vote				3	Ø	Total Senate Vote				2	1

Vote Count Yes: 5 No: 1 Absent: Ø

Motion Carries

House Carrier Rep. Nelson Senate Carrier Sen. Wanzek

LC Number _____ . _____ of amendment

LC Number _____ . _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

19.0203.02015

Insert LC: 19.0203.02015
House Carrier: J. Nelson
Senate Carrier: Wanzek

REPORT OF CONFERENCE COMMITTEE

HB 1015, as engrossed: Your conference committee (Sens. Wanzek, G. Lee, Mathern and Reps. J. Nelson, B. Anderson, Holman) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1734-1738, adopt amendments as follows, and place HB 1015 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1734-1738 of the House Journal and pages 1429-1433 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 5 of section 12-47-36 of the North Dakota Century Code, relating to disclosure of confidential records;"

Page 1, line 3, remove "and"

Page 1, line 3, after "report" insert "to provide for a department of corrections and rehabilitation review committee; and to provide an exemption"

Page 1, replace lines 13 through 17 with:

"Adult services	$220,757,448	$18,590,187	$239,347,635
Youth services	30,740,509	1,545,821	32,286,330
Total all funds	$251,497,957	$20,136,008	$271,633,965
Less estimated income	37,161,253	4,794,636	41,955,889
Total general fund	$214,336,704	$15,341,372	$229,678,076"

Page 2, replace lines 3 and 4 with:

"Youth correctional center campus infrastructure study	0	75,000
Department of corrections and rehabilitation study	0	400,000"

Page 2, replace lines 15 through 17 with:

"Total all funds	$2,102,907	$3,222,950
Less estimated income	2,102,907	1,831,700
Total general fund	$0	$1,391,250"

Page 2, line 23, replace "$1,468,000" with "$1,218,000"

Page 2, line 24, remove "campus infrastructure studies,"

Page 2, after line 26, insert:

"**SECTION 4. AMENDMENT.** Subsection 5 of section 12-47-36 of the North Dakota Century Code is amended and reenacted as follows:

5. Medical, psychological, or treatment records may be disclosed without prior application to the court to a public hospital or treatment facility, the department of human services, a community behavioral health program, a vocational rehabilitation program, a transitional living facility, or ~~to~~ a licensed private medical or treatment facility, when necessary for the evaluation, treatment, or care of a person who is or who has been in the custody of, or is or who has been under the supervision and management of, the adult services division of the department of corrections and rehabilitation.

SECTION 5. PRETRIAL SERVICES - PILOT PROGRAM - REPORT. The appropriation in section 1 of this Act includes $755,034 and seven full-time

equivalent positions for pretrial services. The department of corrections and rehabilitation shall establish a pretrial services program as a pilot project in three judicial districts of the state during the biennium beginning July 1, 2019, and ending June 30, 2021. The department of corrections and rehabilitation and the judicial branch shall collaborate with each other and with the commission on legal counsel for indigents and county and regional corrections to develop guidelines and procedures for the administration of pretrial services for the district courts for individuals charged with felony and misdemeanor offenses. The department of corrections and rehabilitation and the judicial branch shall provide a report regarding the process and outcome measures of the pretrial services program together with recommendations to the sixty-seventh legislative assembly."

Page 3, line 1, after "program" insert "for individuals in custody or under the supervision of the department of corrections and rehabilitation or for the continuation of programming, when necessary, for individuals no longer in custody or under the supervision of the department,"

Page 3, line 15, remove "The provisions of chapters 48-01.1 and 54-44.7"

Page 3, remove line 16

Page 3, line 17, replace "services for construction and renovation" with "Sections 54-01-05.2 and 54-01-05.5"

Page 3, remove lines 18 through 31

Page 4, replace lines 1 through 11 with:

"**SECTION 9. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS AND REHABILITATION REVIEW COMMITTEE - MEMBERSHIP - DUTIES.**

1. During the 2019-20 interim, the legislative management shall study the department of corrections and rehabilitation. The legislative management shall create a department of corrections and rehabilitation review committee to conduct the study, consisting of six members as follows:

   a. Three members of the house of representatives selected by the majority leader 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 selected by the majority leader 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 management chairman shall designate the committee chairman and vice chairman and the legislative council shall provide staff services for the committee.

3. The committee shall conduct a comprehensive study of the department of corrections and rehabilitation. The study must include:

   a. A review, with input from a consultant engaged by the department of corrections and rehabilitation, of gender-responsive correctional and rehabilitation facility and service needs. The review must include:

(1) The preferable location of facilities;

(2) The service needs of individuals sentenced to the department of corrections and rehabilitation; and

(3) The impact on families of individuals sentenced to the department of corrections and rehabilitation.

b. An assessment of facilities at the Missouri River correctional center, the James River correctional center, and the state hospital, with input from a consultant engaged by the department of corrections and rehabilitation. The assessment must:

(1) Include the department of corrections and rehabilitation master plan, staffing plan, comprehensive service delivery strategy, and cost estimates;

(2) Be based on providing comprehensive services to those committed to the care, custody, and control of the department of corrections and rehabilitation;

(3) Include options for community-based and family-involved environments; and

(4) Consider the opportunity for vocational and workforce development.

c. A review of vocational opportunities, educational opportunities, workforce development, and medical and behavioral health treatment for those committed to the care, custody, and control of the department of corrections and rehabilitation.

4. The committee shall advise the department of corrections and rehabilitation on the department's selection of consultants to assist the department and the committee in its study, for which $400,000 is included in the appropriation from the general fund in section 1 of this Act.

5. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehab. - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Adult services	$220,757,448	$236,440,488	$2,907,147	$239,347,635	$251,051,383	($11,703,748)
Youth services	30,740,509	32,095,945	190,385	32,286,330	32,286,330	
Total all funds	$251,497,957	$268,536,433	$3,097,532	$271,633,965	$283,337,713	($11,703,748)
Less estimated income	37,161,253	42,139,308	(183,419)	41,955,889	45,200,190	(3,244,301)
General fund	$214,336,704	$226,397,125	$3,280,951	$229,678,076	$238,137,523	($8,459,447)
FTE	845.29	899.79	0.00	899.79	933.59	(33.80)

Department 530 - Department of Corrections and Rehab. - Detail of Conference Committee Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adjusts Funding for Transitional Services[2]	Adjusts One-Time Funding for Infrastructure Studies[3]	Adds One-Time Funding for Consultants[4]	Total Conference Committee Changes
Adult services	$1,082,780	$1,599,367	($175,000)	$400,000	$2,907,147
Youth services	190,385				190,385
Total all funds	$1,273,165	$1,599,367	($175,000)	$400,000	$3,097,532
Less estimated income	66,581	0	(250,000)	0	(183,419)
General fund	$1,206,584	$1,599,367	$75,000	$400,000	$3,280,951
FTE	0.00	0.00	0.00	0.00	0.00

[1] Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of $120 and a maximum monthly increase of $200, and 2.5 percent on July 1, 2020, the same as the Senate version. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

[2] Funding is adjusted for transitional services, including the addition of $549,626 for the Bismarck Transition Center contract and the restoration of $1,049,741 removed by the House. The Senate version also included this adjustment.

[3] One-time funding from the strategic investment and improvements fund for a campus infrastructure study of the James River Correctional Center and State Hospital is removed. The funding for the campus infrastructure study at the Youth Correctional Center is adjusted to provide funding from the general fund rather than the strategic investment and improvements fund. Both the House and Senate included funding from the strategic investment and improvements fund for the studies.

[4] One-time funding of $400,000 from the general fund is added for the Department of Corrections and Rehabilitation to hire consultants, with advice from a newly created Legislative Management committee, to assist the department and the Legislative Management in a study of the Department of Corrections and Rehabilitation. Neither the House nor the Senate provided funding to assist with this study.

The Conference Committee did not include the following adjustments made by the Senate:

- The addition of 8.6 FTE Missouri River Correctional Center treatment positions and $1.9 million from the general fund;
- The addition of 25.2 FTE James River Correctional Center minimum security positions and $4.2 million from the general fund;
- The addition of $2.4 million of one-time funding from the general fund for minimum security facilities at the James River Correctional Center;
- The addition of $100,000 of one-time funding from the general fund for a study of gender-responsive services and facilities;
- The addition of $1.9 million of one-time funding from the strategic investment and improvements fund for Missouri River Correctional Center renovations; and
- The addition of $1.1 million of one-time funding from the Rough Rider Industries fund for construction of a Rough Rider Industries building at the James River Correctional Center.

House Bill No. 1015 - Other Changes - Conference Committee Action

This amendment also:

- Does not include a section added by the Senate to provide a 2017-19 biennium appropriation of $3 million from the general fund to the Department of Corrections and Rehabilitation to enhance vocational and education opportunities for inmate workforce development.
- Adds a section to amend North Dakota Century Code Section 12-47-36(5) relating to disclosure of confidential records. The Senate also included this section.
- Does not include a section added by the Senate to provide for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.
- Does not include a section added by the Senate to provide legislative intent that the Governor determine the location of male and female inmates in consultation with the Department of Corrections and Rehabilitation and the Southwest Multi-County Correction Center.
- Does not include a section added by the Senate to provide legislative intent that a campus infrastructure study of the James River Correctional Center and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
- Does not include a section added by the Senate to provide legislative intent that no fence be placed around facilities used for minimum security male inmates.
- Adds a section to provide for the establishment of a pretrial services pilot project. The Senate included a similar section.
- Adjusts the section providing carryover authority relating to the free through recovery program to allow the funding to be used for the continuation of programming for individuals no longer in the custody or under the supervision of the Department of Corrections and Rehabilitation. The Senate also included this adjustment.
- Does not include a section added by the Senate to allow for the conveyance of the 12 West and 16 West buildings from the State Hospital to the Department of Corrections and Rehabilitation for use as a minimum security facility.
- Adds a section to create a Department of Corrections and Rehabilitation review committee to study the department during the 2019-20 interim.

Engrossed HB 1015 was placed on the Seventh order of business on the calendar.

2019 TESTIMONY

HB 1015

Department 530 - Department of Corrections and Rehabilitation
House Bill No. 1015

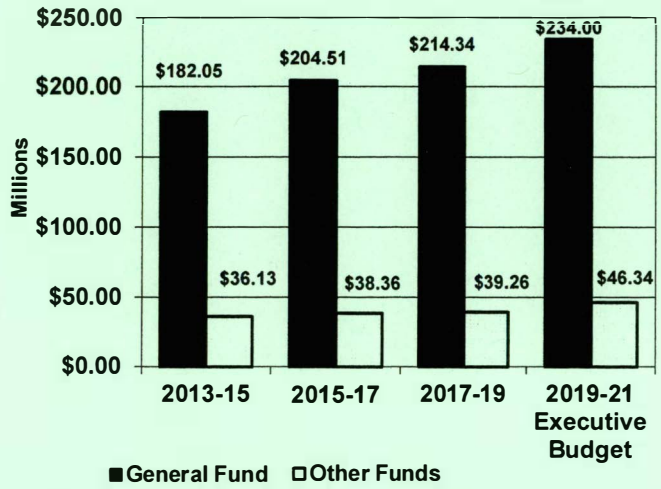
Executive Budget Comparison to Prior Biennium Appropriations

	FTE Positions	General Fund	Other Funds	Total
2019-21 Executive Budget	938.59	$233,998,059	$46,336,596	$280,334,655
2017-19 Legislative Appropriations	845.29	214,336,704	39,264,160	253,600,864
Increase (Decrease)	93.30	$19,661,355	$7,072,436	$26,733,791

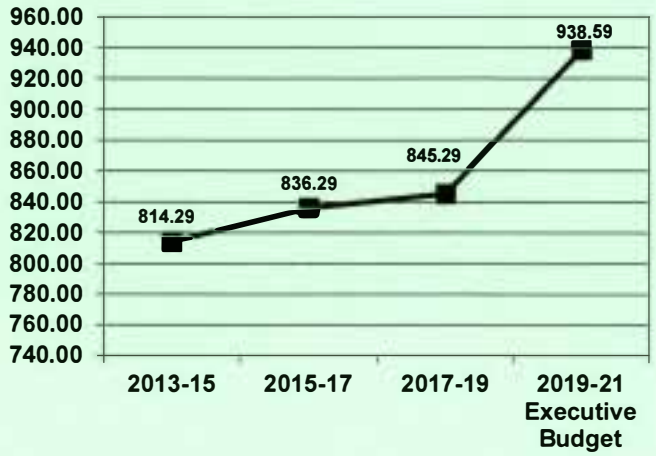
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2019-21 Executive Budget	$233,081,809	$916,250	$233,998,059
2017-19 Legislative Appropriations	214,336,704	0	214,336,704
Increase (Decrease)	$18,745,105	$916,250	$19,661,355

Agency Funding



FTE Positions



Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2019-21 Executive Budget	$233,998,059	$46,336,596	$280,334,655
2019-21 Base Level	214,336,704	37,161,253	251,497,957
Increase (Decrease)	$19,661,355	$9,175,343	$28,836,698

Attached as an appendix is a detailed comparison of the executive budget to the agency's base level appropriations.

Executive Budget Highlights

	General Fund	Other Funds	Total
Agencywide			
1. Provides funding for state employee salary and benefit increases, of which $6,078,712 is for salary increases, $3,514,496 is for health insurance increases, and $757,573 is for retirement contribution increases	$9,863,537	$487,244	$10,350,781
Juvenile Services			
2. Increases funding for teacher salaries and wages to comply with the Teacher Composite Schedule	$232,510	$0	$232,510
3. Converts 2 temporary correctional officer positions to FTE positions	$27,772	$0	$27,772
4. Adds funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts	$537,500	$0	$537,500

5. Transfers 1.12 FTE positions to the Information Technology Department for the information technology unification initiative and adjusts related operating costs	$11,993	$0	$11,993
6. Adjusts funding for miscellaneous expenses, including reductions in food and clothing and information technology supplies and increases in information technology contract services and professional services	($727,147)	$612,125	($115,022)
7. Adds funding for Microsoft Office 365 licensing	$74,244	$13,225	$87,469
8. Reduces funding for capital bond payments	($419,237)	$0	($419,237)
9. Adds one-time funding for extraordinary repairs, including $54,262 from the strategic investment and improvements fund	$372,000	$54,262	$426,262
10. Adds one-time funding from the strategic investment and improvements fund for a campus study of the Youth Correctional Center	$0	$250,000	$250,000
11. Adds one-time funding from the strategic investment and improvements fund for inmate tracking systems and other information technology upgrades	$0	$31,800	$31,800
Adult Services			
12. Increases funding for teacher salaries and wages to comply with the Teacher Composite Schedule	$1,125,280	$0	$1,125,280
13. Converts 18 temporary correctional officer positions to FTE positions	$298,663	$0	$298,663
14. Adjusts funding and adds 8.6 FTE positions to convert the Missouri River Correctional Center to a female correctional facility	$3,055,911	$0	$3,055,911
15. Removes funding for the Dakota Women's Correctional and Rehabilitation Center contract	($9,355,463)	$0	($9,355,463)
16. Adds funding and 36.2 FTE positions to establish a minimum security correctional facility at the James River Correctional Center, including $4.6 million to rent "man camp" structures	$11,169,113	$0	$11,169,113
17. Adjusts funding and adds 27.5 FTE positions to assume administrative control of the Tompkins Rehabilitation and Corrections Center, including removing $8.6 million for contract payments to the Department of Human Services	($3,576,240)	$0	($3,576,240)
18. Adds funding to contract with the State Hospital for up to 30 addiction treatment beds	$3,873,750	$0	$3,873,750
19. Adds funding and 7 FTE positions for pretrial services	$755,034	$0	$755,034
20. Transfers 4.88 FTE positions to the Information Technology Department for the information technology unification initiative and adjusts related operating costs	$60,814	$0	$60,814
21. Adjusts funding for miscellaneous expenses, including reductions in food and clothing, maintenance, and operating fees and services and increases in equipment and information technology contract services	$1,298,469	($3,592,410)	($2,293,941)
22. Increases funding for federal grant changes relating to crime victims	$20,000	$6,822,251	$6,842,251
23. Adds funding for Microsoft Office 365 licensing	$544,455	$96,983	$641,438
24. Adjusts funding for capital bond payments	($50,143)	$16,180	($33,963)
25. Removes ongoing funding used to purchase a "man camp" structure during the 2017-19 biennium for use at the Missouri River Correctional Center	($844,000)	$0	($844,000)
26. Removes ongoing funding for extraordinary repairs	($866,000)	($80,000)	($946,000)
27. Adds one-time funding for extraordinary repairs, including $86,738 from the strategic investment and improvements fund	$504,250	$401,738	$905,988
28. Adds one-time funding for replacement of Elite servers	$40,000	$0	$40,000
29. Adds one-time funding from Roughrider Industries for equipment	$0	$298,700	$298,700

30. Adds one-time funding from Roughrider Industries for construction of a Roughrider Industries building at the James River Correctional Center	$0	$1,140,000	$1,140,000
31. Adds one-time funding from the strategic investment and improvements fund for renovations of the Missouri River Correctional Center to convert it to a female correctional facility	$0	$2,443,077	$2,443,077
32. Adds one-time funding from the strategic investment and improvements fund for a campus study of the James River Correctional Center and the State Hospital	$0	$500,000	$500,000
33. Adds one-time funding from the strategic investment and improvements fund for inmate tracking systems and other information technology upgrades	$0	$633,200	$633,200
34. Adds one-time funding from the strategic investment and improvements fund for security equipment and redundant fencing	$0	$412,000	$412,000

Other Sections Recommended to be Added in the Executive Budget (As Detailed in the Attached Appendix)

Special funds - Strategic investment and improvements fund - Section 3 would designate $4,411,077 from the strategic investment and improvements fund for campus studies, equipment, information technology projects, and capital projects.

Line item transfers - Section 4 would authorize the Department of Corrections and Rehabilitation (DOCR) to transfer up to 10 percent of its total appropriation between the adult services and youth services line items.

Additional funds appropriation authority - Section 5 would appropriate any additional special funds received by DOCR during the 2019-21 biennium.

Exemption - Community Behavioral Health Program - Section 6 would provide that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.

Continuing appropriation authority - Section 7 would provide a continuing appropriation to DOCR for any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common school trust fund.

Tompkins Rehabilitation and Corrections Center - Section 8 would convey ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.

Continuing Appropriations

No continuing appropriations for this agency.

Significant Audit Findings

The State Auditor's office reported DOCR does not have proper authority to deposit certain revenues into the DOCR operating fund.

Major Related Legislation

House Bill No. 1013 - Provides for a distribution of $1,864,000 to the Youth Correctional Center from permanent funds established for the benefit of the institution.

House Bill No. 1039 - Raises the age of culpability of a juvenile from 7 to 10 years old.

House Bill No. 1050 - Provides DOCR may place certain sentenced individuals in a drug and alcohol treatment program and upon completion of the program the individual will be placed on probation.

House Bill No. 1051 - Provides a minimum sentence exemption for sentences imposed upon revocation of probation.

House Bill No. 1076 - Removes the authority of DOCR to transfer an offender between 16 and 18 years old from the Youth Correctional Center to an adult correctional facility.

Senate Bill No. 2044 - Amends and clarifies Section 12.1-21-06 relating to tampering with or damaging a critical infrastructure facility or a public service.

Senate Bill No. 2087 - Reduces the record retention period for adult and juvenile case files and court records from 50 years to 25 years.

Department of Corrections and Rehabilitation - Budget No. 530
House Bill No. 1015
Base Level Funding Changes

	Executive Budget Recommendation			
	FTE Positions	General Fund	Other Funds	Total
2019-21 Biennium Base Level	845.29	$214,336,704	$37,161,253	$251,497,957
2019-21 Ongoing Funding Changes				
Base payroll changes		$1,634,020	($1,364,762)	$269,258
Salary increase		5,791,612	287,100	6,078,712
Health insurance increase		3,349,265	165,231	3,514,496
Retirement contribution increase		722,660	34,913	757,573
Increase funding for teacher salaries and wages		1,357,790		1,357,790
Convert 20 temporary correctional officer positions to FTE positions	20.00	326,435		326,435
Adjust funding and FTE positions to convert the Missouri River Correctional Center (MRCC) to a female correctional facility	8.60	3,055,911		3,055,911
Remove funding for the Dakota Women's Correctional and Rehabilitation Center (DWCRC) contract		(10,761,951)		(10,761,951)
Restore funding relating to the DWCRC contract		1,406,488		1,406,488
Add funding and FTE positions to establish a minimum security correctional facility at the James River Correctional Center (JRCC)	36.20	6,565,560		6,565,560
Add funding to rent man camp buildings for use as a JRCC minimum security facility		4,603,553		4,603,553
Add funding and FTE positions to assume control of the Tompkins Rehabilitation and Corrections Center (TRCC)	27.50	5,031,222		5,031,222
Remove funding for TRCC payments to the Department of Human Services		(8,607,462)		(8,607,462)
Add funding to contract with the State Hospital for up to 30 addiction treatment beds		3,873,750		3,873,750
Add funding and FTE positions for pretrial services	7.00	755,034		755,034
Add funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts		537,500		537,500
Transfer FTE positions for the information technology (IT) unification initiative	(6.00)	(1,204,280)		(1,204,280)
Increase funding for operating expenses relating to the IT unification initiative		1,277,087		1,277,087

Adjust funding for miscellaneous expenses, including reductions in food and clothing, operating fees and services, and maintenance; and increases in equipment and IT contractual services		571,322	(2,980,285)	(2,408,963)
Adjust funding for crime victims federal grant award changes		20,000	6,822,251	6,842,251
Add funding for Microsoft Office 365 licensing		618,699	110,208	728,907
Adjust funding for capital bond payments		(469,380)	16,180	(453,200)
Remove ongoing funding used to purchase a man camp facility for the MRCC		(844,000)		(844,000)
Remove ongoing funding for extraordinary repairs		(866,000)	(80,000)	(946,000)
Miscellaneous funding source adjustment		270	(270)	0
Total ongoing funding changes	93.30	$18,745,105	$3,010,566	$21,755,671
One-time funding items				
Add one-time funding to replace Elite servers		$40,000		$40,000
Add one-time funding for Roughrider Industries equipment			$298,700	298,700
Add one-time funding for construction of a Roughrider Industries building at JRCC			1,140,000	1,140,000
Add one-time funding for extraordinary repairs, including $141,000 from the strategic investment and improvements fund (SIIF)		876,250	456,000	1,332,250
Add one-time funding from SIIF for renovations of the MRCC to convert it to a female facility			2,443,077	2,443,077
Add one-time funding from SIIF for campus studies of the Youth Correctional Center, JRCC, and State Hospital			750,000	750,000
Add one-time funding from SIIF for inmate tracking systems and other IT upgrades			665,000	665,000
Add one-time funding from SIIF for security equipment and redundant fencing			412,000	412,000
Total one-time funding changes	0.00	$916,250	$6,164,777	$7,081,027
Total Changes to Base Level Funding	93.30	$19,661,355	$9,175,343	$28,836,698
2019-21 Total Funding	938.59	$233,998,059	$46,336,596	$280,334,655

Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

	Executive Budget Recommendation
Special funds transfer - SIIF	Section 3 would designate $4,411,077 from SIIF for campus studies, equipment, IT projects, and capital projects.
Line item transfers	Section 4 would authorize the Department of Corrections and Rehabilitation (DOCR) to transfer up to 10 percent of its total appropriation between the adult services and youth services line items.

Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

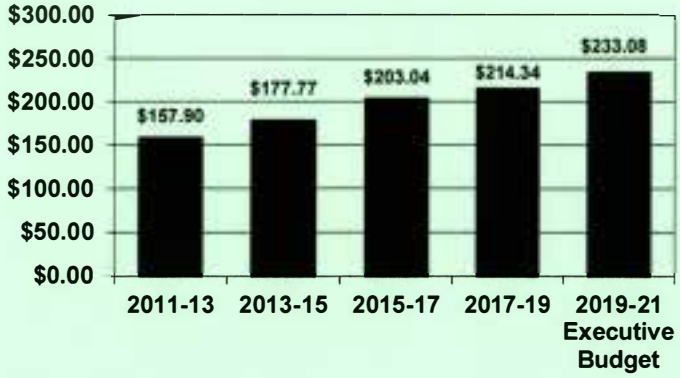
	Executive Budget Recommendation
Additional funds appropriation authority	Section 5 would appropriate any additional special funds received by DOCR.
Exemption - Community behavioral health program	Section 6 would provide that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.
Continuing appropriation authority	Section 7 would provide a continuing appropriation to DOCR for any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.
Tompkins Rehabilitation and Corrections Center	Section 8 would convey ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.

Department 530 - Department of Corrections and Rehabilitation

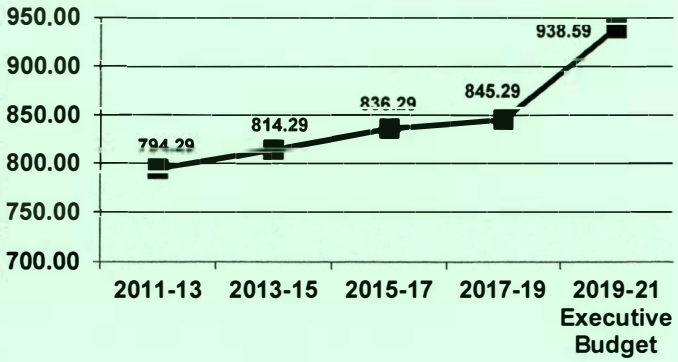
Historical Appropriations Information

Ongoing General Fund Appropriations Since 2011-13

Ongoing General Fund Appropriations (in Millions)



FTE Positions



Ongoing General Fund Appropriations					
	2011-13	2013-15	2015-17	2017-19	2019-21 Executive Budget
Ongoing general fund appropriations	$157,901,861	$177,774,343	$203,044,020	$214,336,704	$233,081,809
Increase (decrease) from previous biennium	N/A	$19,872,482	$25,269,677	$11,292,684	$18,745,105
Percentage increase (decrease) from previous biennium	N/A	12.6%	14.2%	5.6%	8.7%
Cumulative percentage increase (decrease) from 2011-13 biennium	N/A	12.6%	28.6%	35.7%	47.6%

Major Increases (Decreases) in Ongoing General Fund Appropriations

2013-15 Biennium

1. Added 11 FTE correctional officer positions and 3 FTE correctional caseworker positions	$1,537,144
2. Added funding for increased probation and incarceration requirements due to provisions of House Bill No. 1302 (2013) relating to driving under the influence laws	$3,000,000
3. Increased funding for transitional housing and programs	$1,106,678

2015-17 Biennium

1. Added funding for targeted equity salary increases for correctional officer positions	$2,126,442
2. Added funding for 22 new FTE positions, including 16 parole and probation officers, 1 juvenile corrections specialist, 1 Youth Correctional Center position, 2 adult services treatment positions, and 2 James River Correctional Center central receiving positions	$3,624,413
3. Added funding to transfer community sex offender treatment from the Department of Human Services	$1,865,810
4. Added funding for contract housing and programming	$9,243,102
5. Increased funding for the Dakota Women's Correctional and Rehabilitation Center contract	$2,250,000

2017-19 Biennium

1. Added 8 FTE Youth Correctional Center positions to maintain compliance with the federal Prison Rape Elimination Act	$1,006,461
2. Added funding for a community behavioral health program, including 1 FTE position	$7,000,000
3. Reduced funding for salaries and wages and contract housing and programming	($7,000,000)
4. Restored funding for contract housing and programming	$4,715,073
5. Adjusted funding for various operating expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services	$2,364,585

2019-21 Biennium (Executive Budget Recommendation)

1.	Converts 20 temporary correctional officer positions to FTE positions	$326,435
2.	Adjusts funding and adds 8.6 FTE positions to convert the Missouri River Correctional Center to a female correctional facility	$3,055,911
3.	Removes funding for the Dakota Women's Correctional and Rehabilitation Center contract	($9,355,463)
4.	Adds funding and 36.2 FTE positions to establish a minimum security correctional facility at the James River Correctional Center, including $4.6 million to rent man camp structures	$11,169,113
5.	Adjusts funding and adds 27.5 FTE positions to assume administrative control of the Tompkins Rehabilitation and Corrections Center, including removing $8.6 million for contract payments to the Department of Human Services	($3,576,240)
6.	Adds funding to contract with the State Hospital for up to 30 addiction treatment beds	$3,873,750
7.	Adds funding and 7 FTE positions for pretrial services	$755,034
8.	Adds funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts	$537,500
9.	Transfers 6 FTE positions to the Information Technology Department for the information technology unification initiative and adjusts related operating costs	$72,807
10.	Adds funding for Microsoft Office 365 licensing	$618,699

GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF CORRECTIONS AND REHABILITATION AS SUBMITTED BY THE OFFICE OF MANAGEMENT AND BUDGET

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of corrections and rehabilitation for the purpose of defraying the expenses of the department of corrections and rehabilitation, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	Base level	Adjustments or Enhancements	Appropriation
Adult services	$220,757,448	$26,947,121	$247,704,569
Youth services	30,740,509	1,889,577	32,630,086
Total all funds	$251,497,957	$28,836,698	$280,334,655
Less estimated income	37,161,253	9,175,343	46,336,596
Total general fund	$214,336,704	$19,661,355	$233,998,059
Full-time equivalent positions	845.29	93.30	938.59

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-fourth legislative assembly for the 2017-19 biennium and the 2019-21 one-time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	2015-17	2017-19
RRI equipment	$167,000	$298,700
Electronic medical records	935,907	0
Justice reinvestment	500,000	0
DAPL	500,000	0
Extraordinary repairs	0	1,332,250
Detection equipment	0	252,000
NDSP redundant fence	0	160,000
Industries building - JRCC	0	1,140,000
Campus studies	0	750,000
MRCC renovation	0	2,443,077
IT projects	0	705,000
Total all funds	$2,102,907	$7,081,027
Less estimated income	2,102,907	6,164,777
Total general fund	$0	$916,250

The 2019-21 one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 3. SPECIAL FUNDS TRANSFER – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes the sum of $4,411,077, or so much of the sum as may be necessary, from the strategic investment and improvements fund which may be transferred at the direction of the director of the department of corrections and rehabilitation for campus studies, equipment, information technology projects and capital projects during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 4. FUNDING TRANSFERS – EXEMPTION – AUTHORIZATION. Notwithstanding section 54-16-04, the department of corrections and rehabilitation may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30, 2021. The agency shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section

SECTION 5. APPROPRIATION - In addition to the amounts appropriated to the department of corrections and rehabilitation in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 6. EXEMPTION – COMMUNITY BEHAVIORAL HEALTH PROGRAM. Section 54-44.1-11 does not apply to $7,000,000 provided for the community behavioral health program included in section 1 of chapter 40 of the 2017 Session Laws. Any unexpended funds from this appropriation are available to the department of corrections and rehabilitation for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 7. CONTINUING APPROPRIATION AUTHORITY – DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND. Any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical co-payments; and from the common school trust fund; are appropriated to the department of corrections and rehabilitation as a continuing appropriation to defray operating expenses in addition to any moneys otherwise appropriated under this Act.

SECTION 8. CONVEYANCE OF LAND AND BUILDINGS – EXEMPTION FROM CHAPTERS 48-01.1 AND 54-44.7 OF THE NORTH DAKOTA CENTURY CODE. The state of North Dakota, by and through the department of human services, shall convey ownership of building 2404, formerly known as the nursing residence building and tompkins building, and surrounding real property on the grounds of the state hospital to the department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services for construction and renovation do not apply to this conveyance.

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House Appropriations Committee

Representative Jeff Delzer, Chair

January 7, 2019

North Dakota Department of Corrections and Rehabilitation

Leann Bertsch, Director

TESTIMONY regarding House Bill 1015

Good afternoon, Chairman Delzer and members of the committee. I am Leann Bertsch, Director of the Department of Corrections and Rehabilitation (DOCR).

You have requested testimony on justice reinvestment, the numbers of people incarcerated with the DOCR, and need for and plans to relocate women sentenced to the DOCR from a contract facility, the Dakota Women's Correctional and Rehabilitation Center (DWCRC), located in New England, to the Missouri River Correctional Center (MRCC), located in Bismarck. I will provide you information on the positive results of the criminal justice reforms enacted in the last legislative session, and the critical need to relocate our incarcerated women. Dave Krabbenhoft, Director of Administration for the DOCR will provide you with some of the numbers and the financial information.

During the last session, the legislature, with the support of both the executive and judicial branch, made some wise and effective criminal justice reforms that have resulted in the first time in over a decade, a decrease in the number of people incarcerated both in the state prison system and our county and regional jails. That occurred in spite of an increase in the population of our state and without negatively impacting crime rates. One of the most controversial aspects of the reform included the Prison Prioritization Plan (the Plan). The Plan recognized that correctional resources are finite and that expensive, back-end, resources need to be reserved for those that our dangerous, not those we are just mad at. You also gave that same authority to the counties with the charge that they develop alternatives to incarceration at the local level. I believe the Plan raised the awareness of all criminal justice practitioners the need to do things differently in order to get a different outcome. As a result of the Plan and

other aspects of the reforms, we have seen an 8% decrease in the number of people incarcerated with the DOCR. You took a chance on enacting this legislation and the counties lamented that the state would be dumping on them. This did not happen. The Plan was never invoked, and the county jails have several hundred fewer incarcerated individuals than last biennium.

By enacting the Plan and thereby creating a mechanism to control correctional growth, you were able to move $7 million upstream to reinvest in services to help people under probation or parole supervision that are struggling with the chronic disease of addiction. You wisely invested that money in community behavioral health services or Free Through Recovery (FTR), recognizing that without such services, many of these individuals would likely end up in jail or prison. FTR was launched in February of 2018 and has served over 620 individuals. Your support for these services will continue to show results in the form of more individuals in recovery, and fewer people cycling through the criminal justice system.

There is still a lot of work to do to disrupt this pernicious cycle and that work includes making sure that when individuals are incarcerated, that the DOCR is doing everything possible to provide people with the services, skills and resources to help them succeed in desisting from crime. The DOCR has been nationally recognized as a leader in prison reform for its efforts to reduce the use solitary confinement, create a more normal environment to reduce the institutionalization of incarcerated people, and use dynamic security which is a method by which prison staff interact closely with prisoners, and through the interaction seek to better understand the needs of the prisoners, assess the risk they may pose to staff and other prisoners, and improve safety and security while contributing to the prisoner's rehabilitation and preparation for release.

However, when it comes to how our state is providing services for incarcerated women, we are failing. Over the last 20 years, the number of people sentenced to the DOCR grew by 250% even though the state only grew by 18%. However, the number of women sentenced to the DOCR increased by almost 500%. Because the number of women has always been relatively small, the state has never provided services tailored

to the risks and needs that justice involved women require. We must do better. "Good enough" is not acceptable.

The history of how we have provided incarcerative services to women is not one of which to be proud. The state has never developed or funded a gender responsive solution for women, but rather pigeon-holed the women into housing units at prison facilities designed for men. Women sentenced to the DOCR were housed in the North Unit at the State Penitentiary until 1998, when they were relocated to the newly opened James River Correctional Center, a medium custody prison for men. The DOCR recognized that this was not an ideal situation and requested that the women be moved to a separate facility on the grounds of the State Hospital. However, the legislature decided to prioritize economic development and decided to locate the women in a contract facility in a remote location without adequate services and far from where most of the women come from. Over the last 15 years, the DOCR has tried to make this arrangement work. It is no longer a viable arrangement. Even though it would be much easier for myself and the department to continue the status quo and avoid a debate that is fraught with emotion, the taxpayers deserve correctional practices that enhance public safety and utilize tax dollars in the most fiscally prudent manner.

Decisions on where to build a prison, or whether to relocate an existing prison shape and impact the lives of incarcerated people, families, staff, volunteers, politicians and communities. Communities in which prisons are already located have stakes in keeping employment in their area. However, incarceration is not an employment program. If people need jobs, let's get people jobs. Don't put people in prison to give some people jobs and don't locate prisons in locations that inhibit the mission of the DOCR. That's not what this state is about and that has to end this session.

It is important to locate prisons in communities that are close to where the people come from that are locked up. The evidence and research show that when prisoners are able to maintain ties with their family, they cope better with their prison experience and they have a much lower recidivism rate.

Women make up about 12% of North Dakota's prison population. Unlike their male counterparts, women offenders tend to have a history of physical and/or sexual abuse,

and they are the primary caretakers of young children at the time of arrest. Their involvement in the criminal activity is often motivated by poverty and/or substance abuse, and they are less likely than men to have been convicted of a violent crime. The characteristics of women involved in the North Dakota criminal justice system are disproportionately women of color; in their early-to-mid-thirties; most likely to have been convicted of a drug or drug-related offense; fragmented family histories, with other family members also involved with the criminal justice system; survivors of physical and/or sexual abuse as children and adults; significant substance abuse problems;, multiple physical and mental health problems; unmarried mothers of minor children; in need of a high school degree/GED, and limited vocational training and sporadic work histories; The women incarcerated in the DOCR are 34% Native American and over 75% are mothers with children. Support services for incarcerated women should focus on healthy relationships. Healthy family relationships should be nurtured and supported throughout women's incarceration, with special attention to relationships to their children and their children's caretakers. Family reunification should occur as frequently as possible. Incarceration has an impact that extends far beyond the men and women who are incarcerated. You need to be concerned about the intergenerational crime and children at risk as a result of an incarcerated parent. Parental incarceration is a strong risk factor for a number of adverse outcomes for children, including antisocial and violent behavior, mental health problems, failure to graduate from school, and unemployment. Research supports that maintaining and supporting contact between the incarcerated parent and child can prevent intergenerational crime. Incarcerated mothers cite separation from their children as one of the most difficult aspects of imprisonment. Frequent and regular visitation between prisoners and their families provides the most concrete strategy to manage separation and maintain connections. These visits help the incarcerated adult and children to share family experiences and participate in family rituals, e.g., birthday celebrations, religious observances, etc. and help them to remain emotionally attached. They help assure incarcerated parents that their children have not forgotten them and children that their parents love and care about them. They allow the incarcerated parent to see themselves, and to function, in

socially acceptable roles rather than as prison numbers and institutionalized dependents.

Although incarcerated women represent a small number of the total DOCR daily census, the unique needs of the women are unable to be adequately satisfied for a number of reasons. First among those is the location. The majority of women are held in a county-owned facility in New England approximately 125 miles from Bismarck, the residence of over 30% of the women sentenced to the DOCR. Over 90% of the women sentenced to the DOCR are from central and eastern North Dakota. Second, while the conditions of confinement satisfy basic life safety codes, the existing facility was not designed to house women. Third, the ability to offer a full range of programs and services that address the unique needs of women is very limited due to location, configuration, and design.

On average, 325 women are admitted to the care and custody of the DOCR and 16.5% of these are returning after a previous sentence to the DOCR. Parole and probation violators represent 40% of the annual admissions which in conjunction with those returning with an additional criminal charge, makes the reoffending rate among women greater than 50%. The average daily population is 210. The average length of stay is approximately 235 days, although a small percentage are serving multi-year sentences.

Due to the lack of programs and opportunities for a variety of wellness activities, the women are generally unmotivated. The rate of diabetes is higher than the general population and 50% of the women are Hepatitis C positive. Largely due to the remote location, the number of community advocates for the incarcerated women is fewer than that of most state systems. This is particularly evident in the lack of volunteers to assist Native American women with their unique family, cultural, and criminogenic needs.

With this as a profile background for women, the DOCR believes the best solution to address the needs of the women in our custody is to convert MRCC from a minimum custody men's facility to a multi-custody, treatment-focused women's facility. A proposed plan has been developed that would accomplish a level of improvements to transform the MRCC to a more appropriate environment for women.

In addition to focusing on healthy relationships, programs for incarcerated women should address the areas that served as pathways to incarceration while offering opportunities for success in the community. The primary and basic needs of justice-involved women include drug treatment, employment, financial aid, money management/budgeting, cultural support, education/vocational skills, support groups, housing and legal help.

Women require health services more than men. The location of our women in New England has presented significant challenges in delivering appropriate services. The community of New England has not embraced the prison in their community. The Hettinger Clinic, located on Main Street in New England, has refused to provide services to the women incarcerated at DWCRC. Even though they would benefit from the increases in income, they refuse to provide services to this disadvantaged and vulnerable population. Dental services at DWCRC are non-existent. No dentist in Dickinson is willing to provide dental services to the women incarcerated at DWCRC. DWCRC does not have a dental operatory and must rely on transporting women to see a dentist for assessment, evaluation and treatment. Only one dentist, located in Bowman is willing to provide services to the women incarcerated at DWCRC. DWCRC is unable to meet the standard for dental assessment as they load up a van twice a month to transport women for dental treatment. I have received numerous complaints about the dental services for women. This is unacceptable.

When the state incarcerates a person, that person is constitutionally entitled to a community standard of care. As an opioid epidemic as swept the nation, Medication Assisted Treatment (MAT) to treat individuals with opioid addictions as become a standard of care. Once Medication Assisted Treatment became available in this state, we knew that we would have people already on MAT enter into our prison system. Currently, men coming into our system are able to continue that treatment at both NDSP and MRCC. MAT is not available in southwest North Dakota. We recently had a pregnant woman sentenced to the DOCR that was on MAT. Our physician intervened when he learned that she was to be transported to DWCRC and they planned to wean her off MAT. That would have been fatal to the fetus. The DOCR had to keep the

woman at the Cass County jail where she could continue on MAT. At any given time, up to 10% of the women incarcerated at DWCRC are pregnant. These are high-risk pregnancies and it is risky for the state to have these women so far away from necessary medical care. We recently had a woman who was seven months pregnant and leaking amniotic fluid. She was required to be hospitalized in a Bismarck hospital until the baby was born, and then the mother was 125 miles from a fragile premature baby where it was critical to maintain the bond between the mother and the baby. These are just a couple examples of the why the state should not willingly place a high-risk, high-need population in a location where services are difficult to access or non-existent.

Women with trauma histories have low self-esteem, and they need to be recognized when they succeed. Positive self-images can be developed through spaces for women to create, such as photo, art, or writing programs - and to display their work. Many incarcerated women have not had a positive experience with the traditional classroom setting because of low self-esteem and other factors. Women benefit from programs such as life skills, parenting, and independent living. Vocational programs are needed to teach marketable skills that are of an adequate pay scale and applicable in the community to which they are returning – empowering women to live independently rather than return to unhealthy environments and relationships. The location of incarcerated women in New England makes it difficult to offer similar programming that is offered to incarcerated men due to the people resource. Often the DOCR offers to bring in volunteers and contract services such as a technology training, Toastmasters, art programs, etc. with a negative response from DWCRC to start them due to an inability to supervise the contractor or volunteer. The quality of education and personnel have caused the efficiency and success rate of the GED program to not be comparable to that of all other such facilities such that the DOCR has had to directly supervise their education services. DOCR Education has taken on a more active role of offering what should be the supervision feedback directly to the facility's administrator to try to fix this. The 2018 GED State Audit's recommendation was to close the site and let go of some of the education personnel due their lack of compliance. The DOCR has created compliance measures for DWCRC to attempt to avoid the negative impact to

our women students. A recent resident of DWCRC, now at Tompkins, shared, "I spend 5 months as a GED student at DWCRC, and all I had to show for it was one completed test. The hoops I had to jump through for one test was ridiculously frustrating…" This student arrived and Tompkins and graduated through DOCR Education in three weeks. She went on to add, "I personally know a girl at the prison… that has been in the GED program for her entire 4 years there, and had only one test left to take. There has to be something someone can do so that the women do not have to continue to go through all this frustration." It is critical for this disparity to be addressed. Adult correctional education improves post release outcomes. Incarcerated adults who participate in correctional education programs have a 43 percent lower chance of recidivating than those who do not – a reduction in the risk of recidivating of 13 percentage points. The odds of obtaining employment post release among incarcerated adults who participate in correctional education is 13 percent higher than for those who do not. The state must provide the same opportunities for the women to succeed as are afforded to the men.

There are many reasons for the growing number of women in the criminal justice system, but the primary one is the increase in drug-related convictions. In spite of this, the issues of addicted women, are for the most part, invisible in the criminal justice system. Historically, treatment, research and recovery have been based on the male experience, often neglecting women's needs. While this neglect has serious impact on women and treatment programs in the free world, the problem is magnified for women in the criminal justice population. Statistics indicate that for women there is a high correlation between drug abuse and incarceration and parole/probation violations and yet our state does not provide a comprehensive continuum of care for these women. The behavioral health services at DWCRC are very limited, requiring the DOCR to move them to a different location to access services, fragmenting the comprehensive approach to the rehabilitation process. This constant movement of the women sentenced to the DOCR creates much instability and leads to higher failures. In attachments 1 and 2 you will see the expanded behavioral health resources that would be provided to women when relocated to MRCC in Bismarck. The attachment which displays the FTR providers by region shows that Bismarck has more than four times the

capacity to provide care coordination and peer support services as compared to the Dickinson region.

The state needs to create a system that delivers better outcomes and safer communities by providing the necessary services to the women in our corrections system. In caring about small towns, you need to care about all of our North Dakota communities, both large and small where these women are returning. Citizens deserve an effective corrections system that releases a good neighbor, not a good prisoner that continues to churn through the criminal justice system at great expense to taxpayers.

ND DOCR Women's Services

Expanded Behavioral Health Resources

January 3, 2019

Workforce

Addiction Services

- Addition of one Licensed Addiction Counselor (LAC) for a total of two on staff
- Open positions in Bismarck often attract a high number of qualified applicants
- Medication-Assisted Treatment providers

Mental Health Care

- Access to half-time psychologist (shared with ND State Penitentiary)
- On-site psychiatric care
- Advanced Clinical Specialist (Master's trained with independent clinical license)
- Proper on-site supervision
- Behavioral interventions for institutional misconduct

Peer Support Services

- Establish care prior to release and improve continuity
- Implement a Peer Support Specialist Certification Program within the prison

Trauma-Informed Care

Seeking Safety Program

- Cognitive-behavioral
- SAMHSA-approved evidence-based practice
- Treats co-occurring Substance Use Disorder and Post-traumatic Stress Disorder (PTSD)
- Gender responsive

Cognitive-Processing Therapy

- Individual or group intervention
- Effective for those whose symptoms of PTSD persist after Seeking Safety

Dialectical Behavior Therapy

- Empirically-supported treatment for Borderline Personality Disorder (BPD) and related symptoms
- BPD often stems from chronic exposure to traumatic events
- Focused on improved coping and self-regulation to avoid impulsivity and harmful behaviors

Recovery Supports

Healthy Leisure

- More opportunities to create healthy habits through links with local organizations
- Examples include charitable giving, art class, sports leagues, yoga, Toastmasters, choir, and spoken-word poetry

Family Engagement

- Parenting class and parent-child activities
- Access to supportive skills training for family members
- Improved visitation opportunities have a positive effect on motivation for change

Continuing Care

- Local access to continued Medication-Assisted Treatment
- Local access to Addiction Aftercare and other professional services
- Better access to Free Through Recovery providers (care coordination and peer support)

FREE THROUGH Recovery

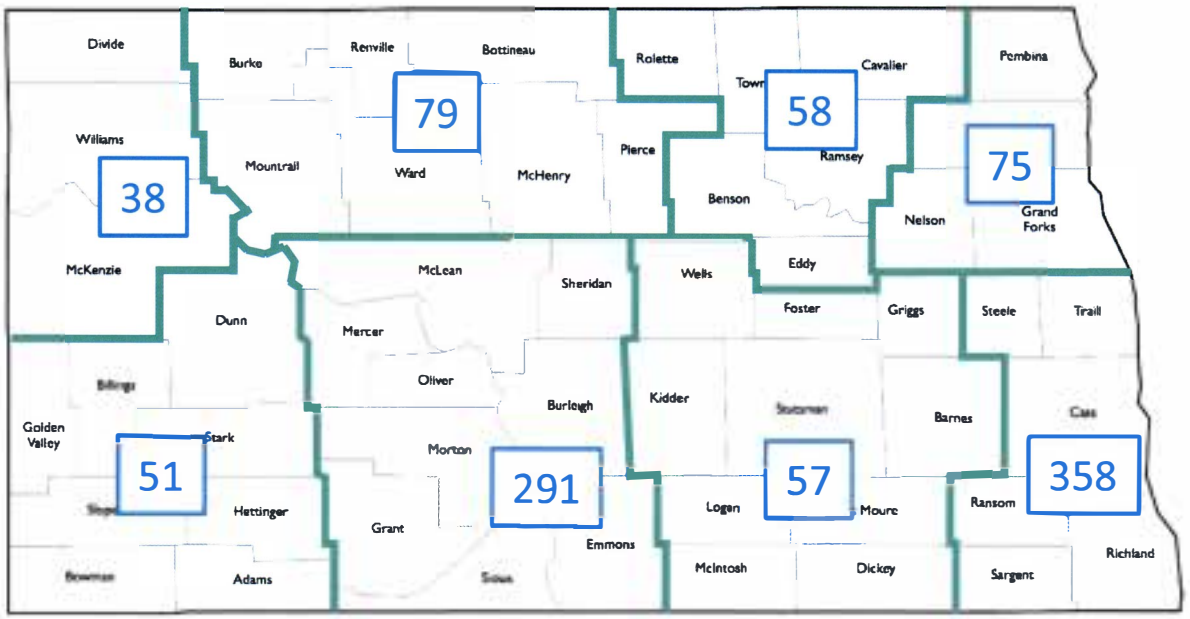
Since January 10, 2018 there have been:

1,007 referrals (Includes 309 discharges)

620 participants

867 total program capacity

The majority of the people *referred* to Free Through Recovery live in the Fargo region (36%), followed by the Bismarck region (29%).



Bismarck has over four times the capacity to provide care coordination and peer support services (190 participants) as compared to Dickinson (45).

Fargo has over seven times the capacity (342 participants).

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COMPARISON OF SERVICES

NEW ENGLAND

- No community access to medical or dental services.
- Level 2.1 Chemical Dependency Programming
- Parenting Class
- Conflict Resolution Programming
- Domestic Violence Programming
- Industries and Trade programs: sewing
- 12 education programming; DOCR assists with 11 that are mandatory interventions: Read Right, GED
- Resident led groups with variable frequency.

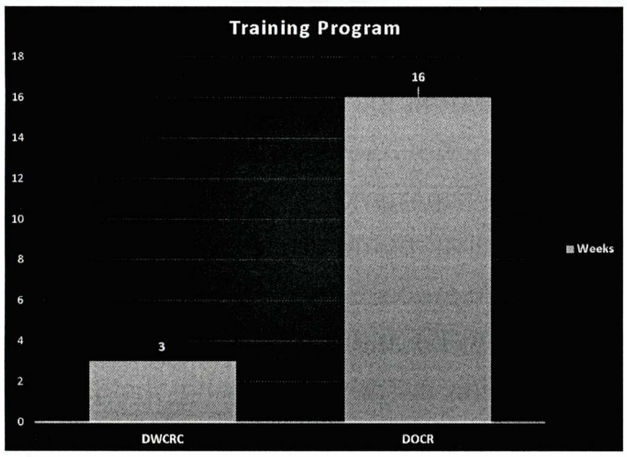
BISMARCK

- Local emergency medical services for high risk pregnancies and other serious medical conditions.
- Level 2.1 and 3.5 chemical dependency programming
- Dental Services
- Domestic Violence programming
- Thinking for Change program
- Industries and Trade Programs: sewing, welding, carpentry, commissary, building trades.
- Medication Assisted Treatment Providers
- Charitable Giving and Garden
- Partnerships with University of Mary, BSC, Ministry on the Margins, Team Kaizen, and Mindfulness Programs.
- Volunteer programs of Toastmasters, choir, art enrichment programs.
- 40 different educational and enrichment classes and programming.
- Children of Incarcerated Parents programming: support groups for children and loved ones; Parenting Inside Out; visitation room enhancements, and community support structures.
- Regularly supervised resident led groups.

DOCR VISION STATEMENT

A safer North Dakota through effective correctional services.

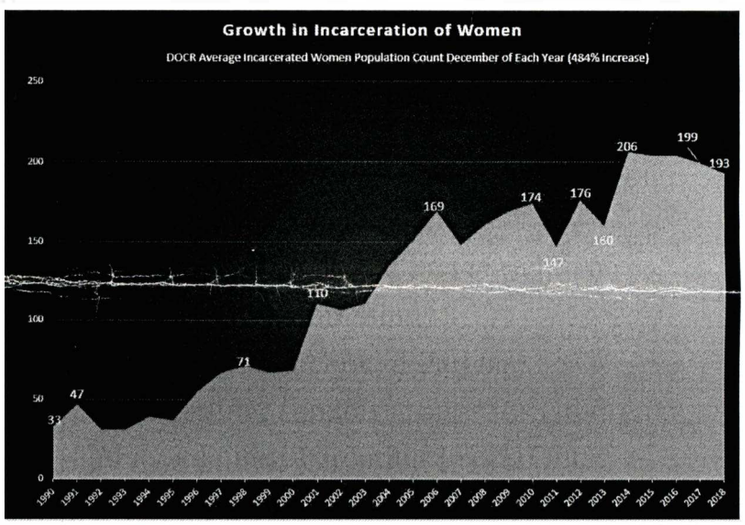
TRAINING



DOCR has a three month training program for new employees that follows a learning passport model and on the job mentoring. The ND DOCR uses a dynamic security model that works to build employee skills in building rapport, identifying needs of the residents, and feedback through core correctional practices and motivation interviewing techniques that enhances safety and optimizes the rehabilitative environment.

* * *

DWCRC has a three week training program for new employees.



For more information on why the women should be moved please contact Leann Bertsch @ 328-6616 or lebertsc@nd.gov

The DOCR has an obligation and responsibility to provide for the health and welfare of the women sentenced to their care and custody; however, that should not be overlooked for economic reasons.

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CREATING BETTER OUTCOMES, SAFER COMMUNITIES

DOCR MISSION

To Enhance public Safety, to reduce the risk of future criminal behavior by holding adult and juvenile individuals accountable, and to provide opportunities for change

EMPOWER PEOPLE

Residents in Bismarck are offered educational and training opportunities that are innovative and receiving national attention. ND DOCR is in top 5 for GED pass success rates. Interactive labs of learning, parenting initiatives, attending job fairs, industry certifications are just a few examples afforded to the men. Due to the geographic location, the women do not have access to these same services.

IMPROVE LIVES

At this time, the DOCR has no mechanism to provide Medication Assisted Treatment (MAT) to our female clients. The women have the highest rate of substance use disorder and the highest rate of opiate use disorder. Significant barriers exist to implementing MAT for women. The primary barrier to successful implementation is the remote location of the Dakota Women's Corrections and Rehabilitation Center (DWCRC). Currently, there are no certified medical providers and no Opiate Treatment Program (OTP) vendors in the region to service this population.

INSPIRE SUCCESS

Bismarck has over four times the capacity to provide care coordination and peer support services (190 participants) as compared to Dickinson (45) thru Free through Recovery.

EXPANDED BEHAVIORAL HEALTH RESOURCES

WORKFORCE

80%

of women incarerated are mothers of children under the age of 18.

TRAUMA-INFORMED CARE

90%

of the top ten counties in which women residents are sentenced are from central and eastern North Dakota . 31% of this group are from Burleigh and Morton Counties.

34%

of the women are Native American and moving them to Bismarck gives them access to more culturally responsive services.

RECOVERY SUPPORTS

12%

of 56 enrolled students earned their GED at DWCRC compared to 82% of 101 enrolled students who earned their GED at a treatment unit with a comparable length of stay.

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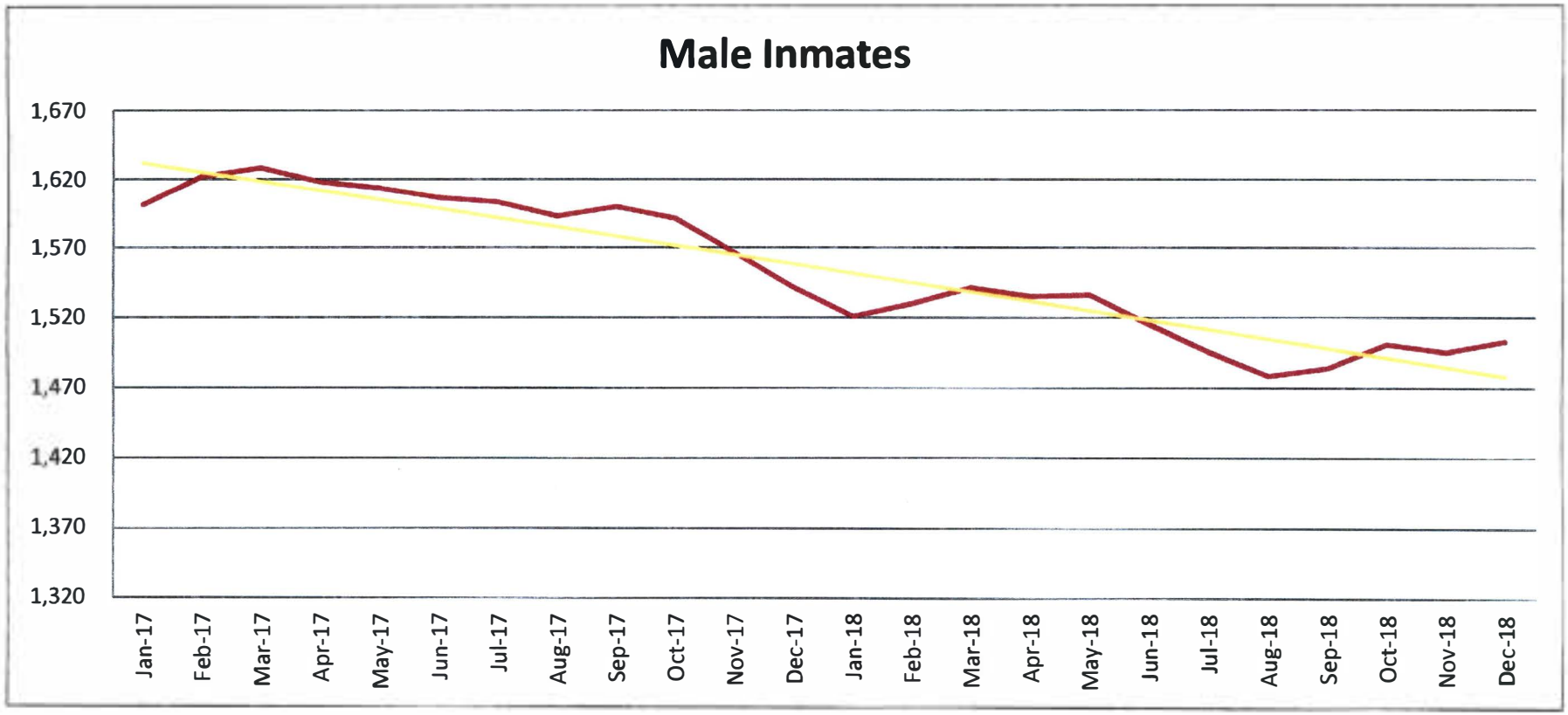
Department of Corrections and Rehabilitation
Actual Average Male Inmate Population by Facility / Program
2017 - 2019

17-19

Month	NDSP \1	JRCC \2	MRCC \3	Interstate Compact \4	Contract Treatment	Transition	CPP \5	Holds \6	(a) Total Population	(b) ~~15-17~~ Est. Population	(a) - (b)
July 2017 ADP	792	438	189	21	68	83	1	12	1,603	1,616	(13)
Aug 2017 ADP	779	438	187	21	67	84	1	14	1,593	1,623	(30)
Sept 2017 ADP	778	440	189	21	69	86	1	15	1,600	1,631	(31)
Oct 2017 ADP	766	440	188	19	72	98	1	6	1,591	1,639	(48)
Nov 2017 ADP	754	439	183	20	75	94	1	1	1,566	1,648	(82)
Dec 2017 ADP	723	440	187	21	75	92	1	1	1,541	1,657	(116)
Jan 2018 ADP	715	438	185	21	75	83	1	1	1,521	1,668	(147)
Feb 2018 ADP	723	436	184	21	74	90	1	0	1,530	1,678	(148)
March 2018 ADP	722	438	179	22	76	104	1	1	1,541	1,689	(148)
April 2018 ADP	714	439	183	22	75	101	1	1	1,535	1,701	(166)
May 2018 ADP	730	438	182	21	68	95	1	0	1,536	1,714	(178)
June 2018 ADP	724	440	187	21	62	77	1	2	1,515	1,727	(212)
July 2018 ADP	715	436	184	21	69	69	1	1	1,495	1,737	(242)
Aug 2018 ADP	701	440	176	21	68	70	1	1	1,478	1,743	(265)
Sept 2018 ADP	729	438	173	21	57	65	1	0	1,484	1,750	(266)
Oct 2018 ADP	732	437	182	22	54	73	1	0	1,501	1,757	(256)
Nov 2018 ADP	715	437	183	22	60	77	1	0	1,495	1,765	(270)
Dec 2018 ADP	719	438	186	22	58	79	1	0	1,503	1,774	(271)
Jan 2019 ADP										1,784	
Feb 2019 ADP										1,793	
March 2019 ADP										1,803	
April 2019 ADP										1,814	
May 2019 ADP										1,826	
June 2019 ADP										1,839	
17-19 Bien Ave.	**735**	**439**	**184**	**21**	**68**	**84**	**1**	**3**	**1,535**	**1,695**	**(161)**

\1 - North Dakota State Penitentiary (count includes inmates on temporary leave status and juveniles sentenced as adults being held at YCC)
\2 - James River Correctional Center (count includes inmates on temporary leave status)
\3 - Missouri River Correctional Center
\4 - Inmates housed out-of-state with either Bureau of Prison or other States
\5 - Community Placement Program
\6 - Inmates housed in county / regional jail facilities


Male Inmates
1,670
1,620
1,570
1,520
1,470
1,420
1,370
1,320
Jan-17
Feb-17
Mar-17
Apr-17
May-17
Jun-17
Jul-17
Aug-17
Sep-17
Oct-17
Nov-17
Dec-17
Jan-18
Feb-18
Mar-18
Apr-18
May-18
Jun-18
Jul-18
Aug-18
Sep-18
Oct-18
Nov-18
Dec-18

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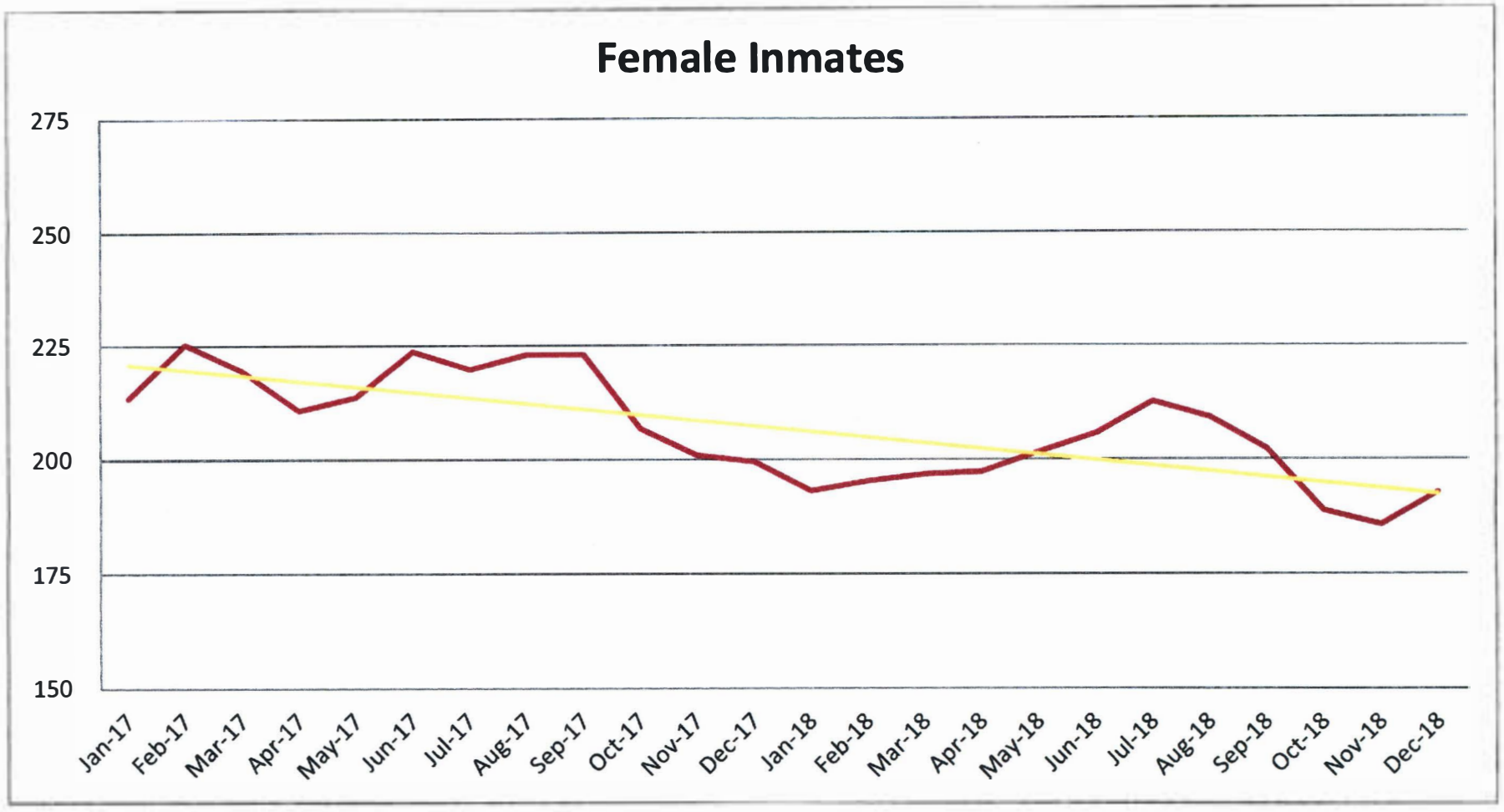
Department of Corrections and Rehabilitation
Actual Average Female Inmate Population by Facility / Program
July 2017 - June 2019

Month	DWCRC \1	Contract Treatment	BTC Secure	Transition	CPP \2	Holds \3	Interstate Compact \4	(a) Total Population	(b) 17-19 Est. Population	(a) - (b)
July 2017 ADP	123	30	25	36	-	6	-	220	224	(4)
Aug 2017 ADP	122	29	25	39	-	7	-	223	226	(3)
Sept 2017 ADP	123	30	22	40	0	8	-	223	227	(4)
Oct 2017 ADP	120	30	18	34	1	3	-	207	229	(22)
Nov 2017 ADP	119	31	20	30	1	1	-	201	232	(31)
Dec 2017 ADP	114	30	24	30	1	0	-	199	234	(35)
Jan 2018 ADP	116	29	18	28	1	1	-	193	236	(43)
Feb 2018 ADP	113	29	18	32	1	1	-	195	239	(44)
March 2018 ADP	116	30	17	32	1	1	-	197	242	(45)
April 2018 ADP	115	30	17	33	1	1	-	197	245	(48)
May 2018 ADP	118	30	18	33	1	2	-	201	248	(47)
June 2018 ADP	117	30	23	35	1	0	-	206	252	(47)
July 2018 ADP	116	30	25	40	1	1	-	213	254	(41)
Aug 2018 ADP	119	30	27	31	1	1	-	209	255	(46)
Sept 2018 ADP	119	30	30	23	-	1	-	202	256	(54)
Oct 2018 ADP	118	30	18	23	-	-	-	189	258	(69)
Nov 2018 ADP	119	30	11	26	-	0	-	186	259	(73)
Dec 2018 ADP	121	30	15	26	1	-	-	193	261	(68)
Jan 2019 ADP									263	
Feb 2019 ADP									265	
March 2019 ADP									267	
April 2019 ADP									270	
May 2019 ADP									272	
June 2019 ADP									275	
17-19 Bien Ave.	**118**	**30**	**21**	**32**	**1**	**2**	**-**	**203**	**250**	**(40)**

\1 - Dakota Womens Correctional Rehabilitation Center
\2 - Community Placement Program
\3 - Inmates housed in county / regional jail facilities
\4 - Inmates housed out-of-state with either Bureau of Prison or other States


Female Inmates
275
250
225
200
175
150
Jan-17
Feb-17
Mar-17
Apr-17
May-17
Jun-17
Jul-17
Aug-17
Sep-17
Oct-17
Nov-17
Dec-17
Jan-18
Feb-18
Mar-18
Apr-18
May-18
Jun-18
Jul-18
Aug-18
Sep-18
Oct-18
Nov-18
Dec-18

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North Dakota Department of Corrections and Rehabilitation
2019 - 2021 Est. Male Inmate Population

Date	Estimated Average Inmate Population	Deferred Admission Status	Estimated Ave DOCR Inmate Population	Traditional Prison Beds: DOCR Facilities	Traditional Prison Beds: Interstate Compact	Nontraditional Prison Beds: DOCR Treatment	Nontraditional Prison Beds: Transition	Holds	Total
July-19	1,482	-	1,482	1,296	21	60	104	2	1,482
August-19	1,486	-	1,486	1,300	21	60	104	2	1,486
September-19	1,490	-	1,490	1,304	21	60	104	2	1,490
October-19	1,495	-	1,495	1,308	21	60	104	2	1,495
November-19	1,499	-	1,499	1,312	21	60	104	2	1,499
December-19	1,503	-	1,503	1,316	21	60	104	2	1,503
January-20	1,507	-	1,507	1,321	21	60	104	2	1,507
February-20	1,511	-	1,511	1,325	21	60	104	2	1,511
March-20	1,515	-	1,515	1,329	21	60	104	2	1,515
April-20	1,519	-	1,519	1,333	21	60	104	2	1,519
May-20	1,524	-	1,524	1,337	21	60	104	2	1,524
June-20	1,528	-	1,528	1,341	21	60	104	2	1,528
July-20	1,532	-	1,532	1,345	21	60	104	2	1,532
August-20	1,536	-	1,536	1,350	21	60	104	2	1,536
September-20	1,541	-	1,541	1,354	21	60	104	2	1,541
October-20	1,545	-	1,545	1,358	21	60	104	2	1,545
November-20	1,549	-	1,549	1,360	21	60	107	2	1,549
December-20	1,554	-	1,554	1,359	21	60	112	2	1,554
January-21	1,558	-	1,558	1,360	21	60	116	2	1,558
February-21	1,562	-	1,562	1,360	21	60	119	2	1,562
March-21	1,566	1	1,565	1,360	21	60	122	2	1,565
April-21	1,571	6	1,565	1,360	21	60	122	2	1,565
May-21	1,575	10	1,565	1,360	21	60	122	2	1,565
June-21	1,579	14	1,565	1,360	21	60	122	2	1,565

North Dakota Department of Corrections and Rehabilitation
2019 - 2021 Est. Female Inmate Population

Date	Estimated Average Inmate Population	Deferred Admission Status	Estimated Ave DOCR Inmate Population	Traditional Beds: Interstate Compact	Traditional Beds: MRCC	Nontraditional Beds: Contract Treatment	Nontraditional Beds: Transition	Holds	Total
July-19	203	-	203	-	131	30	38	4	203
August-19	205	-	205	-	133	30	38	4	205
September-19	207	-	207	-	135	30	38	4	207
October-19	209	-	209	-	137	30	38	4	209
November-19	211	-	211	-	139	30	38	4	211
December-19	213	-	213	-	141	30	38	4	213
January-20	215	-	215	-	143	30	38	4	215
February-20	217	-	217	-	145	30	38	4	217
March-20	219	-	219	-	145	30	40	4	219
April-20	221	-	221	-	145	30	42	4	221
May-20	223	-	223	-	145	30	44	4	223
June-20	225	-	225	-	145	30	46	4	225
July-20	227	-	227	-	144	30	48	4	227
August-20	228	-	228	-	144	30	49	4	228
September-20	229	-	229	-	144	30	50	4	229
October-20	230	1	229	-	145	30	50	4	229
November-20	231	2	229	-	145	30	50	4	229
December-20	232	3	229	-	145	30	50	4	229
January-21	233	4	229	-	145	30	50	4	229
February-21	234	5	229	-	145	30	50	4	229
March-21	235	6	229	-	145	30	50	4	229
April-21	236	7	229	-	145	30	50	4	229
May-21	237	8	229	-	145	30	50	4	229
June-21	238	9	229	-	145	30	50	4	229

Department of Correcti[redacted]abilitation (DOCR)
2019 - 2021 Estimated Costs Comparision[redacted], FY18 Actuals and 19-21 Estimated)
Women's Services

	Recommended Women's Services - MRCC			
	Current Structure (MRCC)	Recommended Change	Total Recommended Structure	Women's Services Current Structure
DOCR Women's Services				
Salary and Benefits	5,666,466		5,666,466	223,050
Executive Recommendation Salary and Benefit Increase	*360,532*		360,532	*14,764*
Operating Expenditures	1,203,277		1,203,277	3,244
Capitial Expenditures	-		-	-
Subtotal	7,230,275	-	**7,230,275**	**241,058**
DOCR Behavorial Health				
Salary and Benefits	705,033	393,636	1,098,669	
Executive Recommendation Salary and Benefit Increase	48,439	*26,539*	74,978	
Operating Expenditures	1,895	17,129	19,024	
Capitial Expenditures	-		-	
Subtotal	755,368	437,304	**1,192,671**	
DOCR Education				
Salary and Benefits	409,877		409,877	
Executive Recommendation Teacher Composite Schedule	*130,424*		130,424	
Operating Expenditures	193,656		193,656	
Capitial Expenditures	-		-	
Subtotal	733,956	-	**733,956**	-
DOCR Medical				
Salary and Benefits	186,003	1,182,110	1,368,112	
Executive Recommendation Salary and Benefit Increase	12,644	*81,707*	94,351	
Operating Expenditures	846,004		846,004	824,488
Capitial Expenditures	-		-	
Subtotal	1,044,651	1,263,817	**2,308,468**	**824,488**
DOCR Plant Services				
Salary and Benefits	155,149		155,149	
Executive Recommendation Salary and Benefit Increase	*10,811*		10,811	
Operating Expenditures	624,446		624,446	
Capitial Expenditures		1,854,301	1,854,301	
Subtotal	790,406	1,854,301	**2,644,707**	-
Dakota Women's Correctional and Rehabilitation Center (DWCRC)				
Estimated 2019-21 Contract Expenditures (Requested Amount)				11,905,311
Subtotal	-			**11,905,311**
Bismarck Transition Center (BTC) - Women's Secure				
Estimated 2019-21 Contract Expenditures (Requested Amount)	-			1,866,712
Subtotal	-			**1,866,712**
Total 2019-21 Estimated Costs	10,554,656	3,555,421	**14,110,078**	**14,837,569**
Estimated On-Going Funding	10,554,656	1,701,120	12,255,777	14,837,569
Estimated One-Time Funding	-	1,854,301	1,854,301	-
Total 2019-21 Estimated Costs	**10,554,656**	**3,555,421**	**14,110,078**	**14,837,569**
General Fund	10,441,931	1,701,120	**12,143,052**	**14,837,569**
Federal Fund	34,078		**34,078**	
Special Fund	78,647	1,854,301	**1,932,948**	
Total 2019-21 Estimated Costs	**10,554,656**	**3,555,421**	**14,110,078**	**14,837,569**
FTE	34.05	8.60	**42.65**	**1.00**

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Department of Correctio[redacted]habilitation (DOCR)
2019 - 2021 Estimated Costs Comparision (I[redacted]on FY18 Actuals and 19-21 Estimated)
DOCR JRCC Male Minimum

	Recommended Mens Minimum - JRCC			MRCC Male Minimum Current Structure
	Current Structure (JRCC)	Recommended Change	Total Recommended Structure	
DOCR JRCC Male Minimum				
Salary and Benefits	-	5,663,001	5,663,001	5,666,466
Executive Recommendation Salary and Benefit Increase	-	*369,184*	*369,184*	*360,532*
Operating Expenditures	-	1,013,287	1,013,287	1,203,277
Capitial Expenditures		-	-	
Subtotal	**-**	**7,045,472**	**7,045,472**	**7,230,275**
DOCR Behavorial Health				
Salary and Benefits	592,520	-	592,520	705,033
Executive Recommendation Salary and Benefit Increase	*38,198*	-	*38,198*	*48,439*
Operating Expenditures	8,349	-	8,349	1,895
Capitial Expenditures			-	
Subtotal	**639,067**	**-**	**639,067**	**755,368**
DOCR Education				
Salary and Benefits	321,406	-	321,406	409,877
Executive Recommendation Salary and Benefit Increase	124,012	-	*124,012*	*130,424*
Operating Expenditures	55,848	-	55,848	193,656
Capitial Expenditures			-	
Subtotal	**501,266**	**-**	**501,266**	**733,956**
DOCR Medical				
Salary and Benefits	-	243,789	243,789	186,003
Executive Recommendation Salary and Benefit Increase	-	*18,012*	*18,012*	*12,644*
Operating Expenditures	550,334	-	550,334	714,945
Capitial Expenditures		-	-	
Subtotal	**550,334**	**261,801**	**812,135**	**913,592**
DOCR Plant Services				
Salary and Benefits	238,425	-	238,425	155,149
Executive Recommendation Salary and Benefit Increase	15,935	-	*15,935*	*10,811*
Operating Expenditures	-	4,871,449	4,871,449	624,446
Capitial Expenditures			-	
Subtotal	**254,359**	**4,871,449**	**5,125,808**	**790,406**
Total 2019-21 Estimated Costs	**1,945,026**	**12,178,722**	**14,123,748**	**10,423,597**
Estimated On-Going Funding	1,945,026	7,307,273	9,252,299	10,423,597
Estimated One-Time Funding	-	4,871,449	4,871,449	-
Total 2019-21 Estimated Costs	**1,945,026**	**12,178,722**	**14,123,748**	**10,423,597**
General Fund	1,923,029	12,178,722	**14,101,751**	**10,389,519**
Federal Fund	21,997	-	**21,997**	**34,078**
Special Fund	-	-	-	-
Total 2019-21 Estimated Costs	**1,945,026**	**12,178,722**	**14,123,748**	**10,423,597**
FTE	5.62	38.20	**43.82**	**42.75**

Example Time Line With MRCC Renovations	
Date	**Action**
April 30, 2019	HB 1015 - DOCR Appropriation Bill Passes with Emergency Clause Specfic to MRCC Renovations
May 1, 2019	DOCR Publish Advertisement for MRCC A&E Services
May 27, 2019	DOCR Interview and Select A&E Candidates
May 31, 2019	Execute A&E Design Services Contract
June 2019	A&E Plans and Specifications Completed
July 1, 2019	Publication of Advertisement of Bids
July 8, 2019	Publication of Advertisement of Bids
July 15, 2019	Publication of Advertisement of Bids
July 22, 2019	MRCC Bid Opening & Bid Award(s)
July 29, 2019	Execute Public Improvement Contract(s)
August 2019	Contractor Mobilize and Acquire Materials & Supplies
September 1, 2019	Vacate MRCC (Minimum Men Relocated to JRCC) & Begin MRCC Renovation
November 30, 2019	End MRCC Renovation
December 2019	Women Occupy MRCC
215	**Estimated Total Days**

JRCC Male Minimum Temporary Housing	
60 - 90	**Estimated Total Days - Delivery and Set-up**

1-9-2019
HB1015
Attachment A

HOUSE APPROPRIATIONS COMMITTEE
HUMAN RESOURCES SUBCOMMITTEE
Representative Jon Nelson, Chairman
January 9, 2019

North Dakota Department of Corrections and Rehabilitation
Leann K. Bertsch, Director

Presenting Testimony concerning House Bill 1015

The Department of Corrections and Rehabilitation's mission is to enhance public safety, to reduce the risk of future criminal behavior by holding adult and juvenile offenders accountable, and to provide opportunities for change. The Department of Corrections and Rehabilitation (DOCR) accomplishes this mission through the hard work and dedication of its staff. Meeting this mission is a challenge, requiring the DOCR to find a balance between our immediate need of managing the increased our incarcerated and probation and parole populations and maintaining outcomes through evidence-based programs while managing correctional costs.

I will highlight some of the key components of the executive budget with an emphasis on Adult Services. Our Director of Administration, Dave Krabbenhoft, will address budget specific information relating to the 2017-2019 appropriations and expenditures, and the significant items in our budget request for the 2019-2021 biennium that are critical for the DOCR to continue to meet its mission. Lisa Bjergaard, Director of the Division of Juvenile Services will provide an overview of Juvenile Services.

Assuming Control over the Tompkins Rehabilitation program located in the Nurses Building on the grounds of the State Hospital

TRCC grew out of a program that was started by the DOCR in January 1999. Originally called the revocation center, the program was located in the Stutsman County Correctional Center. It started as a 60 day, in-

patient alcohol and drug treatment program designed for first time probation violators and parolees, and was also utilized for intermediate measures. During the 1999 legislative session, $2 million was appropriated to the Field Services Division of the DOCR to expand and implement alternatives to incarceration. The revocation center turned into the Tompkins Rehabilitation and Corrections Unit (TRCU) and became a new 100- day program to provide an alternative to incarceration for individuals incarcerated at the DOCR as well as for individuals at risk of having their probation revoked. Until 2003, TRCU continued to be located at the Stutsman County Correctional Center. Evaluations of TRCU indicated the effectiveness of the treatment program was limited due to a lack of therapeutic environment in a jail setting.

TRCC was established in 2003 by combining resources and programs to create a 90-bed treatment center on the grounds of the North Dakota State Hospital. At the time the partnership was formed, significant downsizing of the State Hospital was occurring and taking on TRCC was a way to continue to utilize State Hospital staff that would have otherwise lost their jobs. TRCC has been a very beneficial program and partnership between the State Hospital and DOCR serving both men and women under the custody or supervision of the DOCR. The facility houses residents separately on three wards delivering 100 days of cognitive behavioral treatment in a structured social learning correctional model. The program consisted of 60 beds for men and 30 beds for women. During the 2015-2017 biennium, the program was expanded to provide an additional 16 beds for men. The current capacity is 106 beds.

Although the partnership between the DOCR and the State Hospital has been a very good one and operates more collaboratively now than ever, the program has evolved over the years to where it makes sense that DOCR take over the remaining pieces of the program. The DOCR already

provides case management and program management with DOCR staff. The DOCR provides and directly pays the cost of food and laundry services provided to TRCC. The DOCR also provides security support for the program. The DOCR also provides educational and GED services for the TRCC. Transferring the remaining portions of the program to the DOCR eliminates the need for a contract and the costs associated with it; eliminates the need to negotiate changes and services; Improves the flexibility of use of staff by being able to move Licensed Addiction Counselors (LACs) when necessary based on DOCR needs; Keeps the DOCR from being overly regulated by joint commission standards; Unifies our records and streamlines operations. (Clinical staffing, entrance/exit of residents, etc); Allows for the potential replacement some of the LACs with Human Relations Counselors (HRCs) to conduct Thinking for a Change and other programming to save money instead of two LACs co-facilitating; TRCC and James River Correctional Center (JRCC) which is also located on the grounds of the State Hospital will continue to share resources and expand to sharing human resources; Ensures DOCR's best practices for re-entry are applied to those individuals discharging from TRCC. (e.g. Thirty-day supply of prescription medications). The proposal in the Executive Recommended budget, transfers the 60 beds that are located in the Nurses Building. The DOCR will contract for services for any additional treatment beds from the State Hospital. We were not able to assume responsibility over the portions of the program that are run out of buildings that the State Hospital is currently using for patient services. The DOCR will eventually request to take over the remaining treatment beds when and if the State Hospital locates to a new facility. TRCC is the DOCR's program. The DOCR determines and approves the programming to be delivered. The DOCR determines placement into the program, however the State Hospital can and does restrict who they will accept, such as those with chronic medical needs, pregnancy or registered sex offenders. TRCC customers are 100% DOCR customers. TRCC is

exclusive to those under DOCR custody or supervision. The TRCC has become an integral part of the operations of the DOCR and it makes sense that the DOCR assume control over the program that is being delivered in building separate from State Hospital core functions.

Relocating the Prison for Women

I spoke in great detail to you in the full House Appropriations Committee regarding the need to relocate the women from a remote contract facility to a centralized facility operated by the DOCR. I have raised these concerns in previous legislative sessions, and it is time to finally act. The DOCR has put forth a plan that deserves serious consideration. I have included the text of that testimony, however I will not reread it to you today.

When it comes to how our state is providing services for incarcerated women, we are failing. Over the last 20 years, the number of people sentenced to the DOCR grew by 250% even though the state only grew by 18%. However, the number of women sentenced to the DOCR increased by almost 500%. Because the number of women has always been relatively small, the state has never provided services tailored to the risks and needs that justice involved women require. We must do better. "Good enough" is not acceptable.

The history of how we have provided incarcerative services to women is not one of which to be proud. The state has never developed or funded a gender responsive solution for women, but rather pigeon-holed the women into housing units at prison facilities designed for men. Women sentenced to the DOCR were housed in the North Unit at the State Penitentiary until 1998, when they were relocated to the newly opened James River Correctional Center, a medium custody prison for men. The DOCR recognized that this was not an ideal situation and requested that the women be moved to a separate facility on the grounds of the State Hospital. However, the legislature decided to prioritize economic development and decided to locate the women in a contract facility in a

remote location without adequate services and far from where most of the women come from. Over the last 15 years, the DOCR has tried to make this arrangement work. It is no longer a viable arrangement. Even though it would be much easier for myself and the department to continue the status quo and avoid a debate that is fraught with emotion, the taxpayers deserve correctional practices that enhance public safety and utilize tax dollars in the most fiscally prudent manner.

Decisions on where to build a prison, or whether to relocate an existing prison shape and impact the lives of incarcerated people, families, staff, volunteers, politicians and communities. Communities in which prisons are already located have stakes in keeping employment in their area. However, incarceration is not an employment program. If people need jobs, let's get people jobs. Don't put people in prison to give some people jobs and don't locate prisons in locations that inhibit the mission of the DOCR. That's not what this state is about and that has to end this session.

It is important to locate prisons in communities that are close to where the people come from that are locked up. The evidence and research show that when prisoners are able to maintain ties with their family, they cope better with their prison experience and they have a much lower recidivism rate.

Women make up about 12% of North Dakota's prison population. Unlike their male counterparts, women offenders tend to have a history of physical and/or sexual abuse, and they are the primary caretakers of young children at the time of arrest. Their involvement in the criminal activity is often motivated by poverty and/or substance abuse, and they are less likely than men to have been convicted of a violent crime. The characteristics of women involved in the North Dakota criminal justice system are disproportionately women of color; in their early-to-mid-thirties; most likely to have been convicted of a drug or drug-related offense; fragmented family histories, with other family members also involved with the criminal justice system; survivors of physical and/or sexual abuse as children and adults; significant substance abuse problems;, multiple physical and mental health problems; unmarried mothers of minor children; in need of a high

school degree/GED, and limited vocational training and sporadic work histories; The women incarcerated in the DOCR are 34% Native American and over 75% are mothers with children. Support services for incarcerated women should focus on healthy relationships. Healthy family relationships should be nurtured and supported throughout women's incarceration, with special attention to relationships to their children and their children's caretakers. Family reunification should occur as frequently as possible. Incarceration has an impact that extends far beyond the men and women who are incarcerated. You need to be concerned about the intergenerational crime and children at risk as a result of an incarcerated parent. Parental incarceration is a strong risk factor for a number of adverse outcomes for children, including antisocial and violent behavior, mental health problems, failure to graduate from school, and unemployment. Research supports that maintaining and supporting contact between the incarcerated parent and child can prevent intergenerational crime. Incarcerated mothers cite separation from their children as one of the most difficult aspects of imprisonment. Frequent and regular visitation between prisoners and their families provides the most concrete strategy to manage separation and maintain connections. These visits help the incarcerated adult and children to share family experiences and participate in family rituals, e.g., birthday celebrations, religious observances, etc. and help them to remain emotionally attached. They help assure incarcerated parents that their children have not forgotten them and children that their parents love and care about them. They allow the incarcerated parent to see themselves, and to function, in socially acceptable roles rather than as prison numbers and institutionalized dependents.

Although incarcerated women represent a small number of the total DOCR daily census, the unique needs of the women are unable to be adequately satisfied for a number of reasons. First among those is the location. The majority of women are held in a county-owned facility in New England approximately 125 miles from Bismarck, the residence of over 30% of the women sentenced to the DOCR. Over 90% of the women sentenced to the DOCR are from central and eastern North Dakota. Second, while the conditions of confinement satisfy basic life

safety codes, the existing facility was not designed to house women. Third, the ability to offer a full range of programs and services that address the unique needs of women is very limited due to location, configuration, and design.

On average, 325 women are admitted to the care and custody of the DOCR and 16.5% of these are returning after a previous sentence to the DOCR. Parole and probation violators represent 40% of the annual admissions which in conjunction with those returning with an additional criminal charge, makes the reoffending rate among women greater than 50%. The average daily population is 210. The average length of stay is approximately 235 days, although a small percentage are serving multi-year sentences.

Due to the lack of programs and opportunities for a variety of wellness activities, the women are generally unmotivated. The rate of diabetes is higher than the general population and 50% of the women are Hepatitis C positive. Largely due to the remote location, the number of community advocates for the incarcerated women is fewer than that of most state systems. This is particularly evident in the lack of volunteers to assist Native American women with their unique family, cultural, and criminogenic needs.

With this as a profile background for women, the DOCR believes the best solution to address the needs of the women in our custody is to convert MRCC from a minimum custody men's facility to a multi-custody, treatment-focused women's facility. A proposed plan has been developed that would accomplish a level of improvements to transform the MRCC to a more appropriate environment for women.

In addition to focusing on healthy relationships, programs for incarcerated women should address the areas that served as pathways to incarceration while offering opportunities for success in the community. The primary and basic needs of justice-involved women include drug treatment, employment, financial aid, money management/budgeting, cultural support, education/vocational skills, support groups, housing and legal help.

Women require health services more than men. The location of our women in New England has presented significant challenges in delivering appropriate

services. The community of New England has not embraced the prison in their community. The Hettinger Clinic, located on Main Street in New England, has refused to provide services to the women incarcerated at DWCRC. Even though they would benefit from the increases in income, they refuse to provide services to this disadvantaged and vulnerable population. Dental services at DWCRC are non-existent. No dentist in Dickinson is willing to provide dental services to the women incarcerated at DWCRC. DWCRC does not have a dental operatory and must rely on transporting women to see a dentist for assessment, evaluation and treatment. Only one dentist, located in Bowman is willing to provide services to the women incarcerated at DWCRC. DWCRC is unable to meet the standard for dental assessment as they load up a van twice a month to transport women for dental treatment. I have received numerous complaints about the dental services for women. This is unacceptable.

When the state incarcerates a person, that person is constitutionally entitled to a community standard of care. As an opioid epidemic as swept the nation, Medication Assisted Treatment (MAT) to treat individuals with opioid addictions as become a standard of care. Once Medication Assisted Treatment became available in this state, we knew that we would have people already on MAT enter into our prison system. Currently, men coming into our system are able to continue that treatment at both NDSP and MRCC. MAT is not available in southwest North Dakota. We recently had a pregnant woman sentenced to the DOCR that was on MAT. Our physician intervened when he learned that she was to be transported to DWCRC and they planned to wean her off MAT. That would have been fatal to the fetus. The DOCR had to keep the woman at the Cass County jail where she could continue on MAT. At any given time, up to 10% of the women incarcerated at DWCRC are pregnant. These are high-risk pregnancies and it is risky for the state to have these women so far away from necessary medical care. We recently had a woman who was seven months pregnant and leaking amniotic fluid. She was required to be hospitalized in a Bismarck hospital until the baby was born, and then the mother was 125 miles from a fragile premature baby where it was critical to maintain the bond between

the mother and the baby. These are just a couple examples of the why the state should not willingly place a high-risk, high-need population in a location where services are difficult to access or non-existent.

Women with trauma histories have low self-esteem, and they need to be recognized when they succeed. Positive self-images can be developed through spaces for women to create, such as photo, art, or writing programs - and to display their work. Many incarcerated women have not had a positive experience with the traditional classroom setting because of low self-esteem and other factors. Women benefit from programs such as life skills, parenting, and independent living. Vocational programs are needed to teach marketable skills that are of an adequate pay scale and applicable in the community to which they are returning – empowering women to live independently rather than return to unhealthy environments and relationships. The location of incarcerated women in New England makes it difficult to offer similar programming that is offered to incarcerated men due to the people resource. Often the DOCR offers to bring in volunteers and contract services such as a technology training, Toastmasters, art programs, etc. with a negative response from DWCRC to start them due to an inability to supervise the contractor or volunteer. The quality of education and personnel have caused the efficiency and success rate of the GED program to not be comparable to that of all other such facilities such that the DOCR has had to directly supervise their education services. DOCR Education has taken on a more active role of offering what should be the supervision feedback directly to the facility's administrator to try to fix this. The 2018 GED State Audit's recommendation was to close the site and let go of some of the education personnel due their lack of compliance. The DOCR has created compliance measures for DWCRC to attempt to avoid the negative impact to our women students. A recent resident of DWCRC, now at Tompkins, shared, "I spend 5 months as a GED student at DWCRC, and all I had to show for it was one completed test. The hoops I had to jump through for one test was ridiculously frustrating…" This student arrived and Tompkins and graduated through DOCR Education in three weeks. She went on to add, "I personally know a girl at the

prison… that has been in the GED program for her entire 4 years there, and had only one test left to take. There has to be something someone can do so that the women do not have to continue to go through all this frustration." It is critical for this disparity to be addressed. Adult correctional education improves post release outcomes. Incarcerated adults who participate in correctional education programs have a 43 percent lower chance of recidivating than those who do not – a reduction in the risk of recidivating of 13 percentage points. The odds of obtaining employment post release among incarcerated adults who participate in correctional education is 13 percent higher than for those who do not. The state must provide the same opportunities for the women to succeed as are afforded to the men.

There are many reasons for the growing number of women in the criminal justice system, but the primary one is the increase in drug-related convictions. In spite of this, the issues of addicted women, are for the most part, invisible in the criminal justice system. Historically, treatment, research and recovery have been based on the male experience, often neglecting women's needs. While this neglect has serious impact on women and treatment programs in the free world, the problem is magnified for women in the criminal justice population. Statistics indicate that for women there is a high correlation between drug abuse and incarceration and parole/probation violations and yet our state does not provide a comprehensive continuum of care for these women. The behavioral health services at DWCRC are very limited, requiring the DOCR to move them to a different location to access services, fragmenting the comprehensive approach to the rehabilitation process. This constant movement of the women sentenced to the DOCR creates much instability and leads to higher failures. In attachments 1 and 2 you will see the expanded behavioral health resources that would be provided to women when relocated to MRCC in Bismarck. The attachment which displays the FTR providers by region shows that Bismarck has more than four times the capacity to provide care coordination and peer support services as compared to the Dickinson region.

The state needs to create a system that delivers better outcomes and safer communities by providing the necessary services to the women in our corrections system. In caring about small towns, you need to care about all of our North Dakota communities, both large and small where these women are returning. Citizens deserve an effective corrections system that releases a good neighbor, not a good prisoner that continues to churn through the criminal justice system at great expense to taxpayers.

Pretrial Services

Pretrial Services programs provide crucial information to judicial officers to assist with the bail decisions and to provide supervision and services to pretrial defendants that will promote public safety and court appearance. The role of a high functioning pretrial services agency can have many positive impacts on local justice systems. By identifying risk factors through validated risk instruments and providing release options and strategies to manage the defendant's risk pending trial, judicial officers can make informed decisions that balance the Constitutional presumption of innocence while providing protections for the community. Our criminal justice system stands on tow bedrock principles: that individuals accused of a crime are presumed innocent until proven guilty, and that they are entitled to a speedy trial. Yet many defendants are detained in jail before and during trial – while they are presumed innocent – because they cannot post bail, and, all too often, have to wait an extended number of months to see their day in court. This can impair their access to justice as a result of a reduced ability to actively participate in planning their defense with counsel, contacting witnesses, and collecting evidence. Some low-level offenders may plead guilty, not because of their culpability, but because of their need or desire to get out of jail, particularly individuals with fragile employment which would be lost if they miss work, or single parents who need to care for their children. Research also shows that low-risk defendants who are detained pretrial are more likely to commit new crimes, not only while their cases are pending, but also years later. The impact of unnecessary pretrial detention also is reflected in bloated jail populations and

the accompanying expenses of providing health care, meals and other costs of incarceration. Two sessions ago, you enacted legislation that allows for the DOCR's Parole and Probation Division to provide pretrial services. However, no resources were appropriated to allow for the services to be provided. Included in the Executive recommended budget, are 7 FTE's to support a pretrial services pilot in three regions. One of the 7 FTE's would be hired in the first year of the biennium to coordinate and collaborate with all the required stakeholders to designed and build the program. The other 6 FTE's would be hired in the second year of the biennium to provide services in the three regions selected to participate in the pilot.

Education

Providing education and vocational skills to incarcerated individuals is one of the best investments you can make to reduce recidivism. Our education department, under the direction of Dr. Penny Veit-Hetletved, leads the nation in passing success rate as calculate by the GED Testing Services. Our education staff do some amazing work with challenging students. However, the higher turnover rates for those educators serving adult population is alarming. Of the twenty educators necessary for serving the adult populations, half of these faculty are FTEs and the other half are full time temps with limited benefits. Pay equity in comparison with the educators at the North Dakota Youth Correctional Center (NDYCC) is deficient by $10,00-$14,000 for Division of Adult Services (DAS) instructors who work twelve months versus nine months; are required to hold the same licensures, credentials, and trainings; are governed by the same teacher handbook; and are supervised by the same administrator. In the past three years, we have turned over 81% of our DAS faculty. Through exit surveys, we have learned that 98% of those DAS faculty left for a public school position that paid them in nine months what the DOCR DAS position pays in twelve. The DAS educators do not need to go to the contracted system that NDYCC follows, but a pay comparison equity raise would allow DAS education to continue to operate

on the same level. The executive budget in its current form includes funding to put the DAS educators on the same composite scheduled as our NDYCC educators. We would appreciate your consideration of this request.

The Population

For the first time in a decade, the number of people sentenced to the DOCR has decreased. Because of your insightful reforms in the last legislative session, fewer people are having to enter prison and jail to access treatment and recover supports. Your recognized that the corrections system in North Dakota had become the default provider of behavioral health services and you moved $7 million dollars upstream to invest in community behavior health services. Those services, Free Through Recovery (FTR) were launched in February of 2018 and have served over 620 individuals. A survey by the Council of State Governments Justice Center noted that 70% of responding judges stated they had sentence someone to prison in order to receive a behavioral health service, regardless of that person's risk to the community. Although the DOCR is proud of the work that we have accomplished to provide effective behavioral health services, individuals should not have to enter prison to receive such services. Those recovery support services need to continue and be expanded to individuals outside of the criminal justice system. Thank you for your investment in doing the right thing for people.

The 2019-2021 biennium will be a biennium of many challenges and changes for the DOCR. Difficult social issues require bold solutions and difficult decisions to be made. I look forward to working with you as you craft a budget for the DOCR that ensures that the DOCR is able to meet its goals of protecting the public, protecting staff, and maintaining safe, secure and humane supervision of offenders, both in the facilities and the community.

1-9-19
HB1015
Attachment B

House Appropriations
Representative Nelson, Chairman
January 9th, 2019

North Dakota Department of Corrections and Rehabilitation
Division of Juvenile Services
Lisa Bjergaard, Director

TESTIMONY pursuant to House Bill 1015

For the record, I am Lisa Bjergaard, Director of the Division of Juvenile Services. I present this testimony in support of House Bill 1015.

The Division of Juvenile Services is a public safety and rehabilitative services agency. Service is delivered via a high intensity case management system which operates eight regional community-based offices and the North Dakota Youth Correctional Center.

The public policy goals of the Division, most simply put, are to ***identify, manage,*** and ***minimize risk.*** This is "what" DJS does. However, in order to accurately direct resources, asking "who, where, when, how and why" is also essential. Today, we will examine the population served, discuss risk management, look at capacity, review current research, and analyze system effectiveness in order to answer those questions.

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YOUTH PROFILE: IDENTIFYING RISK

74% have issues with **mental health**	•60% of youth have a serious emotional disorder •46% of the youth that have a mental health issue require a medication managed by psychiatry
82% have issues with **substance abuse**	•65% used alcohol before age 15 •80% have family w/criminality or substance abuse •55% used marijuana on a weekly basis
85% have **family instability**	•65% have a family that struggles economically •68% have had multiple caretakers •60% witnessed parental conflict and/or violence
73% have **academic problems**	•58% have failed 3 or more classes •43% have usual grades that are a "D" or "F" •36% have had to repeat a grade
99% have **criminogenic risk factors**	•96% are impulsive and take risks •90% have opportunity for criminal activities •93% have been rebellious over past two years •89% associate w/criminal friends or other deliquents
99% have issues with **cognitive reasoning**	•92% appear manipulative and dominate others •86% easily lie and get away with it •77% blame others or situation •72% demonstrate a lack of remorse or guilt
75% lack adequate **social skills**	•72% exhibit negative social perceptions •37% are isolated and lacking social support

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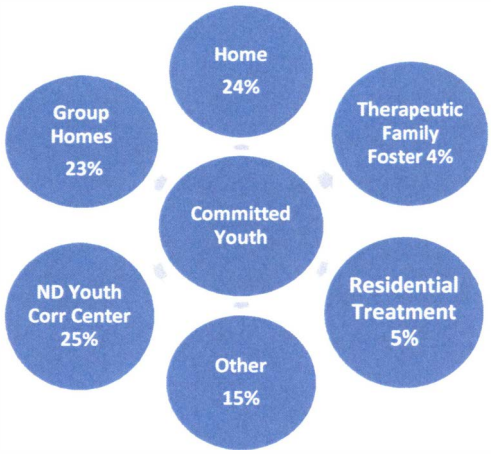
The Youth Profile shown on page 2 is a composite created from information collected during the intake and assessment phase of case planning. An analysis of risk and need guides distribution of resources and services. Following a thorough assessment, the appropriate placement setting is determined.



Currently, 75% of youth are served in a level of care other than the Youth Correctional Center. During the first year of this biennium, over 900 individual youth received supervision and services.

927 Youth Supported Annually (unduplicated count 7/1/17-6/30/18)		
AGENCY CUSTODIAL SERVICES	**NON-CUSTODIAL SERVICES (YCC)**	**COMMUNITY THERAPEUTIC SERVICES**
Committed Youth = 239	Detention Placements = 97 BOP/Triabl Placements = 9	Day Treatment = 160 Intensive In-Home = 122* *463 family members

MANAGING RISK

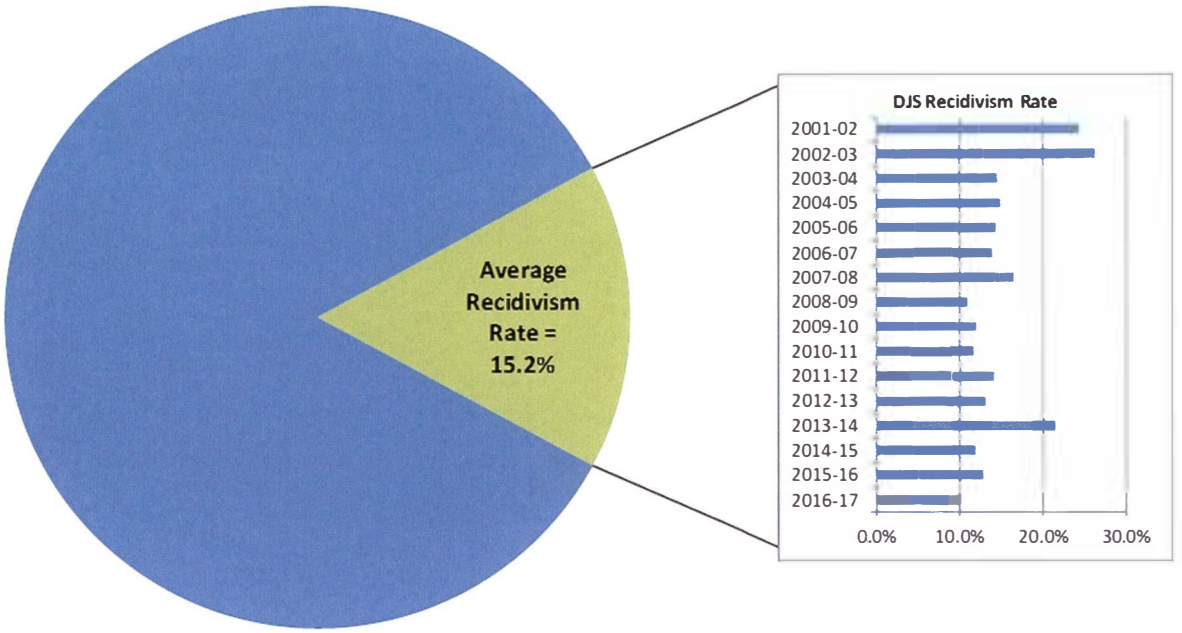
These youth have significant needs which left unaddressed can create an unacceptable level of risk to themselves and the community. As discussed previously, identifying and managing risk are key functions of the youth corrections system. Most jurisdictions have historically relied heavily on incarceration as the primary mechanism for managing risk.

We have long understood that incarceration may manage risk but it does little to reduce it. In fact, a growing body of research now concludes that particularly where youth are concerned, incarceration may in fact ***increase*** future risk.

Over use of confinement serves two purposes; risk management and punishment. However, neither confinement nor punishment help to minimize risk, and we also must produce good outcomes. North Dakota has traditionally relied heavily on out-of-home care throughout the child serving systems, and juvenile corrections has been no exception.

DJS has worked hard to reduce the use of confinement. In 2014, the daily count at the Youth Correctional Center, averaged over one year, was 71. In 2018, that number was 50.

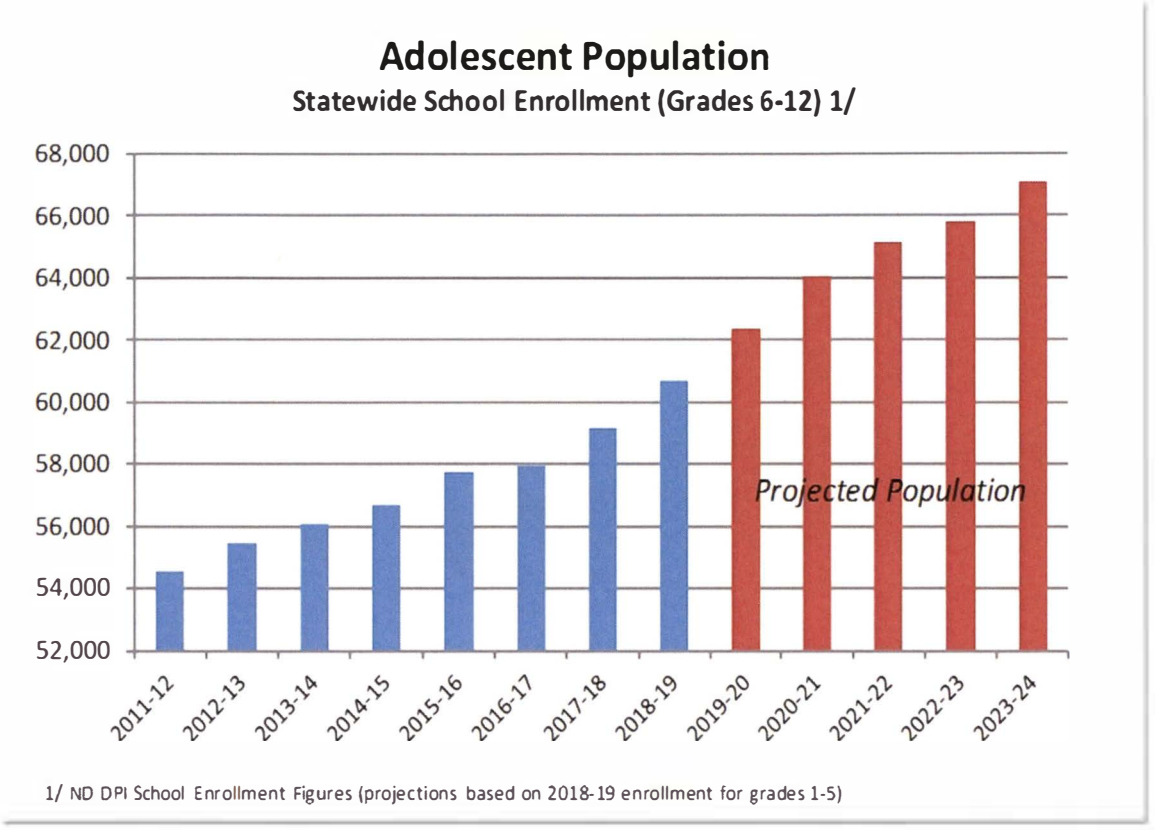
However, we must be as effective at risk reduction as we are at identifying and managing risk. We should expect great outcomes. Recidivism analysis indicates that even as the number of youth served outside of the secure facility has been reduced, negative outcomes (recidivism) have not increased and positive outcomes (education engagement, treatment plan completion rates, family engagement measures) have improved.



PROJECTING CAPACITY

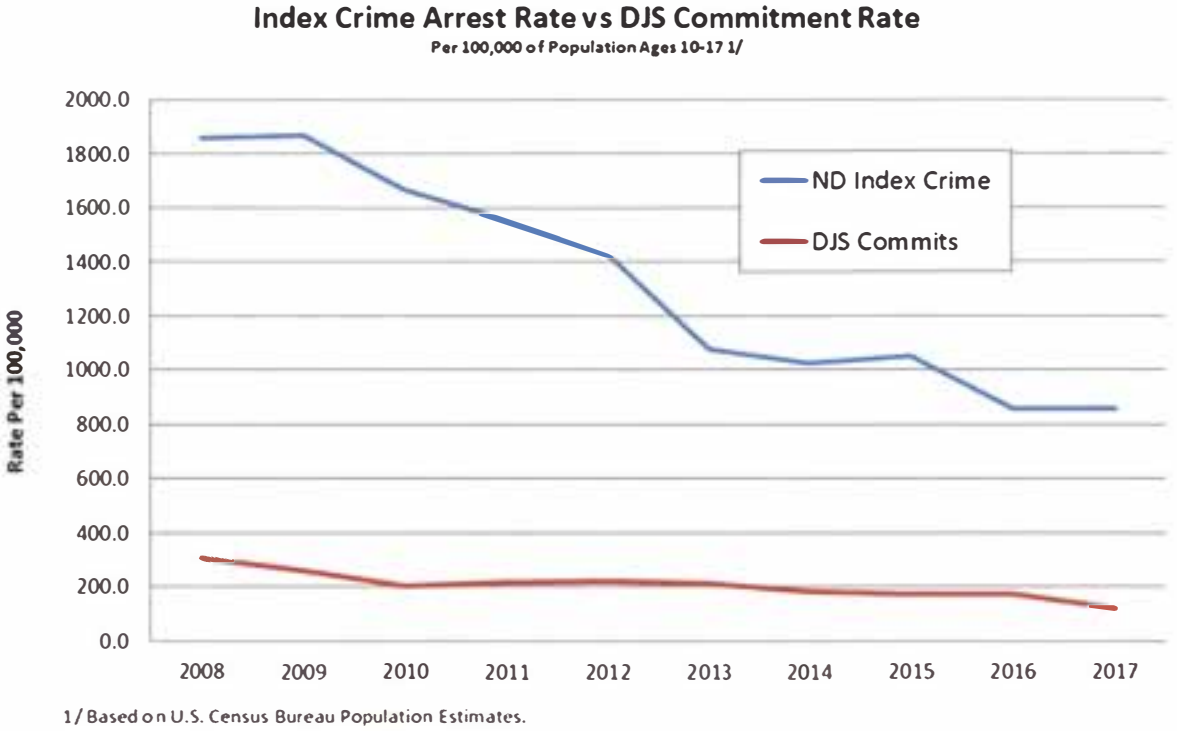
Effective resource management demands that the agency have a plan for forecasting capacity. Predicting the number of youth who will be committed to the custody of the Division of Juvenile Services (DJS) is dependent upon a number of factors. The two most reliable indicators include the number of youth in the age range and the rate at which they commit delinquent offenses.

On page 6, you will find a current data snapshot that illustrates a good way to capture the number of youth who will be in an age range. It shows the statewide school enrollment for youth in grades 6-12. The blue bars are actual numbers, and the red bars are projected numbers based on the statewide school enrollment data for youth who are moving up and into the higher grades. This data gives us a projection of the possible "universe" of delinquent youth.



The data snapshot shows the numbers of youth who will be passing through the at-risk adolescent years of their lives climbs steadily over the next few years, and so it is important to think about what the infrastructure needs might be for the state's juvenile justice involved population.

The next indicator is the juvenile crime rates. This data snapshot shows arrest rates for serious juvenile crimes (the blue line) and also rates of commitment to DJS (the red line).



The availability of data lags by almost two years, and when 2017 testimony was prepared, 2015 was the most recent year for which data was available. At that time, youth index crime arrests had taken a slight uptick, and the rate of commitment stayed relatively even. Now, the data shows that juvenile arrests for serious crimes fell between 2015 and 2016, and between 2016 and 2017 the rate of commitment to DJS began to decline as well.

These two data trend lines, taken together with the population snapshot, help us conclude that although the number of adolescents is increasing, the amount of serious crime committed by youth is down, and the rate at which youth are being committed to state custody is also showing a decline.

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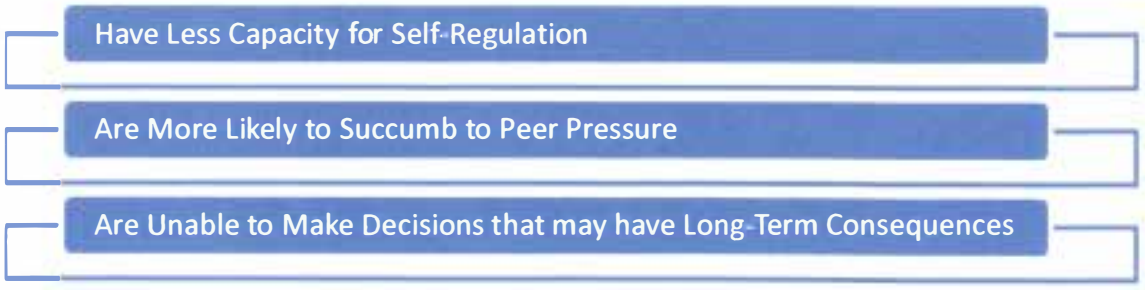
RESEARCH

Like so many other disciplines, research and technology have transformed practice within juvenile justice. The invention of Magnetic Resonance Imaging, the MRI, was a particularly powerful influence. For the first time, researchers were able to physically see the development of adolescent brains over time. Every parent who has lived with a teen in their home knows that this period of development is earmarked by erratic behavior and sometimes questionable judgement, but the MRI allowed scientists to actually visualize how the brain changes during this critical period of development.

The brain MRI research was published in 1999. Insights into brain development sparked a wave of social science research, aimed at answering the question, "if the brain develops in predictable stages and at predictable times, then what does that mean for social and emotional learning and youth development?" After almost 20 years, we now know enough to be able to align practice with research-based strategies and practices. The aspects of development that demand critical consideration when developing public policy and directing funding strategies are now settled science.

Research shows that major changes in brain structure continue to occur until youth are in their mid-20s. Science now confirms what parents of teens already know, that youth are not little adults, they:



The role of the juvenile corrections system is make sure the public is safe while providing the structure and accountability necessary in the appropriate proportion for each individual youth to help them develop through this stage and emerge into adulthood prepared and fully functioning.

All of this might lead to two more questions: First, why do some youth become delinquent and then persist in delinquent behaviors? Second, what should the juvenile corrections system provide in the effort to prepare troubled youth for adulthood?

The brain plays a big role in behavior but development is affected strongly by interplay between the brain and environment. Research indicates there are three environmental conditions that are very important to healthy psychological development for youth:

- Involvement with adults that are genuinely concerned about the youth and their development
- Exposure to a peer group that models pro-social behavior and academic success
- Activities that contribute to autonomous decision-making and critical thinking

In summary, the likelihood and seriousness of youth offending is strongly affected by interactions with parents, peers and schools. Anytime a youth is removed from their community environment, they are deprived of one or more of those conditions.

Therefore, the juvenile corrections should strive to provide these conditions to the extent possible, in order to most effectively meet youth's needs. When programming and placement are aligned with the principles of healthy

psychological development, risk reduction strategies are most effective and better long-term outcomes are achieved.

ANALYSIS AND PLANNING

Population estimates predict a likelihood that caseload will increase in the coming months and years. However, based on the steady to lower rates of serious and violent crimes, it may be possible to continue to reduce reliance on secure placement. Research is clear: adolescents with high risk behaviors need structure and accountability. Certainly, the Youth Correctional Center meets these needs. However, youth have other developmental needs as well, which must also be addressed in order to produce good long-term outcomes. Many of these developmental needs are best met in community environments.

Therefore, finding ways to increase the amount of structure and the degree of accountability in community-based settings is the next logical step. Currently, 75% of DJS youth are served in non-secure settings, somewhere along a continuum of care. North Dakota should plan to continue to reduce reliance on secure care at the Youth Correctional Center and begin to shift resources into community-based services that are proven to be effective.

Day Treatment and Intensive-In-Home family-based services have been DJS programs for nearly 30 years. Now, research analyses of family-based programs and family strengthening initiatives demonstrate consistently that these programs produce positive outcomes, consistent with risk reduction.

Intensive-In-Home is used as a mechanism to strengthen families whose youth are exhibiting behaviors that put them at high risk for being placed outside of their

home. During the last year of the current biennium, our Intensive-In-Home model has resulted in 78% of the youth successfully remaining with their families.

Day Treatment, our school-based intervention, is currently in its 26th year. In the last full school year, 152 students were served in five sites. The Day Treatment programs successfully prevented 95% of the students served from being removed from their home school. Day Treatment programs operated in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

Youth Served in Day Treatment (2017-18 School Year)

DEMOGRAPHICS	RISK FACTORS	OUTCOMES
⇒ 67% Male; 33% Female	• History of Drug and/or Alcohol Abuse (Family/Youth) = 56%	* Academic Improvement = 42%
⇒ 18% in elementary school; and 82% in middle school	• Previous Truancy = 37%	* Family Involvement = 55%
⇒ 45% White; 38% Native; 8% Hispanic; and 9% Black	• History of Abuse/Neglect = 37%	* Maintained in Community (avoided out-of-home placement) = 95%

They address the developmental needs described in the research, and they will allow us to continue to shrink the footprint at the Youth Correctional Center.

Youth will be assessed and readied for community-based placement at the Youth Correctional Center, as is current practice. Expanding Day Treatment sites will allow youth to return to their home communities sooner, shorten lengths of stay and mitigating the deleterious outcomes associated with prolonged stays in a correctional facility. The daily count will continue to fall.

CONCLUSION

Last session, the Division of Juvenile Services was directed to work with its system partners to figure out how to better serve youth in their home communities. In addition, DJS was asked to make a determination regarding the needs and use of the physical plant at the North Dakota Youth Correctional Center.

It is premature to make a recommendation at this time. That the facility is aging and is inadequate for the needs of a modern youth population is certain, but the footprint needed in the future is likely much different than what currently exists. Also, if you support Day Treatment expansion, capacity needs will be better defined in two more years. This will allow the legislative body to make an informed decision on the size and type of facility that will best suit North Dakota's needs going forward.

In conclusion, it is worth imagining a juvenile corrections system where misbehavior does not require confinement in order for youth to get the help they need. Identified risks should be managed at a level of care sufficient to meet the youth's needs, but not forced to rely on out of home placement. And, risk should certainly be managed, but all youth, even those requiring intensive services, can receive risk reduction services in a trauma informed, developmentally appropriate environment.

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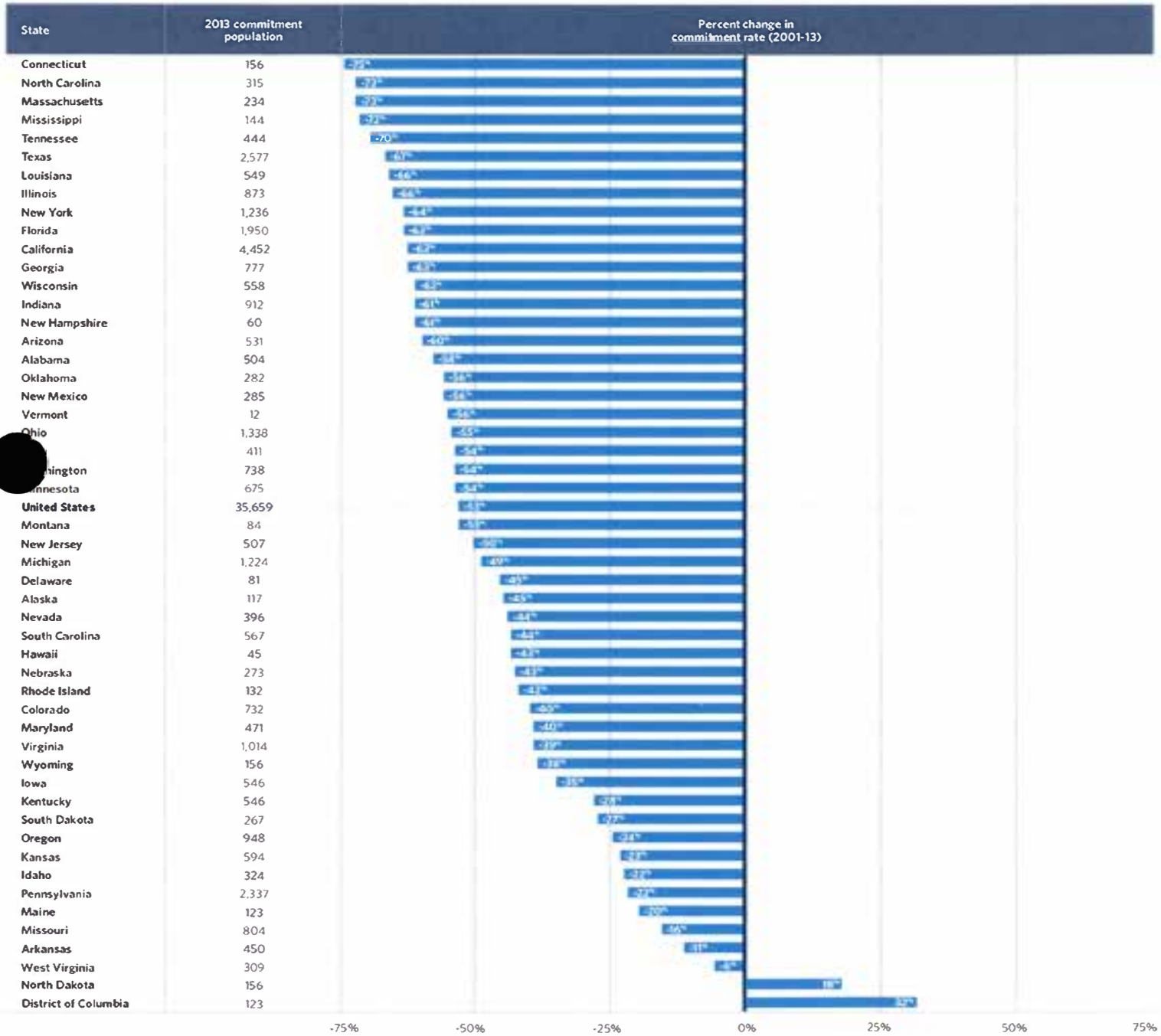
1-9-19 C
Attachment C
Page 1

[redacted]uvenile Commitment Rate Drops 53%

From 2001 to 2013, the U.S. juvenile commitment rate declined 53 percent, according to data recently released by the Department of Justice's Office of Juvenile Justice and Delinquency Prevention.[1] Rates fell in 49 states during this period, including decreases of over 50 percent in more than half of the states. The nationwide reduction reflects a 42 percent drop in juvenile violent-crime arrest rates from 2001 to 2012 and comes as a growing number of states are adopting policies that prioritize costly space in residential facilities for higher-risk youth adjudicated for serious crimes.[2]



Source: Office of Juvenile Justice and Delinquency Prevention

2015 The Pew Charitable Trusts

Endnotes

1. Data come from the Census of Juveniles in Residential Placement, http://www.ojjdp.gov/ojstatbb/ezacjrp/. The census was first administered in 1997, and the most recently published results are from 2013. Pew's analysis includes only youth committed to a facility as part of a court-ordered disposition. The commitment rate is the number of committed juvenile offenders in residential placement per 100,000 youth in the population (ages 10 through the upper age of original juvenile court jurisdiction in each state).
2. Charles Puzzanchera, "Juvenile Arrests 2012" (2014), Office of Juvenile Justice and Delinquency Prevention, http://www.ojjdp.gov/pubs/248513.pdf; Howard N. Snyder, "Juvenile Arrests 2001" (2003), Office of Juvenile Justice and Delinquency Prevention, https://www.ncjrs.gov/pdffiles1/ojjdp/201370.pdf

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Attachment D
Page 1

Projected Number of Youth at YCC by 2023

(If nothing changes in terms of policy or practice)

	School Year	Enrollment Grades 6-12 [1/]	ND Youth at YCC [2/]	ND % of Youth at YCC	US % of Youth in Secure Facilities [3/]	ND Youth at YCC at US Rate	Decrease Needed from 2018 to 2023 to get to US Rate
	(A)	(B)	(C)	(D) = (C)/(B)	(E)	(F)=(E)X(B)	(G)=(F)-(C)
Actual	2018-19	60,703	45	0.074%	0.051%	31	
Projected	2019-20	62,365	46	0.074%	0.051%	32	
	2020-21	64,052	47	0.074%	0.051%	32	
	2021-22	65,167	48	0.074%	0.051%	33	
	2022-23	65,799	49	0.074%	0.051%	33	
	2023-24	67,074	50	0.074%	0.051%	34	(11)

1/ ND Department of Public Instruction (enrollment data)

2/ ND Division of Juvenile Services (average of one-day counts)

3/ Easy Access to the Census of Juveniles in Residential Placement (2015), U.S. Census Bureau American FactFinder 2016 Population Estimates (2015 Estimates Ages 13-17)

ND Department of Corrections and Rehabilitation

2019 – 2021 Executive Budget Recommendation Overview

Prepared for House Appropriations – Human Resources Division
Representative Jon Nelson, Chairman
January 9, 2019

Dave Krabbenhoft
Director of Administration

1

DOCR

- **Vision Statement**

  A safer North Dakota through effective correctional services.

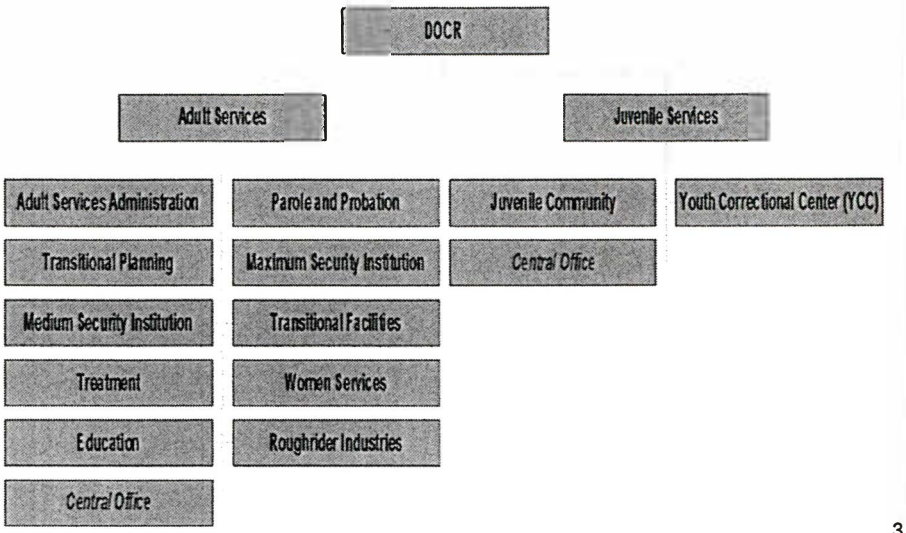
- **Mission Statement**

  To enhance public safety, to reduce the risk of future criminal behavior by holding adult and juvenile offenders accountable, and to provide opportunities for change.

2

DOCR

Budget Structure



3

DOCR

Adult Services

- Responsible for the care, custody, and supervision of adult offenders committed to the DOCR by the State's district courts or accepted under the interstate compact.
  - December 31 One Day Counts:

Status	2018	2016	2014
Inmate	1,695	1,791	1,716
Community	7,002	7,334	6,492

4

DOCR
Adult Services

- Prison Facilities
  - DOCR Operated
    - ND State Penitentiary (NDSP) – Bismarck
      - Men's Facility
        - Maximum Security Prison
        - Men's Orientation Facility
        - Budgeted Bed Capacity - 779

5

DOCR
Adult Services

- Prison Facilities
  - DOCR Operated
    - James River Correctional Center (JRCC) – Jamestown
      - Men's Medium Security Facility
        - Special Assistance Unit (SAU)
        - Budgeted Bed Capacity – 437
      - *Men's Minimum Security Facility – Proposed*
        - *Temporary Housing Units*
          - *Transition to repurposed NDSH LaHaug Building*
        - *Budgeted Bed Capacity - 144*

6

DOCR
Adult Services

- Prison Facilities
  - DOCR Operated
    - Missouri River Correctional Center (MRCC) - Bismarck
      - *Women's Facility - Proposed*

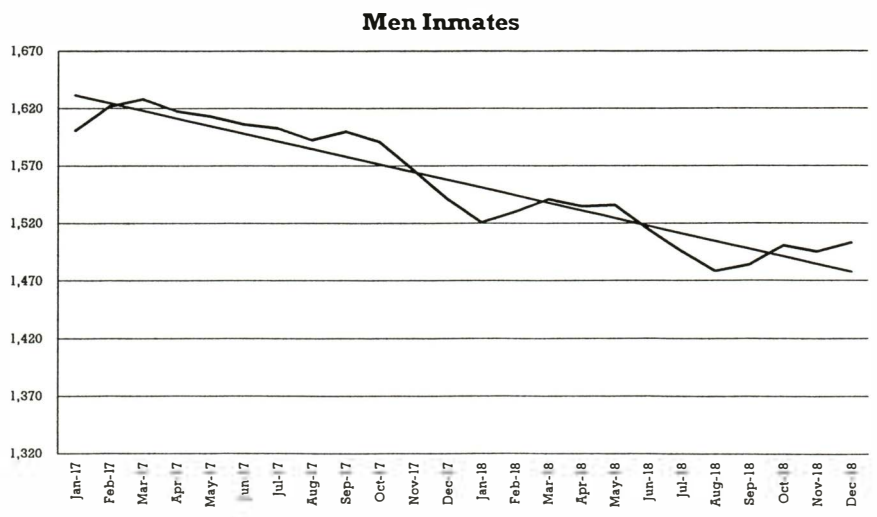
Renovate current men's facility to interim treatment focused women's facility

Transition to a gender specific treatment focused facility – new construction 2021-23

Budgeted Bed Capacity - 145

7

DOCR
Adult Services



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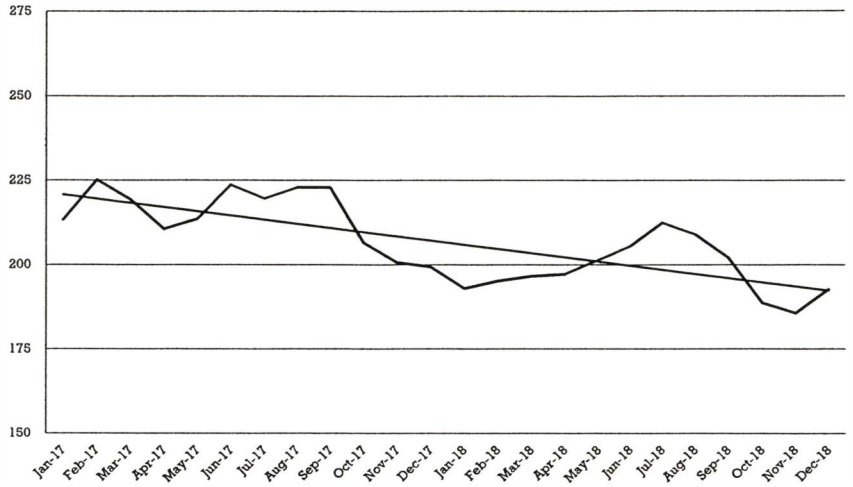
DOCR

Adult Services

Women Inmates



9

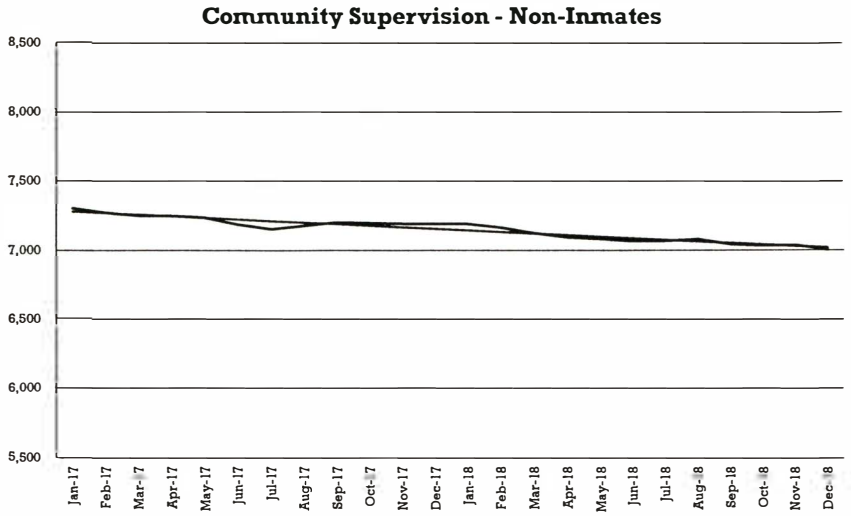
DOCR

Adult Services

- Community Supervision of Adult Offenders
  - Provide supervision of adult offenders that are sentenced to probation by the district court, that are released on parole by the ND Parole Board, or accepted under the interstate compact
  - Sixteen regional offices located throughout the State
    - Beulah, Bismarck, Bottineau, Devils Lake, Dickinson, Fargo, Grafton, Grand Forks, Jamestown, Mandan, Minot, Oakes, Rolla, Wahpeton, Washburn, Williston

10

DOCR
Adult Services



11

DOCR
Adult Services

- Community Based Programs
  - Divert offenders from prison
  - Assist offenders after release from incarceration
  - Contract Operated - Housing / Transition / Treatment
    - Bismarck, Mandan, Jamestown, Fargo, Grand Forks, and Devils Lake
- Administrative Support to the ND Parole Board and the ND Pardon Advisory Board

12

DOCR

Adult Services

- Victim Programs and Victim Compensation
  - Crime Victim Compensation (CVC)
  - Victims of Crime Act (VOCA)
- Roughrider Industries
  - Metal and Wood Fabrication, Cut and Sew, Commissary, and DOCR Land Management
    - NDSP
    - JRCC
    - MRCC

13

DOCR

Juvenile Services

- Responsible for the care, custody, and supervision of juvenile offenders committed to the DOCR by the State's juvenile courts.
  - December 31 One Day Counts:

Status	2018	2016	2014
YCC	41	51	60
Community	109	111	129

14

DOCR

Juvenile Services

- Youth Correctional Center (YCC)
  - Secure residential coed correctional facility located in Mandan
  - Provide appropriate educational, treatment, and comprehensive assessment programing to address specific needs of each youth in residence

15

DOCR

Juvenile Services

- Community Services
  - Eight regional offices located throughout the State
    - Bismarck, Devils Lake, Dickinson, Fargo, Grand Forks, Jamestown, Minot, Williston
  - Provide comprehensive assessment, treatment planning and case management for youth committed to its care, custody and control by state district court.

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DOCR
Budget Information

Line Item	2017 – 2019 Base Level Approp	2019 – 2021 Change	2019 – 2021 Exec Rec
Adult Services	$220,757,448	$26,947,121	$247,704,569
Juvenile Services	30,740,509	1,889,577	32,630,086
Total	$251,497,957	$28,836,698	$280,334,655
General Fund	$214,336,704	$19,661,355	$233,998,059
Other Fund	$37,161,253	$9,175,343	$46,336,596
FTE	845.29	93.30	938.59

17

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Adult Services Administration - $15,746,376
    - Planning, leadership, administrative services, and program management
    - Administration of the federal interstate compact
      - Management of parole and probationers that cross state lines (to and from North Dakota)
    - Administration of crime victim programs
      - Victims of Crime Act (VOCA)
      - Crime Victims Compensation (CVC)
    - 4.0 FTE
    - 6.4% of adult services executive recommendation

18

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Parole and Probation - $22,558,812
    - Provide for the supervision of adult offenders on parole and/or probation status
      - Needs based
      - Risk reduction
    - 16 regional offices
    - Specialized caseloads
      - Drug Court: Fargo(2), Bismarck, Minot
      - Re-entry
      - Transition
      - Sex offender

19

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Parole and Probation
    - Pre-Trial Services Pilot – 3 Judicial Districts
      - Collect and provide relevant information to be used by judicial officers in making pre-trial release and detention decisions
      - Monitoring and supervision of individuals released with conditions pending trial
    - 7,002 – 12/31/18 one day count of adult offenders on community supervision
    - 117.35 FTE (7.0 new FTE)
    - 10.3% of adult services executive budget recommendation

20

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Transitional Planning - $3,337,342
    - Plan, coordinate and implement strategies that best utilize resources to manage offender movement throughout the DOCR
    - Inmate classification
    - Transition from prison to community (TPC)
      - Victim notification
      - Offender reporting instructions
      - Legal documentation
      - Transportation
    - Inmate legal records

21

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Transitional Planning
    - Inmate / offender transportation (DOCR and contract facilities, parole revocation)
    - Administrative support to the ND Parole Board and the ND Pardon Advisory Board
    - 12.0 FTE
    - 1.3% of adult services executive budget recommendation

22

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - ND State Penitentiary (NDSP) - $39,296,263
    - Maximum security institution responsible for the management and housing of adult male offenders with the greatest risk (highest custody level) within the DOCR.
    - Reception and orientation for all male admissions into the prison system
    - Behavioral Intervention Unit (BIU)
    - 743 – FY2018 average daily population
    - 713 – 12/31/16 one day count
    - 779 – 2019-21 budgeted bed capacity

23

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - ND State Penitentiary (NDSP)
    - Facility administration
    - Food services – Prepare and serve three nutritious well-balanced meals daily
      - $1.55 – average budgeted food cost per meal
      - 1.75 million – 2019-21 estimated number of prepared meals
    - Security / Supervision – Provide for a safe and secure environment for public, staff and residents
    - Work programs – reduce prison idleness by providing work opportunities and by teaching job skills and work ethic

24

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - ND State Penitentiary (NDSP)
    - Inmate canine assistance program (ICAP)
    - 219.95 FTE (10.0 new – convert temp to FTE)
    - 15.9% of adult services executive budget recommendation

25

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - James River Correctional Center (JRCC) - $32,570,636
    - Medium security institution responsible for the management and housing of medium security adult male offenders within the DOCR.
    - Special assistance unit (SAU)
    - Inmate canine assistance program (ICAP)
    - Provide food and laundry service to ND State Hospital
    - 439 – FY2018 average daily population
    - 439 – 12/31/18 one day count
    - 437 – 2019-21 budgeted bed capacity

26

DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - James River Correctional Center - (JRCC)
    - Facility administration
    - Food services – Prepare and serve three nutritious well-balanced meals daily
      - $1.40 – JRCC / TRCC average budgeted food cost per meal
      - 1.18 million – 2019-21 JRCC / TRCC estimated number of prepared meals
      - $1.02 million – 2019-21 NDSH budgeted food cost
    - Security / Supervision – Provide for a safe and secure environment for public, staff and residents

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - James River Correctional Center - (JRCC)
    - Work programs – reduce prison idleness by providing work opportunities and by teaching job skills and work ethic
    - *Assume security operation TRCC treatment program from NDSH (60 bed nurse's building)*
    - 176.75 FTE (24.0 new – 6.0 temp to FTE; 18.0 assume TRCC)
    - 13.1% of adult services executive budget recommendation

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Transitional Facilities - $30,062,278
    - Encompasses the management and operation of the proposed JRCC Minimum Security Unit and the management of contract treatment and community beds
    - *JRCC Minimum Security Unit is a proposed minimum security housing unit to be responsible for the management and housing of minimum security adult male offenders within the DOCR*
      - *Four 36 bed temporary housing units (man-camp units)*
      - *Transition to repurposed NDSH LaHaug Building*
    - 185 - FY2018 average daily population (MRCC Men's)
    - 184 – 12/31/18 one day count (MRCC Men's)
    - 144 – 2019-21 budgeted bed capacity (JRCC Minimum)

29

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Transitional Facilities
    - Contract facilities include:
      - 30 Bed Tompkins Rehabilitation and Corrections Center (TRCC) – NDSH / Jamestown
      - Bismarck Transition Center (BTC)
      - Centre, Inc. – Mandan, Fargo, Grand Forks
      - Teen Challenge – Mandan
      - Lake Region Transition – Devils Lake
      - Redemption Road – Fargo, Jamestown

30

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Transitional Facilities
    - Facility administration
    - Food service - – Prepare and serve three nutritious well-balanced meals daily
      - $1.40 – average budgeted food cost per meal
      - 308,000 – 2019-21 JRCC Minimum estimated number of prepared meals
    - Security / Supervision - Provide for a safe and secure environment for public, staff and inmates
    - Work programs – reduce prison idleness by providing work opportunities and by teaching job skills and work ethic

31

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Transitional Facilities
    - Contract community / treatment beds – provide housing, transition and treatment services to adult offenders
    - 43.00 FTE (37.0 new – 2 temp to FTE; 35.0 JRCC Minimum)
    - 12.1% of adult services executive budget recommendation

32

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Treatment and Programming - $18,108,914
    - Development, coordination, oversight and delivery of treatment and programs to adult offenders
    - Individualized assessment, treatment programming and case management services
    - Services and programs:
      - Administering and managing offender assessments
      - Variety of curriculums targeting criminal thinking
      - Free Through Recovery (FTR)
      - Substance abuse treatment
        - *Assume clinical operation TRCC treatment program from NDSH (60 bed nurse's building)*
      - Sex offender treatment – institutional and community

33

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Treatment and Programming
    - Services and programs:
      - Mental health and crisis intervention programs
      - Conflict resolution / anger management
      - Pastoral services
    - 47.0 FTE (10.0 new FTE - 8.0 assume TRCC; 2.0 MRCC women's facility)
    - 7.3% of adult services executive budget recommendation

34

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Education - $5,205,157
    - Academic and career and technical education – course work in academic core content, elective and CTE areas that lead to certifications and prepare offenders for employment once released
      - Educational assessment
      - Special education
      - Basic skills (YCC collaboration)
        - Read Right
        - GED / high school diploma
        - Career counseling
        - Library services

35

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Education
    - Career and technical education
      - Welding
      - Trade Industry and Construction
    - 10.1 FTE
    - 2.1% of adult services executive budget recommendation

36

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Women Services (MRCC) - $8,306,471
    - *Renovate existing minimum custody men's facility to a multi-custody treatment focused women's facility*
    - Facility administration
    - Food services – Prepare and serve three nutritious well-balanced meals daily
      - $1.69 average budgeted food cost per meal
      - 332,985 – 2019-21 estimated number of prepared meals
    - Security / Supervision – Provide for a safe and secure environment for public, staff and residents
    - Work Programs – reduce prison idleness by providing work opportunities and by teaching job skills and work ethic

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Women Services (MRCC) -
    - Inmate canine assistance program (ICAP)
    - 34.05 FTE
    - 3.4% of adult services executive budget recommendation

38

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Roughrider Industries - $15,246,883
    - Employment of approximately 170 residents
    - Manufactured products include:
      - Furniture
      - Upholstered products
      - Signage
      - License plates
      - Metal fabricated products
      - Inmate clothing
      - Military garments
      - Plastic bags
      - Cattle Panels

39

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Roughrider Industries
    - Prison commissary operations
      - 100% of profits support educational programming
    - No general funds
    - 32.44 FTE
    - 6.2% of adult services executive budget recommendation

40

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Central Office – Adult (DOCR Administration) - $54,265,437
    - Administration
    - Human resources
    - Information technology
    - Fiscal operations
    - Training and Inspections

41

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Central Office – Adult (DOCR Administration)
    - Medical Services
      - Medical, dental, and mental health care services provided at a constitutional standard of health care (on-site and off-site services)
      - Pharmacy
    - Plant Services
      - Daily operation and maintenance of all DOCR facilities, grounds and equipment.
      - Manages to completion all capital and extraordinary repair projects

42

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Central Office – Adult (DOCR Administration)
    - 104.28 FTE
      - 9.30 new FTE
        - 1.2 FTE – JRCC Minimum (1.0 FTE nurse, 0.2 FTE medical provider)
        - 1.5 FTE – Assume TRCC (1.0 FTE nurse, 0.5 FTE medical provider)
        - 6.6 FTE – MRCC Women's Facility (6.0 FTE 24/7 nursing, 0.6 FTE medical provider)
      - (4.88) FTE - IT Unification
    - 21.9% of adult services executive budget recommendation

43

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Total Adult Services recommendation - $247,704,569
    - Total general fund - $207.1 million
    - Total FTE – 800.92

44

DOCR

Adult Services

- 2019 – 2021 Significant Budget Changes:
  - Employee Compensation - $10.0 million
    - Salary increase - $4,360,730
    - Fringe benefits increase – $839,650
    - Retirement increase - $663,925
    - Health insurance increase - $3,020,523
    - Teacher Composite – Adult - $1,125,280
  - MRCC to Women's Facility - $(3.8) million; 8.60 FTE
    - Operations – $1,766,227
    - Treatment and programming - $410,765
    - Medical services - $1,209,210
    - Renovation - $2,443,077 - (*revised est. - $1,854,301*)
    - DWCRC payments - $(9,685,755) – (*$1,076,196 remains in rec)*

45

DOCR

Adult Services

- 2019 – 2021 Significant Budget Changes:
  - JRCC Minimum Security Unit - $11.2 million; 36.2 FTE
    - Operations - $6,053,875
    - Medical services - $243,789
    - Utilities - $157,896
    - Delivery & set-up - $595,625
    - Lease Payments - $4,117,928
  - Pre-Trial Services Pilot - $755,034; 7.0 FTE
    - 3 Judicial Districts
    - 1.0 FTE full biennium
    - 6.0 FTE 2nd year of biennium

46

DOCR
Adult Services

- 2019 – 2021 Significant Budget Changes:
  - Transfer management and operation of TRCC 60 bed unit from NDSH to DOCR - $5 million; 27.5 FTE
    - Operations - $2,911,826
    - Treatment and programming - $1,625,840
    - Medical services - $382,556
    - Plant services - $111,000
  - IT Projects - $633,200
    - Oracle upgrade - $145,200
    - Contract / payment process system - $88,000
    - Inmate tracking management system - $160,000
    - Intake / legal / movement system - $240,000

47

DOCR
Adult Services

- 2019 – 2021 Significant Budget Changes:
  - Convert long-term temporary positions to FTE status - $298,663
    - 18.0 FTE
  - Carryover authority to continue and expend unspent 2017-19 Free Through Recovery (FTR) appropriation in the 2019-21 biennium
    - $2.15 million (est.)

48

DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Juvenile Community - $9,679,464
    - Supervision and treatment programming
      - Develop and implement individualized treatment and rehabilitation plans, based on comprehensive needs / risk assessments
    - Administration and management of community based treatment programs
      - Day Treatment
      - Intensive In-home

49

DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Juvenile Community
    - Sheriff transportation fees (juvenile transports)
    - Administration of interstate compact for juveniles
    - 31.47 FTE
    - 29.6% of juvenile services executive budget recommendation

50

DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Youth Correctional Center (YCC) - $17,716,563
    - Facility administration
    - Food services
      - Serve and prepare three nutritious meals and an evening snack to YCC residents and on-duty staff on a daily basis
    - Treatment services
      - Assessment, individualized treatment programming and case management services
        - Cognitive-behavioral counseling
        - Drug and alcohol programming
        - Family day sessions

51

DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Youth Correctional Center (YCC)
    - Treatment services
      - Effective communication motivational strategies (ECMS)
      - Mental health services
      - Victim impact programming
    - Education services
      - Fully accredited junior / senior high school – Marmot Schools and adult education program
        - Academic education – course work towards eighth grade and high school diploma
        - Career and technical education – entry level vocational skills

52

DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Youth Correctional Center (YCC)
    - Education services
      - Adult education – alternative education for those 16 years of age or older
      - Special education
      - Assessment and counseling
      - Adult services collaboration
    - Security / Supervision
      - Public safety
      - Quality care and supervision of juveniles in residence
        - Brown, Hickory, Maple, and Pine cottages

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DOCR
Juvenile Services

- 2017 – 2019 Executive Recommendation:
  - Youth Correctional Center (YCC)
    - 95.12 FTE (2.0 new – temp to FTE)
    - 54.3% of juvenile services executive budget recommendation

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DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Central Office – Juvenile (DOCR Administration) - $5,234,059
    - Administration
    - Human resources
    - Information technology
    - Fiscal operations
    - Training and Inspections

55

DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Central Office – Juvenile (DOCR Administration)
    - Medical Services
      - Medical, dental, and mental health care services provided at a constitutional standard of health care (on-site and off-site services)
      - Pharmacy
    - Plant Services
      - Daily operation and maintenance of all DOCR facilities, grounds and equipment.
      - Manages to completion all capital and extraordinary repair projects

56

DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Central Office – Juvenile (DOCR Administration)
    - 11.08 FTE
    - 16.0% of juvenile services executive budget recommendation

57

DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Total Juvenile Services recommendation - $32,630,086
    - Total general fund - $26.9 million
      - Total FTE – 137.67
      - 2.0 new (temp to FTE)

58

DOCR

Juvenile Services

- 2019 – 2021 Significant Budget Changes:
  - Employee Compensation - $1,698,463
    - Salary increase - $730,249
    - Fringe benefits increase - $148,083
    - Retirement increase - $93,648
    - Health insurance increase - $493,973
    - YCC teacher composite - $232,510
  - Day Treatment Expansion - $537,500
  - YCC Campus Study - $250,000

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AS -Admin

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DOCR – DIVISION OF ADULT SERVICES
2019-21 BUDGET DETAIL

Reporting Level: 01-530-500-10-00-00
Program: ADULT SERVICES ADMINISTRATION

EXPLANATION OF PROGRAM COSTS

The division administration program accounts for the costs related to the management and administration of resources related to Adult Services.

BUDGET BY TRADITIONAL LINE ITEM

Description	2017-19 Base Level	2019-21 Exec Rec	Percent of Total	Change from 17-19
Salary and Benefits	930,406	1,001,190	6%	70,784
Operating	378,269	358,061	2%	(20,208)
Capital	-	-	0%	-
Grants	7,544,874	14,387,125	92%	6,842,251
Total	**8,853,549**	**15,746,376**	**100%**	**6,892,827**
Funds				
General	1,615,403	1,621,173	18%	5,770
Other	7,238,146	14,125,203	82%	6,887,057
Total	**8,853,549**	**15,746,376**	**100%**	**6,892,827**
FTE	**4.00**	**4.00**	-	-

MATERIAL EXPENDITURES – (98% of budget)

Salary and Benefits – $1,001,190 – 11% of budget – 4.0 FTE
- Director of AS Administration – 1.0
- Crime Victims Grants Program Manager – 1.0
- Administrative Assistant – 1.0
- Deputy Compact Administrator – 1.0

Grants, Benefits & Claims - $14,387,125 – 92% of budget

Victim compensation payments – medical and death benefits and lost wages and grant funding to victim advocate programs and organizations

Federal and State Crime Victim Compensation - $1,187,125 which consists of $300,000 federal funds, $515,822 general funds, $371,303 special funds

VOCA – Victims of Crime Act - $13,200,000 which consists of $13,000,000 federal funds, $145,633 general funds, $54,367 special funds

SIGNIFICANT CHANGES

Employee compensation - $53,597

Salary increase - $25,602
Benefit increase - $9,101
Health insurance increase - $18,894

Grants - $6,842,251

Increase federal VOCA funding

2017 – 2019 BUDGET

As of 11/30/2018 – 57.7% of this department budget has been expended.

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DOCR - AS Admin

Description		2017-19 Biennium Budget	11/30/2018 BTD Expend	Remaining Balance	2019-21 Exec Rec
SALARIES	511000	507,960	352,156	155,804	512,041
SALARY BUDGET ADJUSTMENT	511900	-	-	-	-
SALARY INCREASE	599110	-	-	-	25,602
SALARIES - OTHER	512000	-	-	-	-
TEMP	513000	109,404	46,657	62,747	85,146
OVERTIME	514000	45,800	40,221	5,579	81,793
BENEFITS	516000	267,242	169,276	97,966	268,613
BENEFIT INCREASE	599160	-	-	-	27,995
TRAVEL	521000	271,617	157,294	114,323	210,266
IT-SOFTWARE/SUPPLIES	531000	-	4,975	(4,975)	-
PROFESSIONAL SUPPLIES & MAT	532000	-	-	-	-
FOOD & CLOTHING	533000	-	-	-	-
BLDG,GRNDS,VEHICLE MTCE S	534000	-	-	-	-
MISCELLANEOUS SUPPLIES	535000	-	-	-	-
OFFICE SUPPLIES	536000	672	137	535	275
POSTAGE	541000	-	-	-	-
PRINTING	542000	1,520	629	891	1,259
IT-EQUIP UNDER $5,000	551000	-	-	-	-
OTHER EQUIP - UNDER $5,000	552000	-	-	-	-
OFFICE EQUIP - UNDER $5,000	553000	-	-	-	-
UTILITIES	561000	-	-	-	-
INSURANCE	571000	-	-	-	-
LEASE/RENT - EQUIPMENT	581000	-	-	-	-
LEASE/RENT - BLDG/LAND	582000	-	-	-	-
REPAIRS	591000	80	-	80	-
IT-DATA PROCESSING	601000	28,000	31,129	(3,129)	55,933
IT-TELEPHONE	602000	5,226	3,451	1,775	4,802
IT-CONTRACTUAL SERVICES	603000	20,000	34,992	(14,992)	34,992
DUES & PROFESSIONAL DEV	611000	45,528	46,483	(955)	46,308
OPERATING FEES & SERVICES	621000	1,686	2,046	(360)	2,906
PROFESSIONAL SERVICES	623000	3,940	660	3,280	1,320
MEDICAL, DENTAL & OPTICAL	625000	-	-	-	-
LAND & BUILDINGS	682000	-	-	-	-
OTHER CAPITAL PAYMENTS	683000	-	-	-	-
EXTRAORDINARY REPAIRS	684000	-	-	-	-
EQUIP - OVER $5,000	691000	-	-	-	-
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	-	-	-	-
GRANTS, BENEFITS & CLAIMS	712000	7,544,874	4,215,166	3,329,708	14,387,125
Total		**8,853,549**	**5,105,272**	**3,748,277**	**15,746,376**
General Funds		1,615,403	953,065	662,338	1,621,173
Federal Funds		6,627,802	3,822,321	2,805,481	13,428,730
Special Funds		610,344	329,887	280,457	696,473
Total		**8,853,549**	**5,105,272**	**3,748,277**	**15,746,376**
FTE		**4.00**			**4.00**

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Agency	Department of Corrections and Rehabilitation
Program	10 Adult Services Administration
Reporting Level	01-530-500-10-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	254,515	507,960	4,081	512,041	0	0
Salary Increase	511010	0	0	0	25,602	0	0
Benefit Increase	511011	0	0	0	5,099	0	0
Health Increase	511012	0	0	0	18,894	0	0
Retirement Increase	511013	0	0	0	4,002	0	0
Temporary Salaries	513000	43,843	109,404	(24,258)	85,146	0	0
Overtime	514000	32,441	45,800	35,993	81,793	0	0
Fringe Benefits	516000	124,668	267,242	1,371	268,613	0	0
Travel	521000	104,910	271,617	(61,351)	210,266	0	0
Office Supplies	536000	137	672	(397)	275	0	0
Printing	542000	629	1,520	(261)	1,259	0	0
Repairs	591000	0	80	(80)	0	0	0
IT - Data Processing	601000	27,966	28,000	27,933	55,933	0	0
IT - Communications	602000	2,400	5,226	(424)	4,802	0	0
IT Contractual Srvcs and Rprs	603000	17,496	20,000	14,992	34,992	0	0
Professional Development	611000	23,154	45,528	780	46,308	0	0
Operating Fees and Services	621000	1,453	1,686	1,220	2,906	0	0
Fees - Professional Services	623000	660	3,940	(2,620)	1,320	0	0
Grants, Benefits & Claims	712000	3,011,865	7,544,874	6,842,251	14,387,125	0	0
Adult Services	**77**	**3,646,137**	**8,853,549**	**6,839,230**	**15,746,376**	**0**	**0**
TOTAL EXPENDITURES for 10 Adult Services Administration		**3,646,137**	**8,853,549**	**6,839,230**	**15,746,376**	**0**	**0**
MEANS OF FUNDING							
FY 01 Fed Voca Grant	P066	2,551,828	6,127,802	6,997,148	13,128,730	0	0
FY 2000 Federal Cvc Grant	P068	177,417	500,000	(200,000)	300,000	0	0
Federal Funds	**FED**	**2,729,245**	**6,627,802**	**6,797,148**	**13,428,730**	**0**	**0**
State General Fund	001	675,115	1,615,403	(44,046)	1,621,173	0	0
General Fund	**GEN**	**675,115**	**1,615,403**	**(44,046)**	**1,621,173**	**0**	**0**
Probation Violation Transp - 321	321	157,613	206,925	63,877	270,803	0	0
Crime Victims Gift Fund - 372	372	0	148,385	22,251	170,636	0	0
Dept of Corrections Oper - 379	379	84,164	255,034	0	255,034	0	0
Special Funds	**SPEC**	**241,777**	**610,344**	**86,128**	**696,473**	**0**	**0**
TOTAL FUNDING for 10 Adult Services Administration		**3,646,137**	**8,853,549**	**6,839,230**	**15,746,376**	**0**	**0**
AUTHORIZED EMPLOYEES							
FTE		4.00	4.00	0.00	4.00	0.00	0.00

Agency	Department of Corrections and Rehabilitation
Program	10 Adult Services Administration
Reporting Level	01-530-500-10-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
TOTAL AUTHORIZED EMPLOYEES for 10 Adult Services Administration		4.00	4.00	0.00	4.00	0.00	0.00

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2019-21 Crime Victims Funding						
Grants Benefits and Claims		19-21 Budget	General	Federal	372	379
	VOCA	13,128,730	-	13,128,730	-	-
	CVA	200,000	145,633	-	-	54,367
	Federal CVC	300,000	-	300,000	-	-
	State CVC	887,125	515,822	-	170,636	200,667
	Total	**14,515,855**	**661,455**	**13,428,730**	**170,636**	**255,034**

VOCA - Victim Witness Award

AGENCY	Total Award
Ft. Totten	$ 25,000
Belcourt	$ 38,921
Stanley	$ 15,972
Grand Forks	$ 109,756
Jamestown	$ 48,077
Grafton	$ 33,257
Williston	$ 49,278
Bismarck	$ 124,024
Fargo	$ 40,000
Dickinson	$ 72,883
Towner	$ 15,814
Hillsboro	$ 10,990
Cavalier	$ 32,180
Bottineau	$ 27,000
DOCR Adult	$ 77,664
DOCR Juvenile	$ 50,962
Barnes	$ 16,051
Minot DV Crises Center - VW	$ 28,700
	$ -
	$ -
	$ -
	$ -
TOTALS	$ 816,528

VOCA - Domestic Violence Award

AGENCY	Total Award
COMM.VIOLENCE INTERVENTION CENTER Grand Forks	$ 407,680
ABUSED ADULT RESOURCE CENTER Bismarck	$ 278,986
ABUSED PERSONS OUTREACH CENTER Valley City	$ 61,908
DOMESTIC VIOLENCE & RAPE CRISIS CENTER Dickinson	$ 100,000
DV PROGRAM OF WALSH COUNTY Grafton	$ 93,329
FAMILY CRISIS SHELTER Williston	$ 80,000
ABUSE RESOURCE NETWORK Lisbon	$ 28,875
KEDISH HOUSE Ellendale	$ 65,820
WOMEN'S ACTION & RESOURCE CENTER Beulah	$ 54,141
RAPE & ABUSE CRISIS CENTER Fargo	$ 369,961
S.A.F.E. SHELTER Jamestown	$ 65,486
SAFE ALTERNATIVES FOR ABUSED FAMILIES Devils Lake	$ 80,000
DOMESTIC VIOLENCE CRISIS CENTER Minot	$ 227,000
BOTTINEAU CO. COALITION AGAINST DV Bottineau	$ 53,600
THREE RIVERS CRISIS CENTER Wahpeton	$ 49,312
MCLEAN FAMILY RESOURCE CENTER Washburn	$ 50,450
Bismarck CAC	$ 150,000
Fargo CAC	$ 150,000
Minot CAC	$ 150,000
FIRST NATIONS WOMEN'S ALLIANCE -Devils Lake	$ 40,438
CAWS Tech Grant	$ 64,000
	$ -
TOTALS	$ 2,620,986

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Crime Victim Assistance Grants

Subgrantee Name	Amount
Abuse Resource Network #07 - Lisbon	$6,250.00
Abused Persons Outreach Center, Inc. #03 - Valley City	$6,250.00
Bottineau Coalition d/b/a Family Crisis Ctr VA #31 - Bottineau	$6,250.00
CVIC - PTJ #21 - Grand Forks	$6,250.00
DVAC #05 - Grafton	$6,250.00
Dakota Children's Advocacy Center #45 - Bismarck	$6,250.00
Domestic Violence Crisis Center DV #13 - Minot	$6,250.00
Domestic Violence/Victim Witness Program #18 - Stanley	$6,250.00
Family Crisis Shelter, Inc. #06 - Williston	$6,250.00
First Nations Women's Alliance #44 - Devils Lake	$6,250.00
Pembina County Victim Witness Assistance #30 - Cavalier	$6,250.00
Rape & Abuse Crisis Center of Fargo-Moorhead #10 - Fargo	$6,250.00
Red River Children's Advocacy Center #36 - Fargo	$6,250.00
Safe Shelter #11 - Jamestown	$6,250.00
Three Rivers Crisis Center #19 - Wahpeton	$6,250.00
Women's Action and Resource Center #09 - Beulah	$6,250.00
Total:	**$100,000.00**

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DOCR – DIVISION OF ADULT SERVICES
2019-21 BUDGET DETAIL

Reporting Level: 01-530-500-20-00-00	
Program: PAROLE AND PROBATION	

EXPLANATION OF PROGRAM COSTS

The Parole and Probation program provides for services related to the supervision of offenders in a community setting. The nature and intensity of the supervision is based on the needs and risks of the offender.

BUDGET BY TRADITIONAL LINE ITEM

Description	2017-19 Base Level	2019-21 Exec Rec	Percent of Total	Change from 17-19
Salary and Benefits	19,482,464	21,572,322	84%	2,089,858
Operating	3,303,603	3,986,490	16%	682,887
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**22,786,067**	**25,558,812**	**100%**	**2,772,745**
Funds				
General	20,598,327	23,400,469	92%	2,802,142
Other	2,187,740	2,158,343	8%	(29,397)
Total	**22,786,067**	**25,558,812**	**100%**	**2,772,745**
FTE	**110.35**	**117.35**	-	**7.00**

MATERIAL EXPENDITURES – (97% of budget)

Salary and Benefits – $21,572,322 – 84% of budget

Parole & Probation Director – 1.0 FTE
Program Manager – 8.0 FTE
Parole Officer – 88.75 FTE

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Community Corrections Agent – 15.8 FTE
Administrative Assistant – 1.8 FTE
Pre-Sentence Investigator – 2.0 FTE

Travel– $975,363 – 3.9% of budget
Employee travel which includes state motor pool expenses, meals and lodging (approx 84% motor pool charges)

Rental/Leases-Bldg/Land– $1,176,737 – 4.6% of budget
Regional office rent payments – estimated 2% annual increase

IT-Communications - $306,058 – 1.2% of budget
Officer smart phones / devices

Operating Fees and Services - $654,475 – 2.6% of budget
Operating fees and services related to the offender population.
Community housing and programming (gps, low risk, faith based)
Drug court operating
Polygraphs

SIGNIFICANT CHANGES

Employee compensation - $1,328,813
Salary increase - $664,182
Benefit increase - $237,608
Health insurance increase - $427,023

Travel – $72,401
19-21 DOT motor pool rates

Pre-Trial Services Pilot - $755,034
Salary and Benefits - $685,084
Operating Expenses - $70,000
FTE – 7.0

Other Equipment < $5,000 - $182,496
Bulletproof vests (62 @ $900) - $55,800
Portable radios (24 @ $5,279) - $126,696

Rentals/Leases – Buildings - $159,587
Regional office lease payments

IT Contractual Services - $67,948
DOCSTARS maintenance

2017 – 2019 BUDGET

As of 11/30/2018, 69% of this department budget has been expended.

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DOCR - Parole and Probation

Description		2017-19 Biennium Budget	11/30/2018 BTD Expend	Remaining Balance	2019-21 Exec Rec
SALARIES	511000	12,893,904	9,017,300	3,876,604	13,373,660
SALARY BUDGET ADJUSTMENT	511900	-	-	-	-
SALARY INCREASE	599110	-	-	-	664,182
SALARIES - OTHER	512000	-	-	-	-
TEMP	513000	447,432	271,272	176,160	441,552
OVERTIME	514000	126,040	90,915	35,125	140,544
BENEFITS	516000	6,015,088	4,137,675	1,877,413	6,287,753
BENEFIT INCREASE	599160	-	-	-	664,631
TRAVEL	521000	902,962	612,360	290,602	975,363
IT-SOFTWARE/SUPPLIES	531000	771	106	665	79
PROFESSIONAL SUPPLIES & MAT	532000	69,647	75,923	(6,276)	176,732
FOOD & CLOTHING	533000	18,750	18,323	427	32,062
BLDG,GRNDS,VEHICLE MTCE S	534000	15,919	9,883	6,036	16,834
MISCELLANEOUS SUPPLIES	535000	15,803	6,395	9,408	8,104
OFFICE SUPPLIES	536000	18,676	11,452	7,224	15,651
POSTAGE	541000	11,680	9,836	1,844	14,541
PRINTING	542000	12,256	6,403	5,853	9,139
IT-EQUIP UNDER $5,000	551000	5,000	4,825	175	9,649
OTHER EQUIP - UNDER $5,000	552000	19,874	1,651	18,224	185,797
OFFICE EQUIP - UNDER $5,000	553000	7,711	1,550	6,161	7,750
UTILITIES	561000	4,975	3,989	986	5,000
INSURANCE	571000	-	52	(52)	103
LEASE/RENT - EQUIPMENT	581000	26,608	17,298	9,310	25,486
LEASE/RENT - BLDG/LAND	582000	1,017,150	764,684	252,466	1,176,737
REPAIRS	591000	24,874	26,251	(1,377)	25,000
IT-DATA PROCESSING	601000	150,000	173,103	(23,103)	150,000
IT-TELEPHONE	602000	219,200	195,379	23,821	306,058
IT-CONTRACTUAL SERVICES	603000	-	460	(460)	67,948
DUES & PROFESSIONAL DEV	611000	43,772	35,379	8,393	42,982
OPERATING FEES & SERVICES	621000	654,475	439,627	214,848	654,475
PROFESSIONAL SERVICES	623000	562,000	57,083	504,917	81,000
MEDICAL, DENTAL & OPTICAL	625000	1,500	330	1,170	-
LAND & BUILDINGS	682000	-	-	-	-
OTHER CAPITAL PAYMENTS	683000	-	-	-	-
EXTRAORDINARY REPAIRS	684000	-	-	-	-
EQUIP - OVER $5,000	691000	-	-	-	-
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	-	-	-	-
GRANTS, BENEFITS & CLAIMS	712000	-	-	-	-
Total		**23,286,067**	**15,989,503**	**7,296,564**	**25,558,812**
General Funds		20,598,327	14,732,987	5,865,340	23,400,469
Federal Funds		-	-	-	-
Special Funds		2,687,740	1,256,515	1,431,225	2,158,343
Total		**23,286,067**	**15,989,503**	**7,296,564**	**25,558,812**
FTE		**110.35**			**117.35**

Agency	Department of Corrections and Rehabilitation
Program	20 Parole and Probation
Reporting Level	01-530-500-20-00-00-00-00000000

Description	Code	1 Object/Revenue	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES								
Salaries - Permanent	511000		6,452,736	12,893,904	479,756	13,373,660	0	0
Salary Increase	511010		0	0	0	664,182	0	0
Benefit Increase	511011		0	0	0	132,301	0	0
Health Increase	511012		0	0	0	427,023	0	0
Retirement Increase	511013		0	0	0	105,307	0	0
Temporary Salaries	513000		188,093	447,432	(5,880)	441,552	0	0
Overtime	514000		55,102	126,040	14,504	140,544	0	0
Fringe Benefits	516000		2,933,773	6,015,088	272,665	6,287,753	0	0
Travel	521000		427,635	902,962	72,401	975,363	0	0
Supplies - IT Software	531000		39	771	(692)	79	0	0
Supply/Material-Professional	532000		53,367	69,647	37,085	106,732	0	0
Food and Clothing	533000		16,032	18,750	13,312	32,062	0	0
Bldg, Ground, Maintenance	534000		8,418	15,919	915	16,834	0	0
Miscellaneous Supplies	535000		4,054	15,803	(7,699)	8,104	0	0
Office Supplies	536000		7,825	18,676	(3,025)	15,651	0	0
Postage	541000		7,272	11,680	2,861	14,541	0	0
Printing	542000		4,570	12,256	(3,117)	9,139	0	0
IT Equip Under $5,000	551000		4,825	5,000	4,649	9,649	0	0
Other Equip Under $5,000	552000		1,652	19,874	165,923	185,797	0	0
Office Equip & Furn Supplies	553000		1,048	7,711	39	7,750	0	0
Utilities	561000		3,451	4,975	25	5,000	0	0
Insurance	571000		0	0	103	103	0	0
Rentals/Leases-Equip & Other	581000		12,743	26,608	(1,122)	25,486	0	0
Rentals/Leases - Bldg/Land	582000		538,258	1,017,150	159,587	1,176,737	0	0
Repairs	591000		22,306	24,874	126	25,000	0	0
IT - Data Processing	601000		115,387	150,000	0	150,000	0	0
IT - Communications	602000		153,031	219,200	86,858	306,058	0	0
IT Contractual Srvcs and Rprs	603000		0	0	67,948	67,948	0	0
Professional Development	611000		21,491	43,772	(790)	42,982	0	0
Operating Fees and Services	621000		314,130	654,475	0	654,475	0	0
Fees - Professional Services	623000		40,504	562,000	(481,000)	81,000	0	0
Medical, Dental and Optical	625000		294	1,500	(1,500)	0	0	0
Operating Budget Adjustment	699000		0	0	70,000	70,000	0	0
Adult Services	**77**		**11,388,036**	**23,286,067**	**943,932**	**25,558,812**	**0**	**0**
TOTAL EXPENDITURES for 20 Parole and Probation			**11,388,036**	**23,286,067**	**943,932**	**25,558,812**	**0**	**0**
MEANS OF FUNDING								
State General Fund	001		10,263,954	20,598,327	1,473,329	23,400,469	0	0
General Fund	**GEN**		**10,263,954**	**20,598,327**	**1,473,329**	**23,400,469**	**0**	**0**

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Agency	Department of Corrections and Rehabilitation
Program	20 Parole and Probation
Reporting Level	01-530-500-20-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
Dept of Corrections Oper - 379	379	1,124,082	2,687,740	(529,397)	2,158,343	0	0
Special Funds	**SPEC**	**1,124,082**	**2,687,740**	**(529,397)**	**2,158,343**	**0**	**0**
TOTAL FUNDING for 20 Parole and Probation		**11,388,036**	**23,286,067**	**943,932**	**25,558,812**	**0**	**0**
AUTHORIZED EMPLOYEES							
Vacant		0.00	0.00	12.00	12.00	0.00	0.00
FTE		110.35	110.35	(5.00)	105.35	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 20 Parole and Probation		110.35	110.35	7.00	117.35	0.00	0.00

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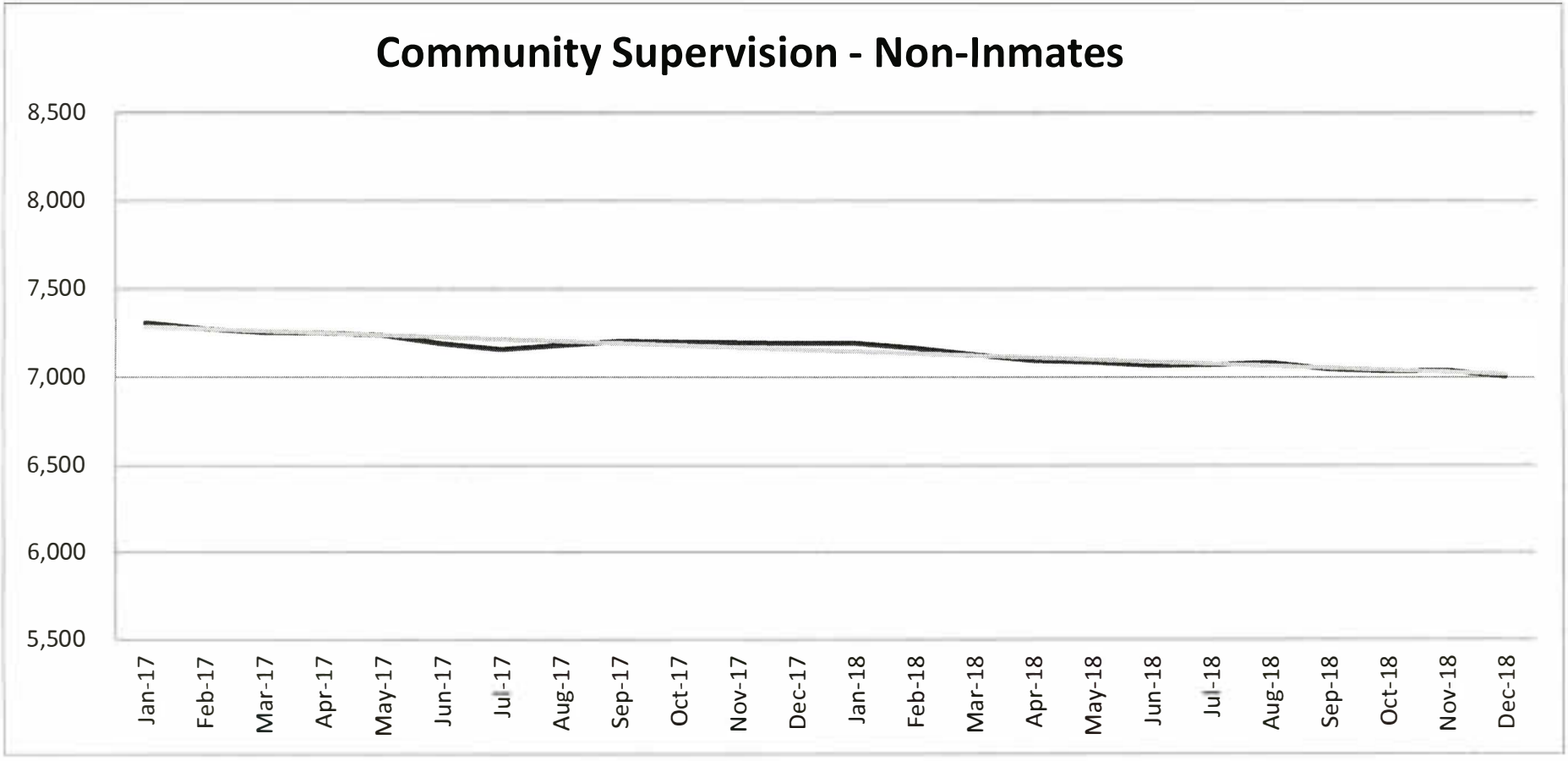

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Department of Corrections and Rehabilitation *2017 - 2019 Ave Daily Count - Community Supervision*			
Date	**Male**	**Female**	**Total**
July-17	5,384	1,770	7,155
August-17	5,407	1,772	7,178
September-17	5,415	1,787	7,202
October-17	5,386	1,811	7,198
November-17	5,386	1,808	7,194
December-17	5,392	1,800	7,191
January-18	5,391	1,800	7,190
February-18	5,370	1,794	7,164
March-18	5,323	1,803	7,126
April-18	5,293	1,801	7,094
May-18	5,281	1,803	7,084
June-18	5,278	1,788	7,067
July-18	5,291	1,779	7,070
August-18	5,292	1,789	7,080
September-18	5,256	1,789	7,045
October-18	5,229	1,807	7,035
November-18	5,214	1,824	7,038
December-18	5,197	1,806	7,004
January-19			
February-19			
March-19			
April-19			
May-19			
June-19			
2017-19 Ave Total	**5,321**	**1,796**	**7,117**

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Parole and Probation Office Lease			
Office	**sq ft**	**$ / sq ft**	**Estimated 2019-21**
Beulah	840	5.19	$ 8,718
Bismarck	7,133	15.83	225,876
Bottineau	131	33.26	8,715
Devils Lake	1,600	10.38	33,210
Dickinson	2,165	14.04	60,774
Fargo	7,291	14.80	215,822
Grand Forks	5,560	15.12	168,100
Jamestown	1,800	16.55	59,591
Mandan	3,789	16.09	121,900
Minot	3,163	15.25	96,472
Oakes	361	10.35	7,472
Rolla	885	11.61	20,555
Wahpeton	750	9.96	14,945
Washburn	378	3.29	2,491
Williston	2,752	24.00	132,096
		Estimated 2019-2021 Total	$ 1,176,737

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ND DOCR 19-21 Estimated Contract Housing and Programming			
Program / Facility	**19 -21 Estimated Average Daily Count**	**19 -21 Daily Rate**	**19 -21 Budgeted Amount**
BTC	93	65.91	4,491,625
Centre - Female Trans	67	74.01	3,604,909
Centre - Male Trans	54	75.67	3,005,470
Centre - 1/2 way	78	74.01	4,212,864
Electronic Montioring	95	4.44	309,855
Faith Based	10	42.36	322,299
Lake Region Trans	6	75.14	337,953
SCRAM	69	4.23	212,081
Sex Offender	17	20.91	264,381
TRCC	30	175.00	3,873,750
Holds	6	78.41	329,128
		2019-21 Estimated Total	**20,964,314**

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House Appropriations, Human Resources Division, HB 1015
ND Department of Corrections and Rehabilitation, Staff Turnover Rates, January 2019

ND DOCR Turnover by Division 2011 - 2018

Year	All DOCR	All Division of Adult Services	All Division of Juvenile Services	Youth Correction Center	DJS Community	Parole & Probation	Missouri River Correction Center	James River Correction Center	ND State Penitentiary	Central Office	Rough Rider Industries	Biennium Average
2011	14.3%	14.3%	16.6%	17.6%	13.9%	6.0%	4.8%	20.8%	14.2%	9.9%	23.2%	
2012	18.4%	17.7%	22.4%	21.8%	13.9%	8.0%	31.4%	16.2%	23.6%	10.6%	22.2%	16.3%
2013	17.4%	17.5%	18.7%	14.3%	35.2%	4.9%	21.0%	21.3%	21.5%	15.5%	3.1%	
2014	19.9%	18.8%	19.2%	23.6%	6.8%	4.7%	27.4%	26.6%	29.7%	10.5%	6.5%	18.6%
2015	20.9%	20.6%	29.0%	27.7%	23.7%	3.7%	27.4%	25.0%	26.8%	11.3%	10.1%	
2016	20.5%	19.0%	27.8%	28.9%	40.6%	8.9%	14.0%	27.0%	18.4%	23.3%	16.1%	20.7%
2017	16.5%	15.0%	25.5%	25.7%	25.0%	4.1%	18.4%	18.9%	22.3%	10.9%	6.5%	
2018	17.6%	16.2%	23.5%	23.5%	23.5%	7.8%	14.0%	18.4%	23.9%	9.4%	7.1%	17.1%
Avg	**18.3%**	**17.6%**	**22.7%**	**22.8%**	**22.7%**	**5.7%**	**20.6%**	**22.3%**	**22.3%**	**13.1%**	**12.5%**	

Correctional Officer (CO) Turnover	2015	2016	2017*	2018*
Correctional Officer I and II Overall Average	35.8%	25.4%	**49.7%**	**30.9%**
NDSP CO I and II	33.6%	24.0%	**39.7%**	**39.3%**
JRCC CO I and II	30.1%	39.7%	**49.3%**	**33.3%**
MRCC CO I and II	43.8%	12.5%	**60.0%**	**20.0%**

***includes temporary CO's**

CO Separation Reason (CO I, II, and Temp) 2015-2018 Average			
Resignation	33.2%	Retirement	3.9%
Discharge	24.2%	School	3.0%
Other Empl	20.9%	Health	0.6%
Relocation	10.2%	Death	0.4%
Personal	3.7%		

Juvenile Insitutional Residence Specialist (JIRS) Turnover	2015	2016	2017	2018
JIRS I and Temp JIRS	51.9%	63.0%	48.1%	46.4%
JIRS II	12.5%	25.0%	25.0%	37.5%

JIRS Separation Reason (JIRS I, II, and Temp) 2015-2018 Average					
Resignation	35.2%	Discharge	22.6%	School	10.0%
Other Empl	22.7%	Relocation	12.9%	Retirement	1.6%

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DOCR – DIVISION OF ADULT SERVICES
2019-21 BUDGET DETAIL

Reporting Level: 01-530-500-30-00-00	
Program: TRANSITIONAL PLANNING	

EXPLANATION OF PROGRAM COSTS

The Transitional Planning program accounts for the costs related to the transition and placement of inmates both internally within the DOCR and externally to the DOCR contract facilities. Support is also provided to the Parole and Pardon Boards and various entities within the DOCR.

BUDGET BY TRADITIONAL LINE ITEM

Description	2017-19 Base Level	2019-21 Exec Rec	Percent of Total	Change from 17-19
Salary and Fringe	2,527,037	2,620,436	79%	93,399
Operating	839,213	716,906	21%	(122,307)
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**3,366,250**	**3,337,342**	**100%**	**(28,908)**
Funds				
General	2,885,431	2,856,046	86%	(29,385)
Other	480,819	481,296	14%	477
Total	**3,366,250**	**3,337,342**	**100%**	**(28,908)**
FTE	**12.00**	**12.00**	-	-

MATERIAL EXPENDITURES – (99% of budget)

Salary and Fringe – $2,620,436 – 79% of budget
- Transitional Planning Director – 1.0 FTE
- Classification & Movement Director – 1.0 FTE
- Victim Services Coordinator – 1.0 FTE
- Corrections Agents – 4.0 FTE
- Correction Program Administrator – 1.0 FTE

Transitional Planning Coordinator – 1.0 FTE
Administrative Staff Officer – 1.0 FTE
Administrative Assistants – 2.0 FTE

Travel– $200,503 – 6.0% of budget

Travel expenditures which include transporting offenders and motor pool related expenses as well as meals and lodging for employees.

Fees and Professional Services - $468,455 – 14.0% of budget

Inmate / offender assessment services
Restorative justice programming

SIGNIFICANT CHANGES

Employee compensation - $138,876

Salary increase - $69,003
Benefit increase - $24,527
Health insurance increase - $45,346

Travel - $(67,168)

Travel based on estimated inmate / offender counts

Fees and professional services - $(51,620)

Fees and professional services based on estimated admissions (contract assessment services)

2017 – 2019 BUDGET

As of 11/30/2018, 6% of this department budget has been expended.

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DOCR - Transitional Planning

Description		2017-19 Biennium Budget	11/30/2018 BTD Expend	Remaining Balance	2019-21 Exec Rec
SALARIES	511000	1,401,744	982,590	419,154	1,416,552
SALARY BUDGET ADJUSTMENT	511900	-	-	-	-
SALARY INCREASE	599110	-	-	-	69,003
SALARIES - OTHER	512000	-	-	-	-
TEMP	513000	405,984	253,337	152,647	372,336
OVERTIME	514000	27,096	17,201	9,895	8,784
BENEFITS	516000	692,213	478,754	213,459	683,888
BENEFIT INCREASE	599160	-	-	-	69,873
TRAVEL	521000	267,671	133,598	134,073	200,503
IT-SOFTWARE/SUPPLIES	531000	-	-	-	-
PROFESSIONAL SUPPLIES & MAT	532000	1,406	508	898	1,015
FOOD & CLOTHING	533000	738	400	338	432
BLDG,GRNDS,VEHICLE MTCE S	534000	-	-	-	-
MISCELLANEOUS SUPPLIES	535000	1,694	1,871	(177)	3,126
OFFICE SUPPLIES	536000	726	512	214	622
POSTAGE	541000	-	-	-	-
PRINTING	542000	1,098	736	362	1,129
IT-EQUIP UNDER $5,000	551000	-	6,553	(6,553)	-
OTHER EQUIP - UNDER $5,000	552000	-	-	-	-
OFFICE EQUIP - UNDER $5,000	553000	7,324	-	7,324	-
UTILITIES	561000	-	-	-	-
INSURANCE	571000	-	-	-	-
LEASE/RENT - EQUIPMENT	581000	-	-	-	-
LEASE/RENT - BLDG/LAND	582000	4,464	3,375	1,089	4,716
REPAIRS	591000	8,594	4,374	4,220	8,748
IT-DATA PROCESSING	601000	-	-	-	-
IT-TELEPHONE	602000	9,488	11,193	(1,705)	14,451
IT-CONTRACTUAL SERVICES	603000	-	-	-	-
DUES & PROFESSIONAL DEV	611000	1,726	2,140	(414)	2,034
OPERATING FEES & SERVICES	621000	13,709	5,996	7,713	11,175
PROFESSIONAL SERVICES	623000	520,075	268,418	251,657	468,455
MEDICAL, DENTAL & OPTICAL	625000	500	41	459	500
LAND & BUILDINGS	682000	-	-	-	-
OTHER CAPITAL PAYMENTS	683000	-	-	-	-
EXTRAORDINARY REPAIRS	684000	-	-	-	-
EQUIP - OVER $5,000	691000	-	-	-	-
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	-	-	-	-
GRANTS, BENEFITS & CLAIMS	712000	-	-	-	-
Total		**3,366,250**	**2,171,596**	**1,194,654**	**3,337,342**
General Funds		2,885,431	1,758,198	1,127,233	2,856,046
Federal Funds		180,819	75,466	105,353	181,296
Special Funds		300,000	337,932	(37,932)	300,000
Total		**3,366,250**	**2,171,596**	**1,194,654**	**3,337,342**
FTE		**12.00**			**12.00**

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Agency [redacted]partment of Corrections and Rehabilitation
Program [redacted]0 Transitional Planning
Reporting Level 01-530-500-30-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	695,997	1,401,744	14,808	1,416,552	0	0
Salary Increase	511010	0	0	0	69,003	0	0
Benefit Increase	511011	0	0	0	13,740	0	0
Health Increase	511012	0	0	0	45,346	0	0
Retirement Increase	511013	0	0	0	10,787	0	0
Temporary Salaries	513000	177,515	405,984	(33,648)	372,336	0	0
Overtime	514000	12,902	27,096	(18,312)	8,784	0	0
Fringe Benefits	516000	336,125	692,213	(8,325)	683,888	0	0
Travel	521000	93,827	267,671	(67,168)	200,503	0	0
Supply/Material-Professional	532000	508	1,406	(391)	1,015	0	0
Food and Clothing	533000	216	738	(306)	432	0	0
Miscellaneous Supplies	535000	1,563	1,694	1,432	3,126	0	0
Office Supplies	536000	311	726	(104)	622	0	0
Printing	542000	564	1,098	31	1,129	0	0
Office Equip & Furn Supplies	553000	0	7,324	(7,324)	0	0	0
Rentals/Leases - Bldg/Land	582000	2,358	4,464	252	4,716	0	0
Repairs	591000	4,374	8,594	154	8,748	0	0
IT - Communications	602000	7,225	9,488	4,963	14,451	0	0
Professional Development	611000	1,017	1,726	308	2,034	0	0
Operating Fees and Services	621000	5,588	13,709	(2,534)	11,175	0	0
Fees - Professional Services	623000	195,542	520,075	(51,620)	468,455	0	0
Medical, Dental and Optical	625000	41	500	0	500	0	0
Adult Services	**77**	**1,535,673**	**3,366,250**	**(167,784)**	**3,337,342**	**0**	**0**
TOTAL EXPENDITURES for 30 Transitional Planning		**1,535,673**	**3,366,250**	**(167,784)**	**3,337,342**	**0**	**0**
MEANS OF FUNDING							
Crime Victims Advocacy-DJS	P158	50,553	180,819	(8,102)	181,296	0	0
Federal Funds	**FED**	**50,553**	**180,819**	**(8,102)**	**181,296**	**0**	**0**
State General Fund	001	1,250,207	2,885,431	(159,682)	2,856,046	0	0
General Fund	**GEN**	**1,250,207**	**2,885,431**	**(159,682)**	**2,856,046**	**0**	**0**
Dept of Corrections Oper - 379	379	234,913	300,000	0	300,000	0	0
Special Funds	**SPEC**	**234,913**	**300,000**	**0**	**300,000**	**0**	**0**
TOTAL FUNDING for 30 Transitional Planning		**1,535,673**	**3,366,250**	**(167,784)**	**3,337,342**	**0**	**0**
AUTHORIZED EMPLOYEES							
Vacant		0.00	0.00	0.00	0.00	0.00	0.00
FTE		12.00	12.00	0.00	12.00	0.00	0.00

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Agency	[redacted]partment of Corrections and Rehabilitation
Program	30 Transitional Planning
Reporting Level	01-530-500-30-00-00-00-00000000

1 **Object/Revenue** **Description** / **Code**	2 **2017-19 First Year Expenditures**	3 **2017-19 Biennium Appropriation**	4 **2019-21 Total Changes**	5 **2019-21 Recommendation**	6	7
TOTAL AUTHORIZED EMPLOYEES for 30 Transitional Planning	12.00	12.00	0.00	12.00	0.00	0.00

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DOCR – DIVISION OF ADULT SERVICES
2019-21 BUDGET DETAIL

Reporting Level: 01-530-500-40-00-00	
Program: MAXIMUM SECURITY INST - NDSP	

EXPLANATION OF PROGRAM COSTS

The North Dakota State Penitentiary facility accounts for the costs related to the security, food services, administrative services, and work programs for the maximum security facility located in Bismarck ND.

BUDGET BY TRADITIONAL LINE ITEM

Description	2017-19 Base Level	2019-21 Exec Rec	Percent of Total	Change from 17-19
Salary and Fringe	31,078,493	33,973,502	86%	2,895,009
Operating	5,653,472	4,932,761	13%	(720,711)
Capital	57,534	390,000	1%	332,466
Grants	-	-	0%	-
Total	**36,789,499**	**39,296,263**	**100%**	**2,506,764**
Funds				
General	36,592,327	38,709,091	99%	2,116,764
Other	197,172	587,172	1%	390,000
Total	**36,789,499**	**39,296,263**	**100%**	**2,506,764**
FTE	**208.95**	**219.95**	-	**11.0**

MATERIAL EXPENDITURES – (96% of budget)

Salary and Fringe – $33,673,502 – 86.4% of budget
- NDSP Warden – 1.0 FTE
- Deputy Warden – 2.0 FTE
- Chief of Security – 1.0 FTE
- Unit Manager – 3.0 FTE

Correctional Case Manager– 12.0 FTE
Correctional Supervisor – 9.0 FTE
Correctional Officer – 179.0 FTE
Community Resource / Chaplain – 0.95 FTE
Safety Officer -1.0 FTE
Administrative/Office Assistant – 5.0 FTE
Food Service – 5.0 FTE
Electronics Technician – 1.0 FTE

Food and Clothing - $3,129,628 – 8.0% of budget
Food purchases – inmate and employee meals; inmate clothing; paper products; linens; officer uniforms

Operating Fees and Services - $567,246 – 1.4% of budget
Inmate wages; freight; service awards; etc

SIGNIFICANT CHANGES

Employee compensation - $2,126,809
Salary increase - $1,031,297
Benefit increase - $343,657
Health insurance increase - $751,855

Temp to FTE Status - $138,097
10.0 FTE

Food and Clothing - $(670,265)

Other Equipment < $5,000 - $67,316
Recreation area / game room equipment
Outdoor Recreation Equipment
Ballistic Vests

Equipment > $5,000 - $332,466
Resident Tracking System
Redundant Fence Detection

2017 – 2019 BUDGET

As of 11/30/2018, 50.1% of this department budget has been expended.

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DOCR - Max Security - NDSP

Description		2017-19 Biennium Budget	11/30/2018 BTD Expend	Remaining Balance	2019-21 Exec Rec
SALARIES	511000	18,749,343	13,164,853	5,584,490	20,462,289
SALARY BUDGET ADJUSTMENT	511900	-	-	-	-
SALARY INCREASE	599110	-	-	-	1,031,297
SALARIES - OTHER	512000	-	-	-	-
TEMP	513000	1,086,946	1,047,938	39,008	(51,975)
OVERTIME	514000	1,093,392	798,699	294,693	1,093,392
BENEFITS	516000	10,148,812	7,209,372	2,939,440	10,342,987
BENEFIT INCREASE	599160	-	-	-	1,095,511
TRAVEL	521000	132,589	64,957	67,632	91,056
IT-SOFTWARE/SUPPLIES	531000	10,229	839	9,390	1,330
PROFESSIONAL SUPPLIES & MAT	532000	44,615	16,183	28,432	36,796
FOOD & CLOTHING	533000	3,799,893	2,147,166	1,652,727	3,129,628
BLDG,GRNDS,VEHICLE MTCE S	534000	447,730	421,199	26,531	450,000
MISCELLANEOUS SUPPLIES	535000	198,991	212,792	(13,801)	200,000
OFFICE SUPPLIES	536000	39,798	49,418	(9,620)	40,000
POSTAGE	541000	19,661	10,158	9,503	17,300
PRINTING	542000	22,006	18,308	3,698	28,446
IT-EQUIP UNDER $5,000	551000	18,407	-	18,407	-
OTHER EQUIP - UNDER $5,000	552000	30,000	34,294	(4,294)	97,316
OFFICE EQUIP - UNDER $5,000	553000	8,515	2,509	6,006	5,018
UTILITIES	561000	-	-	-	-
INSURANCE	571000	-	-	-	-
LEASE/RENT - EQUIPMENT	581000	8,955	6,550	2,405	9,000
LEASE/RENT - BLDG/LAND	582000	-	-	-	-
REPAIRS	591000	198,991	92,977	106,014	200,000
IT-DATA PROCESSING	601000	-	875	(875)	-
IT-TELEPHONE	602000	6,445	3,705	2,740	5,517
IT-CONTRACTUAL SERVICES	603000	-	-	-	-
DUES & PROFESSIONAL DEV	611000	21,756	14,803	6,953	22,508
OPERATING FEES & SERVICES	621000	558,952	429,195	129,757	567,246
PROFESSIONAL SERVICES	623000	64,451	15,680	48,771	24,314
MEDICAL, DENTAL & OPTICAL	625000	21,488	5,022	16,466	7,286
LAND & BUILDINGS	682000	-	-	-	-
OTHER CAPITAL PAYMENTS	683000	-	-	-	-
EXTRAORDINARY REPAIRS	684000	-	-	-	-
EQUIP - OVER $5,000	691000	57,534	67,129	(9,595)	390,000
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	-	-	-	-
GRANTS, BENEFITS & CLAIMS	712000	-	-	-	-
Total		**36,789,499**	**25,834,621**	**10,954,878**	**39,296,263**
General Funds		36,592,327	25,732,601	10,859,726	38,709,091
Federal Funds		21,496	9,404	12,092	21,496
Special Funds		175,676	92,616	83,060	565,676
Total		**36,789,499**	**25,834,621**	**10,954,878**	**39,296,263**
FTE		**208.95**			**219.95**

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Agency [redacted]ment of Corrections and Rehabilitation
Program 40 Maximum Security Inst - NDSP
Reporting Level 01-530-500-40-00-00-00-00000000

Description	Code	1 Object/Revenue	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES								
Salaries - Permanent	511000		9,382,978	18,749,343	1,712,946	20,462,289	0	0
Salary Increase	511010		0	0	0	1,031,297	0	0
Benefit Increase	511011		0	0	0	192,532	0	0
Health Increase	511012		0	0	0	751,855	0	0
Retirement Increase	511013		0	0	0	151,124	0	0
Temporary Salaries	513000		775,351	1,086,946	(1,138,921)	(51,975)	0	0
Overtime	514000		613,581	1,093,392	0	1,093,392	0	0
Fringe Benefits	516000		5,068,429	10,148,812	194,176	10,342,988	0	0
Travel	521000		40,917	132,589	(41,533)	91,056	0	0
Supplies - IT Software	531000		665	10,229	(8,899)	1,330	0	0
Supply/Material-Professional	532000		14,798	44,615	(7,819)	36,796	0	0
Food and Clothing	533000		1,600,697	3,799,893	(670,265)	3,129,628	0	0
Bldg, Ground, Maintenance	534000		295,804	447,730	2,270	450,000	0	0
Miscellaneous Supplies	535000		151,434	198,991	1,009	200,000	0	0
Office Supplies	536000		35,107	39,798	202	40,000	0	0
Postage	541000		8,650	19,661	(2,361)	17,300	0	0
Printing	542000		14,223	22,006	6,440	28,446	0	0
IT Equip Under $5,000	551000		0	18,407	(18,407)	0	0	0
Other Equip Under $5,000	552000		29,158	30,000	67,316	97,316	0	0
Office Equip & Furn Supplies	553000		2,509	8,515	(3,497)	5,018	0	0
Rentals/Leases-Equip & Other	581000		4,462	8,955	45	9,000	0	0
Repairs	591000		73,179	198,991	1,009	200,000	0	0
IT - Communications	602000		2,758	6,445	(928)	5,517	0	0
Professional Development	611000		11,255	21,756	752	22,508	0	0
Operating Fees and Services	621000		298,331	558,952	8,294	567,246	0	0
Fees - Professional Services	623000		12,157	64,451	(40,137)	24,314	0	0
Medical, Dental and Optical	625000		3,643	21,488	(14,202)	7,286	0	0
Equipment Over $5000	691000		50,757	57,534	332,466	390,000	0	0
Adult Services	**77**		**18,490,843**	**36,789,499**	**379,956**	**39,296,263**	**0**	**0**
TOTAL EXPENDITURES for 40 Maximum Security Inst - NDSP			**18,490,843**	**36,789,499**	**379,956**	**39,296,263**	**0**	**0**
MEANS OF FUNDING								
Victory Garden	P051		3,246	3,246	0	3,246	0	0
SCAAP-BJA	P133		0	18,250	0	18,250	0	0
Federal Funds	**FED**		**3,246**	**21,496**	**0**	**21,496**	**0**	**0**
State General Fund	001		18,423,785	36,592,327	(10,044)	38,709,091	0	0
General Fund	**GEN**		**18,423,785**	**36,592,327**	**(10,044)**	**38,709,091**	**0**	**0**
Dept of Corrections Oper - 379	379		63,812	175,676	0	175,676	0	0

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Agency [redacted]ment of Corrections and Rehabilitation
Program [redacted]aximum Security Inst - NDSP
Reporting Level 01-530-500-40-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
Strategic inv & imprv fund	493	0	0	390,000	390,000	0	0
Special Funds	**SPEC**	**63,812**	**175,676**	**390,000**	**565,676**	**0**	**0**
TOTAL FUNDING for 40 Maximum Security Inst - NDSP		**18,490,843**	**36,789,499**	**379,956**	**39,296,263**	**0**	**0**
AUTHORIZED EMPLOYEES							
Vacant		0.00	0.00	27.00	27.00	0.00	0.00
FTE		208.95	208.95	(16.00)	192.95	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 40 Maximum Security Inst - NDSP		208.95	208.95	11.00	219.95	0.00	0.00

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Acct. Codes		NDSP	MRCC	JRCC	Total
533020	Dry Goods	543.16	-	630.97	1,174.13
533025	Food Supplies	1,328,248.25	357,616.91	1,251,275.57	2,937,140.73
533030	Groceries	-	-	-	-
533050	Meat	-	-	-	-
Less NDSH Billed				362,406.46	362,406.46
	Total	**1,328,791**	**357,617**	**889,500**	**3,300,721**
Warehouse		**(8,686)**	**(2,338)**	**(5,815)**	**(21,577)**
Inventory - FY17 Closing Package		**81,582**	**21,956**	**54,611**	**202,650**
		1,410,373	**379,573**	**944,111**	**2,734,058**
7/1/2017 -7/31/18 Pfst BTD - Meals Served		930,697	229,548	691,389	1,851,634
7/1/2017 - 7/31/18 Pfst BTD Cost Per Meal		**$ 1.43**	**$ 1.56**	**$ 1.29**	1.78
7/1/2017 - 7/31/18 Pfst BTD Cost Per Meal		**1.52**	**1.65**	**1.37**	**1.48**
7/1/17 - 7/31/18 Pfst BTD - Meals Served					
Inmates		880,405	220,044	641,097	1,741,546
Staff		50,292	9,504	50,292	110,088
Total		**930,697**	**229,548**	**691,389**	**1,851,634**
7/1/17 - 7/31/18 Ave. Inmate Count		741	185	439	1,365
7/1/17 - 7/31/18 Ave. TRCC Count		-	-	101	101
7/1/17 - 7/31/18 Ave. Temp / Hosp		8	0	6	15
		733	185	533	1,451
Total # Inmate Meals Per Day		2,199.61	555	1,600	4,354
Total # Staff Meals Per Day		127	24	127	278
Total # Meals Per Day		2,327	579	1,727	4,632
7/1/17 - 7/31/18 Days		396	396	396	396
Gross 7/1/17 - 7/31/18 Meals		921,338.31	229,117	683,837	1,834,292
Prep / Waste Adjust		1.0%	1.0%	1.0%	1.0%
7/1/17 - 7/31/18 Meals		**930,697**	**231,444**	**690,783**	**1,852,924**
7/1/19 - 6/30/21 Est Ave Inmate Pop		757	142	581	1,480
7/1/19 - 6/30/21 Est Ave Nurse Bldg Pop		-	-	60	60
7/1/19 - 6/30/21 Ave Temp / Hosp		8	-	8	16
		749	142	633	1,524
Total # Inmate Meals Per Day		2,246	427	1,898	4,571
Total # Staff Meals Per Day		127	24	127	278
Total # Meals Per Day		2,373	451	2,025	4,849
7/1/19 - 6/30/21 Days		731	731	731	731
Gross 7/1/19 - 6/30/21 Meals		1,734,879	329,637	1,480,086	3,544,602
Prep / Waste Adjust		1.0%	1.0%	1.0%	1.0%
Total 6/1/19 - 6/30/21 Meals		**1,752,502**	**332,985**	**1,495,120**	**3,580,607**
7/1/17 - 7/31/18 Food Cost Per Meal		1.52	1.65	1.37	1.48
Estimated Inflation FY19		1.25%	1.25%	1.25%	1.25%
Est FY20 Food Cost Per Meal		1.53	1.67	1.38	1.50
Estimated Inflation FY20		2.00%	2.00%	2.00%	2.00%
Est FY21 Food Cost Per Meal		1.57	1.71	1.41	1.52
2019-21 Est Ave Food Cost Per Meal		1.55	1.69	1.40	1.51
2019-21 Est Food Cost		2,715,818.00	563,070.87	2,087,822.80	5,366,711.67

EQUIPMENT OVER $5,000

00530 Department of Corrections and Rehabilitation

Version: 2019R0200530

* NDSP *

Description	Funding	2019-21 Request	2019-21 Optional Request	2019-21 Budget Recommendation
53' Enclosed Trailer	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	20,000	0	20,000
Total 53' Enclosed Trailer		**20,000**	**0**	**20,000**
B-Scan Body Detection and Mail Screening Device	General Fund	0	230,000	0
	Federal Funds	0	0	0
	Special Funds	0	0	* 230,000 *
Total B-Scan Body Detection and Mail Screening Device		**0**	**230,000**	**230,000**
Electronic Heavy Duty Upholstery Sewing Machine	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	5,000	0	5,000
Total Electronic Heavy Duty Upholstery Sewing Machine		**5,000**	**0**	**5,000**
Furniture Cutoff Saw	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	20,000	0	20,000
Total Furniture Cutoff Saw		**20,000**	**0**	**20,000**
Furniture Dust Collector	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	75,000	0	75,000
Total Furniture Dust Collector		**75,000**	**0**	**75,000**
Furniture Tiger Stop Saw	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	15,000	0	15,000
Total Furniture Tiger Stop Saw		**15,000**	**0**	**15,000**
Metal Chop Saw 16"	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	5,000	0	5,000
Total Metal Chop Saw 16"		**5,000**	**0**	**5,000**
Metal Sign Corner Machine	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	12,000	0	12,000
Total Metal Sign Corner Machine		**12,000**	**0**	**12,000**
NDSP Redundant Fence Protection	General Fund	0	160,000	0

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EQUIPMENT OVER $5,000

00530 Department of Corrections and Rehabilitation

Version: 2019R0200530

* NDSP *

Description	Funding	2019-21 Request	2019-21 Optional Request	2019-21 Budget Recommendation
	Federal Funds	0	0	0
	Special Funds	0	0	* 160,000 *
Total NDSP Redundant Fence Protection		**0**	**160,000**	**160,000**
Portable Property X-Ray - JRCC	General Fund	0	22,000	0
	Federal Funds	0	0	0
	Special Funds	0	0	22,000
Total Portable Property X-Ray - JRCC		**0**	**22,000**	**22,000**
Programable Pattern Sewing Maching	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	16,700	0	16,700
Total Programable Pattern Sewing Maching		**16,700**	**0**	**16,700**
RRI - CNC Metal Plasma Cutting Table	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	130,000	0	130,000
Total RRI - CNC Metal Plasma Cutting Table		**130,000**	**0**	**130,000**
Agency Totals				
	General Fund	0	412,000	0
	Federal Funds	0	0	0
	Special Funds	298,700	0	710,700
	Agency Total	**298,700**	**412,000**	**710,700**

* NDSP TOTAL *
$390,000

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Cost Per Day FY2018	NDSP	JRCC	MRCC	Total DOCR Facilities	Women Services \1	Contract Facilities
Housing Cost	$ 21,118,757.62	$ 14,099,997.52	$ 3,907,260.45	**$ 39,126,015.59**	$ 5,493,838.55	$ 12,990,219.28
2018 ADP	743.27	438.85	185.33	**1,367.46**	117.91	436.94
FY2018 Housing Cost Per Day	*$ 77.84*	*$ 88.03*	*$ 57.76*	***$ 78.39***	*$ 127.65*	*$ 81.45*
Medical Cost	$ 5,432,487.28	$ 2,429,492.97	$ 632,258.55	**$ 8,494,238.80**	$ 289,404.19	$ 225,867.46
2018 ADP	743.27	438.85	185.33	**1,367.46**	117.91	128.88
FY2018 Medical Cost Per Day	*$ 20.02*	*$ 15.17*	*$ 9.35*	***$ 17.02***	*$ 6.72*	*$ 4.80*
Education Cost	$ 792,366.99	$ 633,190.76	$ 351,002.98	**$ 1,776,560.73**		
2018 ADP	743.27	438.85	185.33	**1,367.46**		
FY2018 Education Cost Per Day	*$ 2.92*	*$ 3.95*	*$ 5.19*	***$ 3.56***		
Treatment Cost	$ 1,726,047.46	$ 1,093,703.05	$ 352,157.33	**$ 3,171,907.84**		
2018 ADP	743.27	438.85	185.33	**1,367.46**		
FY2018 Treatment Cost Per Day	*$ 6.36*	*$ 6.83*	*$ 5.21*	***$ 6.35***		
Allocated and Depreciation Costs	$ 4,274,692.82	$ 1,674,242.00	$ 403,798.51	**$ 6,352,733.33**	$ 326,307.74	$ 745,690.88
2018 ADP	743.27	438.85	185.33	**1,367.46**	117.91	436.94
FY2018 Allocated and Depre Cost Per Day	*$ 15.76*	*$ 10.45*	*$ 5.97*	***$ 12.73***	*$ 7.58*	*$ 4.68*
Total Costs	**$ 33,344,352.17**	**$ 19,930,626.30**	**$ 5,646,477.82**	**$ 58,921,456.29**	**$ 6,109,550.48**	**$ 13,961,777.62**
FY2018 Total Cost Per Day	**$ 122.91**	**$ 124.43**	**$ 83.47**	**$ 118.05**	**$ 141.96**	**$ 90.93**

Cost Per Day FY2018	P&P
Total P&P	$ 11,388,025.11
Depreciation	-
Allocated	$ 642,546.21
FY2018 Total Costs	**$ 12,030,571.32**
FY2018 ADC	7,153
FY2018 Ave Cost Per Day	**$ 4.61**

\1 - Does not include BTC Secure costs, BTC Secure costs of $933,086 are reported in Contract Facilities.

JRCC

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DOCR – DIVISION OF ADULT SERVICES
2019-21 BUDGET DETAIL

Reporting Level: 01-530-500-50-00-00

Program: MEDIUM SECURITY INST - JRCC

EXPLANATION OF PROGRAM COSTS

The James River Correctional Center facility accounts for the costs related to security, food services, administrative services, and work programs for the medium security facility and treatment facility located in Jamestown ND as well as the preparation of meals and laundry services provided by JRCC employees for the ND State Hospital residents.

BUDGET BY TRADITIONAL LINE ITEM

Description	2017-19 Base Level	2019-21 Exec Rec	Percent of Total	Change from 17-19
Salary and Fringe	23,412,835	27,544,414	85%	4,131,579
Operating	5,302,971	5,004,222	15%	(298,749)
Capital	-	22,000	0%	22,000
Grants	-	-	0%	-
Total	**28,715,806**	**32,570,636**	**100%**	**3,854,830**
Funds				
General	27,546,822	31,528,235	97%	3,981,413
Other	1,168,984	1,042,401	3%	(126,583)
Total	**28,715,806**	**32,570,636**	**100%**	**3,854,830**
FTE	**151.00**	**176.75**	-	**25.75**

MATERIAL EXPENDITURES – (97% of budget)

Salary and Fringe – $27,544,414 – 85% of budget
- JRCC Warden – 1.0 FTE
- Deputy Warden – 1.0 FTE
- Chief of Security – 1.0 FTE

Correctional Case Manager– 5.0 FTE
Correctional Supervisor – 9.0 FTE
Correctional Officer – 131.0 FTE
Community Resource / Chaplain – 1.0 FTE
Safety Officer -1.0 FTE
Administrative/Office Assistant – 6.75 FTE
Food Service – 2.0 FTE
Treatment Security / Case Management – 18.0 FTE

Food and Clothing - $3,295,262 – 10% of budget
Food and clothing purchases for the JRCC medium security and treatment facility
NDSH food purchases - $1,020,401

Operating Fees and Services - $799,291
Inmate wages; freight; service awards; etc

SIGNIFICANT CHANGES

Employee compensation - $1,705,974
Salary increase - $834,204
Benefit increase - $282,236
Health insurance increase - $589,534

Temp to FTE Status - $94,348
6.0 FTE

Food and Clothing - $(203,806)

JRCC Treatment (formerly TRCC) - $2,911,826
Staff
Food and Clothing
Inmate wages
18.0 FTE

2017 – 2019 BUDGET

As of 11/30/2018, 66.3% of this department budget has been expended.

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DOCR - Med Security - JRCC

Description		2017-19 Biennium Budget	11/30/2018 BTD Expend	Remaining Balance	2019-21 Exec Rec
SALARIES	511000	14,205,432	9,780,160	4,425,272	16,551,642
SALARY BUDGET ADJUSTMENT	511900	-	-	-	-
SALARY INCREASE	599110	-	-	-	834,204
SALARIES - OTHER	512000	-	-	-	-
TEMP	513000	643,644	323,585	320,059	(28,832)
OVERTIME	514000	1,049,208	790,310	258,898	1,049,208
BENEFITS	516000	7,514,551	5,065,118	2,449,433	8,266,422
BENEFIT INCREASE	599160	-	-	-	871,770
TRAVEL	521000	231,868	110,171	121,697	164,542
IT-SOFTWARE/SUPPLIES	531000	3,574	3,271	303	7,021
PROFESSIONAL SUPPLIES & MAT	532000	33,033	10,908	22,125	35,212
FOOD & CLOTHING	533000	3,726,113	1,855,547	1,870,566	3,295,262
BLDG,GRNDS,VEHICLE MTCE S	534000	308,234	268,749	39,485	350,000
MISCELLANEOUS SUPPLIES	535000	129,048	179,237	(50,189)	89,500
OFFICE SUPPLIES	536000	39,741	16,286	23,455	25,013
POSTAGE	541000	3,044	2,077	967	1,681
PRINTING	542000	9,806	7,957	1,849	9,233
IT-EQUIP UNDER $5,000	551000	15,422	-	15,422	7,400
OTHER EQUIP - UNDER $5,000	552000	30,431	8,814	21,617	44,659
OFFICE EQUIP - UNDER $5,000	553000	3,681	3,647	34	4,500
UTILITIES	561000	-	-	-	-
INSURANCE	571000	-	-	-	-
LEASE/RENT - EQUIPMENT	581000	10,929	13,441	(2,512)	20,353
LEASE/RENT - BLDG/LAND	582000	-	-	-	-
REPAIRS	591000	86,257	41,595	44,662	66,226
IT-DATA PROCESSING	601000	-	2,149	(2,149)	4,723
IT-TELEPHONE	602000	1,248	575	673	2,276
IT-CONTRACTUAL SERVICES	603000	-	-	-	-
DUES & PROFESSIONAL DEV	611000	19,899	11,052	8,847	42,500
OPERATING FEES & SERVICES	621000	613,997	520,929	93,068	799,291
PROFESSIONAL SERVICES	623000	22,090	9,427	12,663	16,788
MEDICAL, DENTAL & OPTICAL	625000	14,556	13,390	1,166	18,042
LAND & BUILDINGS	682000	-	-	-	-
OTHER CAPITAL PAYMENTS	683000	-	-	-	-
EXTRAORDINARY REPAIRS	684000	-	-	-	-
EQUIP - OVER $5,000	691000	-	-	-	22,000
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	-	-	-	-
GRANTS, BENEFITS & CLAIMS	712000	-	-	-	-
Total		**28,715,806**	**19,038,395**	**9,677,411**	**32,570,636**
General Funds		27,546,822	18,459,466	9,087,356	31,528,235
Federal Funds		-	-	-	-
Special Funds		1,168,984	578,930	590,054	1,042,401
Total		**28,715,806**	**19,038,395**	**9,677,411**	**32,570,636**
FTE		**151.00**			**176.75**

Agency	Department of Corrections and Rehabilitation
Program	50 Medium Security Inst - JRCC
Reporting Level	01-530-500-50-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	6,949,952	14,205,432	2,346,210	16,551,642	0	0
Salary Increase	511010	0	0	0	834,204	0	0
Benefit Increase	511011	0	0	0	158,746	0	0
Health Increase	511012	0	0	0	589,534	0	0
Retirement Increase	511013	0	0	0	123,490	0	0
Temporary Salaries	513000	258,652	643,644	(672,476)	(28,832)	0	0
Overtime	514000	503,459	1,049,208	0	1,049,208	0	0
Fringe Benefits	516000	3,563,602	7,514,551	751,871	8,266,422	0	0
Travel	521000	74,566	231,868	(67,326)	164,542	0	0
Supplies - IT Software	531000	3,270	3,574	3,447	7,021	0	0
Supply/Material-Professional	532000	8,606	33,033	2,179	35,212	0	0
Food and Clothing	533000	1,368,394	3,726,113	(430,851)	3,295,262	0	0
Bldg, Ground, Maintenance	534000	184,847	308,234	41,766	350,000	0	0
Miscellaneous Supplies	535000	128,850	129,048	(39,548)	89,500	0	0
Office Supplies	536000	12,507	39,741	(14,728)	25,013	0	0
Postage	541000	840	3,044	(1,363)	1,681	0	0
Printing	542000	4,616	9,806	(573)	9,233	0	0
IT Equip Under $5,000	551000	0	15,422	(8,022)	7,400	0	0
Other Equip Under $5,000	552000	6,014	30,431	14,228	44,659	0	0
Office Equip & Furn Supplies	553000	3,154	3,681	819	4,500	0	0
Rentals/Leases-Equip & Other	581000	10,177	10,929	9,424	20,353	0	0
Repairs	591000	33,113	86,257	(20,031)	66,226	0	0
IT - Data Processing	601000	0	0	4,723	4,723	0	0
IT - Communications	602000	467	1,248	1,028	2,276	0	0
Professional Development	611000	10,973	19,899	22,601	42,500	0	0
Operating Fees and Services	621000	360,554	613,997	185,294	799,291	0	0
Fees - Professional Services	623000	8,394	22,090	(5,302)	16,788	0	0
Medical, Dental and Optical	625000	9,021	14,556	3,486	18,042	0	0
Equipment Over $5000	691000	0	0	22,000	22,000	0	0
Adult Services	**77**	**13,504,028**	**28,715,806**	**2,148,856**	**32,570,636**	**0**	**0**
TOTAL EXPENDITURES for 50 Medium Security Inst - JRCC		**13,504,028**	**28,715,806**	**2,148,856**	**32,570,636**	**0**	**0**
MEANS OF FUNDING							
State General Fund	001	13,035,077	27,546,822	2,275,439	31,528,235	0	0
General Fund	**GEN**	**13,035,077**	**27,546,822**	**2,275,439**	**31,528,235**	**0**	**0**
Dept of Corrections Oper - 379	379	468,951	1,168,984	(148,583)	1,020,401	0	0
Strategic inv & imprv fund	493	0	0	22,000	22,000	0	0
Special Funds	**SPEC**	**468,951**	**1,168,984**	**(126,583)**	**1,042,401**	**0**	**0**

Agency	Department of Corrections and Rehabilitation
Program	50 Medium Security Inst - JRCC
Reporting Level	01-530-500-50-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
TOTAL FUNDING for 50 Medium Security Inst - JRCC		**13,504,028**	**28,715,806**	**2,148,856**	**32,570,636**	**0**	**0**
AUTHORIZED EMPLOYEES							
FTE		151.00	151.00	(2.00)	149.00	0.00	0.00
Vacant		0.00	0.00	27.75	27.75	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 50 Medium Security Inst - JRCC		151.00	151.00	25.75	176.75	0.00	0.00

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Acct. Codes		NDSP	MRCC	JRCC	Total
[redacted]3020	Dry Goods	543.16	-	630.97	1,174.13
[redacted]3025	Food Supplies	1,328,248.25	357,616.91	1,251,275.57	2,937,140.73
533030	Groceries	-	-	-	-
533050	Meat	-	-	-	-
Less NDSH Billed				362,406.46	362,406.46
	Total	**1,328,791**	**357,617**	**889,500**	**3,300,721**
Warehouse		**(8,686)**	**(2,338)**	**(5,815)**	**(21,577)**
Inventory - FY17 Closing Package		**81,582**	**21,956**	**54,611**	**202,650**
		1,410,373	**379,573**	**944,111**	**2,734,058**
7/1/2017 -7/31/18 Pfst BTD - Meals Served		930,697	229,548	691,389	1,851,634
7/1/2017 - 7/31/18 Pfst BTD Cost Per Meal		**$ 1.43**	**$ 1.56**	**$ 1.29**	1.78
7/1/2017 - 7/31/18 Pfst BTD Cost Per Meal		**1.52**	**1.65**	**1.37**	**1.48**
7/1/17 - 7/31/18 Pfst BTD - Meals Served					
Inmates		880,405	220,044	641,097	1,741,546
Staff		50,292	9,504	50,292	110,088
Total		**930,697**	**229,548**	**691,389**	**1,851,634**
7/1/17 - 7/31/18 Ave. Inmate Count		741	185	439	1,365
7/1/17 - 7/31/18 Ave. TRCC Count		-	-	101	101
7/1/17 - 7/31/18 Ave. Temp / Hosp		8	0	6	15
		733	185	533	1,451
Total # Inmate Meals Per Day		2,199.61	555	1,600	4,354
Total # Staff Meals Per Day		127	24	127	278
Total # Meals Per Day		2,327	579	1,727	4,632
7/1/17 - 7/31/18 Days		396	396	396	396
Gross 7/1/17 - 7/31/18 Meals		921,338.31	229,117	683,837	1,834,292
Prep / Waste Adjust		1.0%	1.0%	1.0%	1.0%
7/1/17 - 7/31/18 Meals		**930,697**	**231,444**	**690,783**	**1,852,924**
7/1/19 - 6/30/21 Est Ave Inmate Pop		757	142	581	1,480
7/1/19 - 6/30/21 Est Ave Nurse Bldg Pop		-	-	60	60
7/1/19 - 6/30/21 Ave Temp / Hosp		8	-	8	16
		749	142	633	1,524
Total # Inmate Meals Per Day		2,246	427	1,898	4,571
Total # Staff Meals Per Day		127	24	127	278
Total # Meals Per Day		2,373	451	2,025	4,849
7/1/19 - 6/30/21 Days		731	731	731	731
Gross 7/1/19 - 6/30/21 Meals		1,734,879	329,637	1,480,086	3,544,602
Prep / Waste Adjust		1.0%	1.0%	1.0%	1.0%
Total 6/1/19 - 6/30/21 Meals		**1,752,502**	**332,985**	**1,495,120**	**3,580,607**
7/1/17 - 7/31/18 Food Cost Per Meal		1.52	1.65	1.37	1.48
Estimated Inflation FY19		1.25%	1.25%	1.25%	1.25%
Est FY20 Food Cost Per Meal		1.53	1.67	1.38	1.50
Estimated Inflation FY20		2.00%	2.00%	2.00%	2.00%
Est FY21 Food Cost Per Meal		1.57	1.71	1.41	1.52
2019-21 Est Ave Food Cost Per Meal		1.55	1.69	1.40	1.51
2019-21 Est Food Cost		2,715,818.00	563,070.87	2,087,822.80	5,366,711.67

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& JRLC &

EQUIPMENT OVER $5,000

00530 Department of Corrections and Rehabilitation

Version: 2019R0200530

Description	Funding	2019-21 Request	2019-21 Optional Request	2019-21 Budget Recommendation
53' Enclosed Trailer	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	20,000	0	20,000
Total 53' Enclosed Trailer		**20,000**	**0**	**20,000**
B-Scan Body Detection and Mail Screening Device	General Fund	0	230,000	0
	Federal Funds	0	0	0
	Special Funds	0	0	230,000
Total B-Scan Body Detection and Mail Screening Device		**0**	**230,000**	**230,000**
Electronic Heavy Duty Upholstery Sewing Machine	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	5,000	0	5,000
Total Electronic Heavy Duty Upholstery Sewing Machine		**5,000**	**0**	**5,000**
Furniture Cutoff Saw	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	20,000	0	20,000
Total Furniture Cutoff Saw		**20,000**	**0**	**20,000**
Furniture Dust Collector	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	75,000	0	75,000
Total Furniture Dust Collector		**75,000**	**0**	**75,000**
Furniture Tiger Stop Saw	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	15,000	0	15,000
Total Furniture Tiger Stop Saw		**15,000**	**0**	**15,000**
Metal Chop Saw 16"	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	5,000	0	5,000
Total Metal Chop Saw 16"		**5,000**	**0**	**5,000**
Metal Sign Corner Machine	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	12,000	0	12,000
Total Metal Sign Corner Machine		**12,000**	**0**	**12,000**
NDSP Redundant Fence Protection	General Fund	0	160,000	0

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* JRCC *

EQUIPMENT OVER $5,000

00530 Department of Corrections and Rehabilitation

Version: 2019R0200530

Description	Funding	2019-21 Request	2019-21 Optional Request	2019-21 Budget Recommendation
	Federal Funds	0	0	0
	Special Funds	0	0	160,000
Total NDSP Redundant Fence Protection		**0**	**160,000**	**160,000**
Portable Property X-Ray - JRCC	General Fund	0	22,000	0
	Federal Funds	0	0	0
	Special Funds	0	0	* 22,000 *
Total Portable Property X-Ray - JRCC		**0**	**22,000**	**22,000**
Programable Pattern Sewing Maching	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	16,700	0	16,700
Total Programable Pattern Sewing Maching		**16,700**	**0**	**16,700**
RRI - CNC Metal Plasma Cutting Table	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	130,000	0	130,000
Total RRI - CNC Metal Plasma Cutting Table		**130,000**	**0**	**130,000**
Agency Totals				
	General Fund	0	412,000	0
	Federal Funds	0	0	0
	Special Funds	298,700	0	710,700
	Agency Total	**298,700**	**412,000**	**710,700**

* JRCC TOTAL *
$ 22,000

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Cost Per Day FY2018	NDSP	JRCC	MRCC	Total DOCR Facilities	Women Services \1	Contract Facilities
Housing Cost	$ 21,118,757.62	$ 14,099,997.52	$ 3,907,260.45	**$ 39,126,015.59**	$ 5,493,838.55	$ 12,990,219.28
2018 ADP	743.27	438.85	185.33	**1,367.46**	117.91	436.94
FY2018 Housing Cost Per Day	*$ 77.84*	*$ 88.03*	*$ 57.76*	***$ 78.39***	*$ 127.65*	*$ 81.45*
Medical Cost	$ 5,432,487.28	$ 2,429,492.97	$ 632,258.55	**$ 8,494,238.80**	$ 289,404.19	$ 225,867.46
2018 ADP	743.27	438.85	185.33	**1,367.46**	117.91	128.88
FY2018 Medical Cost Per Day	*$ 20.02*	*$ 15.17*	*$ 9.35*	***$ 17.02***	*$ 6.72*	*$ 4.80*
Education Cost	$ 792,366.99	$ 633,190.76	$ 351,002.98	**$ 1,776,560.73**		
2018 ADP	743.27	438.85	185.33	**1,367.46**		
FY2018 Education Cost Per Day	*$ 2.92*	*$ 3.95*	*$ 5.19*	***$ 3.56***		
Treatment Cost	$ 1,726,047.46	$ 1,093,703.05	$ 352,157.33	**$ 3,171,907.84**		
2018 ADP	743.27	438.85	185.33	**1,367.46**		
FY2018 Treatment Cost Per Day	*$ 6.36*	*$ 6.83*	*$ 5.21*	***$ 6.35***		
Allocated and Depreciation Costs	$ 4,274,692.82	$ 1,674,242.00	$ 403,798.51	**$ 6,352,733.33**	$ 326,307.74	$ 745,690.88
2018 ADP	743.27	438.85	185.33	**1,367.46**	117.91	436.94
FY2018 Allocated and Depre Cost Per Day	*$ 15.76*	*$ 10.45*	*$ 5.97*	***$ 12.73***	*$ 7.58*	*$ 4.68*
Total Costs	**$ 33,344,352.17**	**$ 19,930,626.30**	**$ 5,646,477.82**	**$ 58,921,456.29**	**$ 6,109,550.48**	**$ 13,961,777.62**
FY2018 Total Cost Per Day	**$ 122.91**	**$ 124.43**	**$ 83.47**	**$ 118.05**	**$ 141.96**	**$ 90.93**

Cost Per Day FY2018	P&P
Total P&P	$ 11,388,025.11
Depreciation	-
Allocated	$ 642,546.21
FY2018 Total Costs	**$ 12,030,571.32**
FY2018 ADC	7,153
FY2018 Ave Cost Per Day	**$ 4.61**

\1 - Does not include BTC Secure costs, BTC Secure costs of $933,086 are reported in Contract Facilities.

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DOCR – DIVISION OF ADULT SERVICES
2019-21 BUDGET DETAIL

Reporting Level: 01-530-500-60-00-00	
Program: TRANSITIONAL FACILITIES	

EXPLANATION OF PROGRAM COSTS

The JRCC Men's Minimum facility accounts for the costs related to the security, food, administrative services, and work programs for the minimum security facility located south of Bismarck ND. Other costs also include operating fees and services for housing offenders at transitional and treatment facilities and contract correctional facilities.

BUDGET BY TRADITIONAL LINE ITEM

Description	2017-19 Base Level	2019-21 Exec Rec	Percent of Total	Change from 17-19
Salary and Fringe	6,309,261	7,551,599	26%	1,242,338
Operating	27,109,381	21,460,937 \1	74%	(5,648,444)
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**33,418,642**	**29,012,536**	**100%**	**(4,406,106)**
Funds				
General	28,944,726	27,854,849 \1	96%	(1,089,877)
Other	4,473,916	1,157,687	4%	(3,316,229)
Total	**33,418,642**	**29,012,536**	**100%**	**(4,406,106)**
FTE	**39.05**	**43.00**	-	**3.95**

\1 – Operating expenditures totaling $1,049,741 (100% general funds) were inadvertently added twice during budget preparation, resulting in the executive recommendation being overstated by $1,049,741. The amounts noted above are the corrected amounts.

MATERIAL EXPENDITURES – (99% of budget)

Salary and Fringe – $7,551,599 – 26% of budget

Transitional Facilities Warden – 1.0 FTE
JRCC Male Minimum – 1.0 FTE
Program Manager – 2.0 FTE
Correctional Case Manager– 4.0 FTE
Correctional Supervisor – 4.0 FTE
Correctional Officer – 30.0 FTE
Administrative – 1.0 FTE

Food and Clothing - $607,034 – 2% of budget
Food purchases – inmate and employee meals; inmate clothing; paper products; linens; officer uniforms

Operating Fees and Services - $20,461,968 – 71% of budget
Community housing and programming (transition; half-way house; contract treatment; parole holds)

SIGNIFICANT CHANGES

Employee compensation - $787,013
Salary increase - $377,562
Benefit increase - $129,626
Health insurance increase - $279,825

Temp to FTE Status - $66,218
2.0 FTE

JRCC Men's Minimum Facility - $6,053,875
Staff
Food and Clothing
Inmate wages
35.0 FTE

Operating Fees and Services - $(5,388,218)
TRCC change
DOCR assume operation of 60 bed facility (nurse's building)
Contract for 30 TRCC beds from NDSH (per diem basis)
Discontinue BTC Secure

2017 – 2019 BUDGET

As of 11/30/2018, 678% of this department budget has been expended.

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DOCR - Transitional Facilities

Description		2017-19 Biennium Budget	11/30/2018 BTD Expend	Remaining Balance	2019-21 Exec Rec
SALARIES	511000	3,834,490	2,768,023	1,066,467	4,215,576
SALARY BUDGET ADJUSTMENT	511900	-	-	-	-
SALARY INCREASE	599110	-	-	-	377,562
SALARIES - OTHER	512000	-	-	-	-
TEMP	513000	344,328	341,042	3,286	154,822
OVERTIME	514000	102,216	96,347	5,869	161,592
BENEFITS	516000	2,028,227	1,463,819	564,408	2,232,596
BENEFIT INCREASE	599160	-	-	-	409,451
TRAVEL	521000	156,219	76,219	80,000	130,561
IT-SOFTWARE/SUPPLIES	531000	-	1,054	(1,054)	13,217
PROFESSIONAL SUPPLIES & MAT	532000	5,191	5,028	163	-
FOOD & CLOTHING	533000	839,439	500,048	339,391	607,034
BLDG,GRNDS,VEHICLE MTCE S	534000	74,496	76,994	(2,498)	100,000
MISCELLANEOUS SUPPLIES	535000	49,874	59,473	(9,599)	25,000
OFFICE SUPPLIES	536000	9,261	5,555	3,706	9,308
POSTAGE	541000	497	198	299	500
PRINTING	542000	2,294	2,543	(249)	2,306
IT-EQUIP UNDER $5,000	551000	5,950	-	5,950	-
OTHER EQUIP - UNDER $5,000	552000	4,487	4,254	233	2,500
OFFICE EQUIP - UNDER $5,000	553000	3,492	4,633	(1,141)	35,000
UTILITIES	561000	-	-	-	-
INSURANCE	571000	-	-	-	-
LEASE/RENT - EQUIPMENT	581000	4,975	1,670	3,305	5,000
LEASE/RENT - BLDG/LAND	582000	-	-	-	-
REPAIRS	591000	34,823	9,447	25,376	-
IT-DATA PROCESSING	601000	-	-	-	-
IT-TELEPHONE	602000	8,586	5,921	2,665	8,630
IT-CONTRACTUAL SERVICES	603000	-	210	(210)	-
DUES & PROFESSIONAL DEV	611000	6,910	4,748	2,163	6,945
OPERATING FEES & SERVICES	621000	25,850,186	17,120,376	8,729,810	20,461,968
PROFESSIONAL SERVICES	623000	49,748	3,497	46,251	50,000
MEDICAL, DENTAL & OPTICAL	625000	2,953	720	2,233	2,968
LAND & BUILDINGS	682000	-	-	-	-
OTHER CAPITAL PAYMENTS	683000	-	-	-	-
EXTRAORDINARY REPAIRS	684000	-	-	-	-
EQUIP - OVER $5,000	691000	-	-	-	-
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	-	-	-	-
GRANTS, BENEFITS & CLAIMS	712000	-	-	-	-
Total		**33,418,642**	**22,551,817**	**10,866,825**	**29,012,536**
General Funds		28,944,726	20,283,395	8,661,331	27,854,849
Federal Funds		-	33,467	(33,467)	-
Special Funds		4,473,916	2,234,955	2,238,961	1,157,687
Total		**33,418,642**	**22,551,817**	**10,866,825**	**29,012,536**
FTE		**39.05**			**43.00**

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Agency	Department of Corrections and Rehabilitation
Program	60 Transitional Facilities
Reporting Level	01-530-500-60-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	1,929,968	3,834,490	(1,220,374)	2,614,116	0	0
Salary Increase	511010	0	0	0	377,562	0	0
Benefit Increase	511011	0	0	0	72,608	0	0
Health Increase	511012	0	0	0	279,825	0	0
Retirement Increase	511013	0	0	0	57,018	0	0
Temporary Salaries	513000	234,946	344,328	(189,506)	154,822	0	0
Overtime	514000	64,276	102,216	59,376	161,592	0	0
Fringe Benefits	516000	1,010,234	2,028,227	1,805,830	3,834,057	0	0
Travel	521000	55,940	156,219	104,903	261,122	0	0
Supplies - IT Software	531000	0	0	13,217	13,217	0	0
Supply/Material-Professional	532000	2,985	5,191	26	5,217	0	0
Food and Clothing	533000	370,383	839,439	431,901	1,271,340	0	0
Bldg, Ground, Maintenance	534000	56,326	74,496	125,504	200,000	0	0
Miscellaneous Supplies	535000	47,168	49,874	126	50,000	0	0
Office Supplies	536000	3,831	9,261	9,355	18,616	0	0
Postage	541000	148	497	503	1,000	0	0
Printing	542000	2,006	2,294	2,318	4,612	0	0
IT Equip Under $5,000	551000	0	5,950	(5,950)	0	0	0
Other Equip Under $5,000	552000	4,254	4,487	513	5,000	0	0
Office Equip & Furn Supplies	553000	2,783	3,492	33,008	36,500	0	0
Rentals/Leases-Equip & Other	581000	1,179	4,975	5,025	10,000	0	0
Repairs	591000	8,370	34,823	177	35,000	0	0
IT - Communications	602000	4,465	8,586	8,674	17,260	0	0
Professional Development	611000	1,978	6,910	6,980	13,890	0	0
Operating Fees and Services	621000	12,643,075	25,850,186	(5,388,218)	20,461,968	0	0
Fees - Professional Services	623000	3,219	49,748	50,252	100,000	0	0
Medical, Dental and Optical	625000	609	2,953	2,983	5,936	0	0
Adult Services	**77**	**16,448,143**	**33,418,642**	**(4,143,377)**	**30,062,278**	**0**	**0**
TOTAL EXPENDITURES for 60 Transitional Facilities		**16,448,143**	**33,418,642**	**(4,143,377)**	**30,062,278**	**0**	**0**
MEANS OF FUNDING							
State General Fund	001	14,246,534	28,944,726	(827,148)	28,904,591	0	0
General Fund	**GEN**	**14,246,534**	**28,944,726**	**(827,148)**	**28,904,591**	**0**	**0**
Dept of Corrections Oper - 379	379	2,201,609	4,473,916	(3,316,229)	1,157,687	0	0
Special Funds	**SPEC**	**2,201,609**	**4,473,916**	**(3,316,229)**	**1,157,687**	**0**	**0**
TOTAL FUNDING for 60 Transitional Facilities		**16,448,143**	**33,418,642**	**(4,143,377)**	**30,062,278**	**0**	**0**
AUTHORIZED EMPLOYEES							

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Agency	Department of Corrections and Rehabilitation
Program	60 Transitional Facilities
Reporting Level	01-530-500-60-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
Vacant		0.00	0.00	38.00	38.00	0.00	0.00
FTE		39.05	39.05	(34.05)	5.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 60 Transitional Facilities		39.05	39.05	3.95	43.00	0.00	0.00

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Acct. Codes		NDSP	MRCC	JRCC	Total
533020	Dry Goods	543.16	-	630.97	1,174.13
533025	Food Supplies	1,328,248.25	357,616.91	1,251,275.57	2,937,140.73
533030	Groceries	-	-	-	-
533050	Meat	-	-	-	-
Less NDSH Billed				362,406.46	362,406.46
	Total	**1,328,791**	**357,617**	**889,500**	**3,300,721**
Warehouse		**(8,686)**	**(2,338)**	**(5,815)**	**(21,577)**
Inventory - FY17 Closing Package		**81,582**	**21,956**	**54,611**	**202,650**
		1,410,373	**379,573**	**944,111**	**2,734,058**
7/1/2017 -7/31/18 Pfst BTD - Meals Served		930,697	229,548	691,389	1,851,634
7/1/2017 - 7/31/18 Pfst BTD Cost Per Meal		**$ 1.43**	**$ 1.56**	**$ 1.29**	1.78
7/1/2017 - 7/31/18 Pfst BTD Cost Per Meal		**1.52**	**1.65**	**1.37**	**1.48**
7/1/17 - 7/31/18 Pfst BTD - Meals Served					
Inmates		880,405	220,044	641,097	1,741,546
Staff		50,292	9,504	50,292	110,088
Total		**930,697**	**229,548**	**691,389**	**1,851,634**
7/1/17 - 7/31/18 Ave. Inmate Count		741	185	439	1,365
7/1/17 - 7/31/18 Ave. TRCC Count		-	-	101	101
7/1/17 - 7/31/18 Ave. Temp / Hosp		8	0	6	15
		733	185	533	1,451
Total # Inmate Meals Per Day		2,199.61	555	1,600	4,354
Total # Staff Meals Per Day		127	24	127	278
Total # Meals Per Day		2,327	579	1,727	4,632
7/1/17 - 7/31/18 Days		396	396	396	396
Gross 7/1/17 - 7/31/18 Meals		921,338.31	229,117	683,837	1,834,292
Prep / Waste Adjust		1.0%	1.0%	1.0%	1.0%
7/1/17 - 7/31/18 Meals		**930,697**	**231,444**	**690,783**	**1,852,924**
7/1/19 - 6/30/21 Est Ave Inmate Pop		757	142	581	1,480
7/1/19 - 6/30/21 Est Ave Nurse Bldg Pop		-	-	60	60
7/1/19 - 6/30/21 Ave Temp / Hosp		8	-	8	16
		749	142	633	1,524
Total # Inmate Meals Per Day		2,246	427	1,898	4,571
Total # Staff Meals Per Day		127	24	127	278
Total # Meals Per Day		2,373	451	2,025	4,849
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Prep / Waste Adjust		1.0%	1.0%	1.0%	1.0%
Total 6/1/19 - 6/30/21 Meals		**1,752,502**	**332,985**	**1,495,120**	**3,580,607**
7/1/17 - 7/31/18 Food Cost Per Meal		1.52	1.65	1.37	1.48
Estimated Inflation FY19		1.25%	1.25%	1.25%	1.25%
Est FY20 Food Cost Per Meal		1.53	1.67	1.38	1.50
Estimated Inflation FY20		2.00%	2.00%	2.00%	2.00%
Est FY21 Food Cost Per Meal		1.57	1.71	1.41	1.52
2019-21 Est Ave Food Cost Per Meal		1 55	1.69	1.40	1.51
2019-21 Est Food Cost		2,715,818.00	563,070.87	2,087,822.80	5,366,711.67

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ND DOCR 19-21 Estimated Contract Housing and Programming			
Program / Facility	**19 -21 Estimated Average Daily Count**	**19 -21 Daily Rate**	**19 -21 Budgeted Amount**
BTC	93	65.91	4,491,625
Centre - Female Trans	67	74.01	3,604,909
Centre - Male Trans	54	75.67	3,005,470
Centre - 1/2 way	78	74.01	4,212,864
Electronic Montioring	95	4.44	309,855
Faith Based	10	42.36	322,299
Lake Region Trans	6	75.14	337,953
SCRAM	69	4.23	212,081
Sex Offender	17	20.91	264,381
TRCC	30	175.00	3,873,750
Holds	6	78.41	329,128
		2019-21 Estimated Total	**20,964,314**

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Cost Per Day FY2018	NDSP	JRCC	MRCC	Total DOCR Facilities	Women Services \1	Contract Facilities
Housing Cost	$ 21,118,757.62	$ 14,099,997.52	$ 3,907,260.45	**$ 39,126,015.59**	$ 5,493,838.55	$ 12,990,219.28
2018 ADP	743.27	438.85	185.33	**1,367.46**	117.91	436.94
FY2018 Housing Cost Per Day	*$ 77.84*	*$ 88.03*	*$ 57.76*	***$ 78.39***	*$ 127.65*	*$ 81.45*
Medical Cost	$ 5,432,487.28	$ 2,429,492.97	$ 632,258.55	**$ 8,494,238.80**	$ 289,404.19	$ 225,867.46
2018 ADP	743.27	438.85	185.33	**1,367.46**	117.91	128.88
FY2018 Medical Cost Per Day	*$ 20.02*	*$ 15.17*	*$ 9.35*	***$ 17.02***	*$ 6.72*	*$ 4.80*
Education Cost	$ 792,366.99	$ 633,190.76	$ 351,002.98	**$ 1,776,560.73**		
2018 ADP	743.27	438.85	185.33	**1,367.46**		
FY2018 Education Cost Per Day	*$ 2.92*	*$ 3.95*	*$ 5.19*	***$ 3.56***		
Treatment Cost	$ 1,726,047.46	$ 1,093,703.05	$ 352,157.33	**$ 3,171,907.84**		
2018 ADP	743.27	438.85	185.33	**1,367.46**		
FY2018 Treatment Cost Per Day	*$ 6.36*	*$ 6.83*	*$ 5.21*	***$ 6.35***		
Allocated and Depreciation Costs	$ 4,274,692.82	$ 1,674,242.00	$ 403,798.51	**$ 6,352,733.33**	$ 326,307.74	$ 745,690.88
2018 ADP	743.27	438.85	185.33	**1,367.46**	117.91	436.94
FY2018 Allocated and Depre Cost Per Day	*$ 15.76*	*$ 10.45*	*$ 5.97*	***$ 12.73***	*$ 7.58*	*$ 4.68*
Total Costs	**$ 33,344,352.17**	**$ 19,930,626.30**	**$ 5,646,477.82**	**$ 58,921,456.29**	**$ 6,109,550.48**	**$ 13,961,777.62**
FY2018 Total Cost Per Day	**$ 122.91**	**$ 124.43**	**$ 83.47**	**$ 118.05**	**$ 141.96**	**$ 90.93**

Cost Per Day FY2018	P&P
Total P&P	$ 11,388,025.11
Depreciation	-
Allocated	$ 642,546.21
FY2018 Total Costs	**$ 12,030,571.32**
FY2018 ADC	7,153
FY2018 Ave Cost Per Day	**$ 4.61**

\1 - Does not include BTC Secure costs, BTC Secure costs of $933,086 are reported in Contract Facilities.

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ageEngine ServiceDes... Suggested Sites Weight room deadbolt Page Safe

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Behavioral Health

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DOCR – DIVISION OF ADULT SERVICES
2019-21 BUDGET DETAIL

Reporting Level: 01-530-500-70-00-00	
Program: TREATMENT SERVICES	

EXPLANATION OF PROGRAM COSTS

The Treatment Services program accounts for the costs related to the treatment services for the three adult institutions, and the administration and management of the community sex offender treatment contract / program and the Free Through Recovery (FTR) program.

BUDGET BY TRADITIONAL LINE ITEM

Description	2017-19 Base Level	2019-21 Exec Rec	Percent of Total	Change from 15-17
Salary and Fringe	6,942,488	9,196,334	51%	2,253,846
Operating	8,801,363	8,912,581	49%	111,218
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**15,743,851**	**18,108,914**	**100%**	**2,365,064**
Funds				
General	15,743,851	18,108,914	100%	2,365,064
Other	-	-	0%	-
Total	**15,743,851**	**18,108,914**	**100%**	**2,365,064**
FTE	**40.00**	**47.00**	-	**7.00**

MATERIAL EXPENDITURES – (99% of budget)

Salary and Fringe – $9,196,334 – 51% of budget
Treatment Director – 2.0 FTE

Director of Correctional Practices – 1.0 FTE
Psychologist – 3.0 FTE
Clinical Supervisor – 3.0 FTE
Licensed Addiction Counselor – 16.0 FTE
Human Relations Counselor – 18.0 FTE
Administrative Assistant – 3.0 FTE
FTR Program Administrator – 1.0 FTE

Professional Services - $8,685,063 – 48% of budget
Community sex offender treatment -$1,859,910
Free Through Recovery - $6,809,900

SIGNIFICANT CHANGES

Employee compensation - $579,543
Salary increase - $290,961
Benefit increase - $103,415
Health insurance increase - $185,167

JRCC Treatment (formerly TRCC) - $1,625,840
Behavioral health staff
8.0 FTE

MRCC Women's Facility - $410,765
Behavioral health staff
2.0 FTE

Carryover authority for unspent 2017-19 FTR appropriation
$2.15 million (est.)

2017 – 2019 BUDGET

As of 11/30/2018, 47.4% of this department budget has been expended.

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DOCR - Treatment and Programming

Description		2017-19 Biennium Budget	11/30/2018 BTD Expend	Remaining Balance	2019-21 Exec Rec
SALARIES	511000	4,583,951	3,007,844	1,576,107	5,773,080
SALARY BUDGET ADJUSTMENT	511900	-	-	-	-
SALARY INCREASE	599110	-	-	-	290,961
SALARIES - OTHER	512000	-	-	-	-
TEMP	513000	176,400	81,692	94,708	144,240
OVERTIME	514000	69,072	21,367	47,705	34,320
BENEFITS	516000	2,113,065	1,388,341	724,724	2,665,151
BENEFIT INCREASE	599160	-	-	-	288,582
TRAVEL	521000	25,282	37,775	(12,493)	44,239
IT-SOFTWARE/SUPPLIES	531000	1,194	300	894	3,000
PROFESSIONAL SUPPLIES & MAT	532000	3,482	2,695	787	14,819
FOOD & CLOTHING	533000	497	16	481	-
BLDG,GRNDS,VEHICLE MTCE S	534000	1,884	2,094	(210)	3,060
MISCELLANEOUS SUPPLIES	535000	4,674	4,924	(250)	9,348
OFFICE SUPPLIES	536000	5,872	6,681	(809)	9,629
POSTAGE	541000	-	-	-	-
PRINTING	542000	10,620	3,593	7,027	3,177
IT-EQUIP UNDER $5,000	551000	-	-	-	12,000
OTHER EQUIP - UNDER $5,000	552000	12,995	-	12,995	12,995
OFFICE EQUIP - UNDER $5,000	553000	-	12,532	(12,532)	27,069
UTILITIES	561000	-	-	-	-
INSURANCE	571000	-	-	-	-
LEASE/RENT - EQUIPMENT	581000	4,906	4,399	507	5,823
LEASE/RENT - BLDG/LAND	582000	10,000	9,488	512	10,038
REPAIRS	591000	4,477	4,207	270	6,053
IT-DATA PROCESSING	601000	-	500	(500)	21,064
IT-TELEPHONE	602000	544	908	(364)	8,778
IT-CONTRACTUAL SERVICES	603000	6,700	-	6,700	-
DUES & PROFESSIONAL DEV	611000	34,823	3,380	31,443	16,067
OPERATING FEES & SERVICES	621000	19,059	11,427	7,632	20,359
PROFESSIONAL SERVICES	623000	8,654,354	2,813,384	5,840,970	8,685,063
MEDICAL, DENTAL & OPTICAL	625000	-	39,955	(39,955)	-
LAND & BUILDINGS	682000	-	-	-	-
OTHER CAPITAL PAYMENTS	683000	-	-	-	-
EXTRAORDINARY REPAIRS	684000	-	-	-	-
EQUIP - OVER $5,000	691000	-	-	-	-
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	-	-	-	-
GRANTS, BENEFITS & CLAIMS	712000	-	400	(400)	-
Total		**15,743,851**	**7,457,902**	**8,285,949**	**18,108,915**
General Funds		15,743,851	7,457,902	8,285,949	18,108,915
Federal Funds		-	-	-	-
Special Funds		-	-	-	-
Total		**15,743,851**	**7,457,902**	**8,285,949**	**18,108,915**
FTE		**40.00**			**47.00**

Agency Department of Corrections and Rehabilitation
Program 70 AS Treatment and Programming
Reporting Level 01-530-500-70-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	2,131,813	4,583,951	1,189,129	5,773,080	0	0
Salary Increase	511010	0	0	0	290,961	0	0
Benefit Increase	511011	0	0	0	57,931	0	0
Health Increase	511012	0	0	0	185,167	0	0
Retirement Increase	511013	0	0	0	45,484	0	0
Temporary Salaries	513000	51,109	176,400	(32,160)	144,240	0	0
Overtime	514000	16,080	69,072	(34,752)	34,320	0	0
Fringe Benefits	516000	972,484	2,113,065	552,085	2,665,150	0	0
Travel	521000	10,770	25,282	18,957	44,239	0	0
Supplies - IT Software	531000	300	1,194	1,806	3,000	0	0
Supply/Material-Professional	532000	1,810	3,482	11,337	14,819	0	0
Food and Clothing	533000	0	497	(497)	0	0	0
Bldg, Ground, Maintenance	534000	1,530	1,884	1,176	3,060	0	0
Miscellaneous Supplies	535000	4,674	4,674	4,674	9,348	0	0
Office Supplies	536000	4,815	5,872	3,757	9,629	0	0
Printing	542000	1,588	10,620	(7,443)	3,177	0	0
IT Equip Under $5,000	551000	0	0	12,000	12,000	0	0
Office Equip & Furn Supplies	553000	12,532	12,995	27,069	40,064	0	0
Rentals/Leases-Equip & Other	581000	2,911	4,906	917	5,823	0	0
Rentals/Leases - Bldg/Land	582000	5,019	10,000	38	10,038	0	0
Repairs	591000	3,027	4,477	1,576	6,053	0	0
IT - Data Processing	601000	0	0	21,064	21,064	0	0
IT - Communications	602000	0	544	8,234	8,778	0	0
IT Contractual Srvcs and Rprs	603000	1,049	6,700	(6,700)	0	0	0
Professional Development	611000	2,184	34,823	(18,756)	16,067	0	0
Operating Fees and Services	621000	10,179	19,059	1,300	20,359	0	0
Fees - Professional Services	623000	1,767,109	8,654,354	30,709	8,685,063	0	0
Adult Services	**77**	**5,000,983**	**15,743,851**	**1,785,520**	**18,108,914**	**0**	**0**
TOTAL EXPENDITURES for 70 AS Treatment and Programming		**5,000,983**	**15,743,851**	**1,785,520**	**18,108,914**	**0**	**0**
MEANS OF FUNDING							
State General Fund	001	5,000,983	15,743,851	1,785,520	18,108,914	0	0
General Fund	**GEN**	**5,000,983**	**15,743,851**	**1,785,520**	**18,108,914**	**0**	**0**
TOTAL FUNDING for 70 AS Treatment and Programming		**5,000,983**	**15,743,851**	**1,785,520**	**18,108,914**	**0**	**0**
AUTHORIZED EMPLOYEES							
FTE		40.00	40.00	(6.00)	34.00	0.00	0.00
Vacant		0.00	0.00	13.00	13.00	0.00	0.00

Agency	Department of Corrections and Rehabilitation
Program	70 AS Treatment and Programming
Reporting Level	01-530-500-70-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
TOTAL AUTHORIZED EMPLOYEES for 70 AS Treatment and Programming		40.00	40.00	7.00	47.00	0.00	0.00

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DOCR – DIVISION OF ADULT SERVICES
2019-21 BUDGET DETAIL

Reporting Level: 01-530-500-75-00-00	
Program: EDUCATION SERVICES	

EXPLANATION OF PROGRAM COSTS

The Education program provides for education services related to the inmate population.

BUDGET BY TRADITIONAL LINE ITEM

Description	2017-19 Base Level	2019-21 Exec Rec	Percent of Total	Change from 17-19
Salary and Fringe	3,002,927	4,393,745	84%	1,390,818
Operating	846,830	811,412	16%	(35,418)
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**3,849,757**	**5,205,157**	**100%**	**1,355,400**
Funds				
General	3,040,669	4,390,355	84%	1,349,686
Other	809,088	814,802	16%	5,714
Total	**3,849,757**	**5,205,157**	**100%**	**1,355,400**
FTE	**10.10**	**10.10**	-	-

MATERIAL EXPENDITURES – (95% of budget)

Salary and Fringe – $4,393,745 – 84% of budget
- Education Director – 0.5 FTE
- Education Program Manager – 0.38 FTE
- Instructors – 9.22 FTE
- Temp Instructors – 10.0

Professional Supplies & Materials - $284,979 – 6% of budget
GED testing, ReadRight supplies, textbook updates and classroom consumables

Fees and Professional Services - $254,800 – 5% of budget
Fees and professional services needed to operate the educational contracted services - technical education programs.

SIGNIFICANT CHANGES

Employee compensation - $1,285,442
Salary increase - $62,151
Teacher Composite – 1,125,280
Benefit increase - $21,939
Health insurance increase - $76,072

2017– 2019 BUDGET

As of 11/30/2018, 66% of this department budget has been expended.

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DOCR - Education

Description		2017-19 Biennium Budget	11/30/2018 BTD Expend	Remaining Balance	2019-21 Exec Rec
SALARIES	511000	1,308,980	963,265	345,715	1,233,139
SALARY BUDGET ADJUSTMENT	511900	-	-	-	1,125,280
SALARY INCREASE	599110	-	-	-	62,151
SALARIES - OTHER	512000	-	-	-	-
TEMP	513000	873,600	551,050	322,550	922,800
OVERTIME	514000	6,720	4,262	2,458	8,328
BENEFITS	516000	813,627	619,408	194,219	944,036
BENEFIT INCREASE	599160	-	-	-	98,011
TRAVEL	521000	63,520	40,353	23,167	36,839
IT-SOFTWARE/SUPPLIES	531000	27,453	16,873	10,580	35,190
PROFESSIONAL SUPPLIES & MAT	532000	188,271	41,704	146,567	284,979
FOOD & CLOTHING	533000	3,771	2,206	1,565	7,800
BLDG,GRNDS,VEHICLE MTCE S	534000	22,499	12,781	9,718	1,500
MISCELLANEOUS SUPPLIES	535000	17,911	16,953	958	10,500
OFFICE SUPPLIES	536000	18,836	13,735	5,101	11,040
POSTAGE	541000	-	-	-	-
PRINTING	542000	2,003	2,849	(846)	-
IT-EQUIP UNDER $5,000	551000	39,771	14,514	25,257	46,141
OTHER EQUIP - UNDER $5,000	552000	8,855	11,097	(2,242)	14,710
OFFICE EQUIP - UNDER $5,000	553000	18,586	1,851	16,735	12,080
UTILITIES	561000	-	-	-	-
INSURANCE	571000	-	-	-	-
LEASE/RENT - EQUIPMENT	581000	5,970	3,410	2,560	6,000
LEASE/RENT - BLDG/LAND	582000	-	-	-	-
REPAIRS	591000	9,990	12,167	(2,177)	3,500
IT-DATA PROCESSING	601000	2,000	1,026	974	-
IT-TELEPHONE	602000	-	-	-	-
IT-CONTRACTUAL SERVICES	603000	-	-	-	2,400
DUES & PROFESSIONAL DEV	611000	31,572	24,513	7,059	79,433
OPERATING FEES & SERVICES	621000	51,529	22,869	28,660	4,500
PROFESSIONAL SERVICES	623000	331,160	158,175	172,985	254,800
MEDICAL, DENTAL & OPTICAL	625000	3,133	104	3,029	-
LAND & BUILDINGS	682000	-	-	-	-
OTHER CAPITAL PAYMENTS	683000	-	-	-	-
EXTRAORDINARY REPAIRS	684000	-	-	-	-
EQUIP - OVER $5,000	691000	-	-	-	-
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	-	-	-	-
GRANTS, BENEFITS & CLAIMS	712000	-	-	-	-
Total		**3,849,757**	**2,535,164**	**1,314,593**	**5,205,157**
General Funds		3,040,669	2,056,974	983,695	4,390,355
Federal Funds		318,075	221,884	96,191	323,789
Special Funds		491,013	256,307	234,706	491,013
Total		**3,849,757**	**2,535,164**	**1,314,593**	**5,205,157**
FTE		**10.10**			**10.10**

Agency	Department of Corrections and Rehabilitation
Program	75 AS Education
Reporting Level	01-530-500-75-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	657,183	1,308,980	(75,841)	1,233,139	0	0
Salary Increase	511010	0	0	0	62,151	0	0
Benefit Increase	511011	0	0	0	12,433	0	0
Health Increase	511012	0	0	0	76,072	0	0
Retirement Increase	511013	0	0	0	9,506	0	0
Salaries - Other	512000	0	0	1,125,280	1,125,280	0	0
Temporary Salaries	513000	388,668	873,600	49,200	922,800	0	0
Overtime	514000	3,747	6,720	1,608	8,328	0	0
Fringe Benefits	516000	427,115	813,627	130,409	944,036	0	0
Travel	521000	26,691	63,520	(26,681)	36,839	0	0
Supplies - IT Software	531000	7,047	27,453	7,737	35,190	0	0
Supply/Material-Professional	532000	32,008	188,271	96,708	284,979	0	0
Food and Clothing	533000	1,802	3,771	4,029	7,800	0	0
Bldg, Ground, Maintenance	534000	9,971	22,499	(20,999)	1,500	0	0
Miscellaneous Supplies	535000	10,354	17,911	(7,411)	10,500	0	0
Office Supplies	536000	10,942	18,836	(7,796)	11,040	0	0
Printing	542000	1,372	2,003	(2,003)	0	0	0
IT Equip Under $5,000	551000	12,016	39,771	6,370	46,141	0	0
Other Equip Under $5,000	552000	8,548	8,855	5,855	14,710	0	0
Office Equip & Furn Supplies	553000	1,851	18,586	(6,506)	12,080	0	0
Rentals/Leases-Equip & Other	581000	2,564	5,970	30	6,000	0	0
Repairs	591000	9,842	9,990	(6,490)	3,500	0	0
IT - Data Processing	601000	1,026	2,000	(2,000)	0	0	0
IT Contractual Srvcs and Rprs	603000	0	0	2,400	2,400	0	0
Professional Development	611000	14,190	31,572	47,861	79,433	0	0
Operating Fees and Services	621000	24,227	51,529	(47,029)	4,500	0	0
Fees - Professional Services	623000	125,303	331,160	(76,360)	254,800	0	0
Medical, Dental and Optical	625000	98	3,133	(3,133)	0	0	0
Adult Services	**77**	**1,776,565**	**3,849,757**	**1,195,238**	**5,205,157**	**0**	**0**
TOTAL EXPENDITURES for 75 AS Education		**1,776,565**	**3,849,757**	**1,195,238**	**5,205,157**	**0**	**0**
MEANS OF FUNDING							
Adult Educ/Pen	P043	120,335	263,702	8,294	277,867	0	0
Vocational/Tech Education	P070	22,149	54,373	(9,736)	45,922	0	0
Federal Funds	**FED**	**142,484**	**318,075**	**(1,442)**	**323,789**	**0**	**0**
State General Fund	001	1,409,532	3,040,669	1,196,680	4,390,355	0	0
General Fund	**GEN**	**1,409,532**	**3,040,669**	**1,196,680**	**4,390,355**	**0**	**0**
Dept of Corrections Oper - 379	379	224,549	491,013	0	491,013	0	0
Special Funds	**SPEC**	**224,549**	**491,013**	**0**	**491,013**	**0**	**0**

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Agency	Department of Corrections and Rehabilitation
Program	75 AS Education
Reporting Level	01-530-500-75-00-00-00-00000000

1 Object/Revenue Description / Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
TOTAL FUNDING for 75 AS Education	**1,776,565**	**3,849,757**	**1,195,238**	**5,205,157**	**0**	**0**
AUTHORIZED EMPLOYEES						
FTE	10.10	10.10	(1.00)	9.10	0.00	0.00
Vacant	0.00	0.00	1.00	1.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 75 AS Education	10.10	10.10	0.00	10.10	0.00	0.00

Womens SRV

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DOCR – DIVISION OF ADULT SERVICES
2019-21 BUDGET DETAIL

Reporting Level: 01-530-500-80-00-00
Program: WOMEN SERVICES

EXPLANATION OF PROGRAM COSTS

The Women Services program accounts for the costs related to the security, food services, administrative services, and work programs for the proposed MRCC Women's Facility located in Bismarck, ND.

BUDGET BY TRADITIONAL LINE ITEM

Description	2017-19 Base Level	2019-21 Exec Rec	Percent of Total	Change from 17-19
Salary and Fringe	220,611	6,026,998	2%	5,806,387
Operating	10,769,895	2,279,473 \1	98%	(8,490,422)
Capital	-	-	0%	-
Grants	-	-	0%	-
Total	**10,990,506**	**8,306,471**	**100%**	**(2,684,035)**
Funds				
General	10,990,506	8,306,471 \1	100%	(2,684,035)
Other	-	-	0%	-
Total	**10,990,506**	**8,306,471**	**100%**	**(2,684,035)**
FTE	**1.00**	**34.05**	-	**33.05**

\1 – Amount includes $1,076,196 that may be used for contract housing if the timeline of the proposed move to MRCC is extended. Amount is not part of the estimated cost to house women at MRCC.

MATERIAL EXPENDITURES – (96% of budget)

Salary and Fringe – $6,026,998 – 73% of budget
Director of Women's Services – 1.0 FTE
MRCC Deputy Warden – 1.0 FTE

Correctional Case Manager– 4.0 FTE
Correctional Supervisor – 3.0 FTE
Correctional Officer – 22.0 FTE
Administrative – 1.0 FTE
Food Service – 2.0 FTE
Community Resource / Chaplain - .05 FTE

Food and Clothing - $664,306 – 8% of budget

Food purchases – inmate and employee meals; inmate clothing; paper products; linens; officer uniforms

Operating Fees and Services - $1,226,488 – 15% of budget

Inmate wages; freight; service awards; etc. - $150,292
See **\1** footnote on previous page for explanation of $1,076,196, which is included in the above amount

SIGNIFICANT CHANGES

Convert MRCC from a men's minimum facility to a women's minimum treatment focused facility

Discontinue DWCRC contract

2017 – 2019 BUDGET

As of 11/30/2018, 70.8% of this department budget has been expended.

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DOCR - Womens Services

Description		2017-19 Biennium Budget	11/30/2018 BTD Expend	Remaining Balance	2019-21 Exec Rec
SALARIES	511000	158,664	118,187	40,477	3,341,352
SALARY BUDGET ADJUSTMENT	511900	-	-	-	-
SALARY INCREASE	599110	-	-	-	168,404
SALARIES - OTHER	512000	-	-	-	-
TEMP	513000	-	-	-	344,038
OVERTIME	514000	-	-	-	161,592
BENEFITS	516000	61,947	42,595	19,352	1,819,484
BENEFIT INCREASE	599160	-	-	-	192,128
TRAVEL	521000	4,539	2,178	2,361	131,589
IT-SOFTWARE/SUPPLIES	531000	-	-	-	-
PROFESSIONAL SUPPLIES & MAT	532000	-	-	-	5,217
FOOD & CLOTHING	533000	-	-	-	664,306
BLDG,GRNDS,VEHICLE MTCE S	534000	-	-	-	100,000
MISCELLANEOUS SUPPLIES	535000	-	-	-	25,000
OFFICE SUPPLIES	536000	25	-	25	9,308
POSTAGE	541000	-	-	-	500
PRINTING	542000	-	-	-	2,306
IT-EQUIP UNDER $5,000	551000	-	-	-	-
OTHER EQUIP - UNDER $5,000	552000	-	-	-	2,500
OFFICE EQUIP - UNDER $5,000	553000	-	-	-	1,500
UTILITIES	561000	-	-	-	-
INSURANCE	571000	-	-	-	-
LEASE/RENT - EQUIPMENT	581000	1,791	-	1,791	5,000
LEASE/RENT - BLDG/LAND	582000	-	-	-	-
REPAIRS	591000	-	-	-	35,000
IT-DATA PROCESSING	601000	-	-	-	-
IT-TELEPHONE	602000	524	442	82	9,046
IT-CONTRACTUAL SERVICES	603000	-	-	-	-
DUES & PROFESSIONAL DEV	611000	1,065	1,190	(125)	6,945
OPERATING FEES & SERVICES	621000	10,761,951	7,623,361	3,138,591	1,226,488
PROFESSIONAL SERVICES	623000	-	900	(900)	51,800
MEDICAL, DENTAL & OPTICAL	625000	-	-	-	2,968
LAND & BUILDINGS	682000	-	-	-	-
OTHER CAPITAL PAYMENTS	683000	-	-	-	-
EXTRAORDINARY REPAIRS	684000	-	-	-	-
EQUIP - OVER $5,000	691000	-	-	-	-
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	-	-	-	-
GRANTS, BENEFITS & CLAIMS	712000	-	-	-	-
Total		**10,990,506**	**7,788,852**	**3,201,654**	**8,306,471**
General Funds		10,990,506	7,788,852	3,201,654	8,306,471
Federal Funds		-	-	-	-
Special Funds		-	-	-	-
Total		**10,990,506**	**7,788,852**	**3,201,654**	**8,306,471**
FTE		**1.00**			**34.05**

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Agency	partment of Corrections and Rehabilitation
Program	80 AS Women Services
Reporting Level	01-530-500-80-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	79,332	158,664	3,182,688	3,341,352	0	0
Salary Increase	511010	0	0	0	168,404	0	0
Benefit Increase	511011	0	0	0	33,542	0	0
Health Increase	511012	0	0	0	132,265	0	0
Retirement Increase	511013	0	0	0	26,321	0	0
Temporary Salaries	513000	0	0	344,038	344,038	0	0
Overtime	514000	0	0	161,592	161,592	0	0
Fringe Benefits	516000	31,087	61,947	1,757,537	1,819,484	0	0
Travel	521000	1,125	4,539	127,050	131,589	0	0
Supply/Material-Professional	532000	0	0	5,217	5,217	0	0
Food and Clothing	533000	0	0	664,306	664,306	0	0
Bldg, Ground, Maintenance	534000	0	0	100,000	100,000	0	0
Miscellaneous Supplies	535000	0	0	25,000	25,000	0	0
Office Supplies	536000	0	25	9,283	9,308	0	0
Postage	541000	0	0	500	500	0	0
Printing	542000	0	0	2,306	2,306	0	0
Other Equip Under $5,000	552000	0	0	2,500	2,500	0	0
Office Equip & Furn Supplies	553000	0	0	1,500	1,500	0	0
Rentals/Leases-Equip & Other	581000	0	1,791	3,209	5,000	0	0
Repairs	591000	0	0	35,000	35,000	0	0
IT - Communications	602000	208	524	8,522	9,046	0	0
Professional Development	611000	0	1,065	5,880	6,945	0	0
Operating Fees and Services	621000	5,382,087	10,761,951	(9,535,463)	1,226,488	0	0
Fees - Professional Services	623000	0	0	51,800	51,800	0	0
Medical, Dental and Optical	625000	0	0	2,968	2,968	0	0
Adult Services	**77**	**5,493,839**	**10,990,506**	**(3,044,567)**	**8,306,471**	**0**	**0**
TOTAL EXPENDITURES for 80 AS Women Services		**5,493,839**	**10,990,506**	**(3,044,567)**	**8,306,471**	**0**	**0**
MEANS OF FUNDING							
State General Fund	001	5,493,839	10,990,506	(3,044,567)	8,306,471	0	0
General Fund	**GEN**	**5,493,839**	**10,990,506**	**(3,044,567)**	**8,306,471**	**0**	**0**
TOTAL FUNDING for 80 AS Women Services		**5,493,839**	**10,990,506**	**(3,044,567)**	**8,306,471**	**0**	**0**
AUTHORIZED EMPLOYEES							
FTE		1.00	1.00	32.05	33.05	0.00	0.00
Vacant		0.00	0.00	1.00	1.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 80 AS Women Services		1.00	1.00	33.05	34.05	0.00	0.00

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Agency	[redacted]partment of Corrections and Rehabilitation
Program	80 AS Women Services
Reporting Level	01-530-500-80-00-00-00-00000000

1 Object/Revenue Description / Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7

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Acct. Codes		NDSP	MRCC	JRCC	Total
533020	Dry Goods	543.16	-	630.97	1,174.13
533025	Food Supplies	1,328,248.25	357,616.91	1,251,275.57	2,937,140.73
533030	Groceries	-	-	-	-
533050	Meat	-	-	-	-
Less NDSH Billed				362,406.46	362,406.46
	Total	**1,328,791**	**357,617**	**889,500**	**3,300,721**
Warehouse		**(8,686)**	**(2,338)**	**(5,815)**	**(21,577)**
Inventory - FY17 Closing Package		**81,582**	**21,956**	**54,611**	**202,650**
		1,410,373	**379,573**	**944,111**	**2,734,058**
7/1/2017 -7/31/18 Pfst BTD - Meals Served		930,697	229,548	691,389	1,851,634
7/1/2017 - 7/31/18 Pfst BTD Cost Per Meal		**$ 1.43**	**$ 1.56**	**$ 1.29**	1.78
7/1/2017 - 7/31/18 Pfst BTD Cost Per Meal		**1.52**	**1.65**	**1.37**	**1.48**
7/1/17 - 7/31/18 Pfst BTD - Meals Served					
Inmates		880,405	220,044	641,097	1,741,546
Staff		50,292	9,504	50,292	110,088
Total		**930,697**	**229,548**	**691,389**	**1,851,634**
7/1/17 - 7/31/18 Ave. Inmate Count		741	185	439	1,365
7/1/17 - 7/31/18 Ave. TRCC Count		-	-	101	101
7/1/17 - 7/31/18 Ave. Temp / Hosp		8	0	6	15
		733	185	533	1,451
Total # Inmate Meals Per Day		2,199.61	555	1,600	4,354
Total # Staff Meals Per Day		127	24	127	278
Total # Meals Per Day		2,327	579	1,727	4,632
7/1/17 - 7/31/18 Days		396	396	396	396
Gross 7/1/17 - 7/31/18 Meals		921,338.31	229,117	683,837	1,834,292
Prep / Waste Adjust		1.0%	1.0%	1.0%	1.0%
7/1/17 - 7/31/18 Meals		**930,697**	**231,444**	**690,783**	**1,852,924**
7/1/19 - 6/30/21 Est Ave Inmate Pop		757	142	581	1,480
7/1/19 - 6/30/21 Est Ave Nurse Bldg Pop		-	-	60	60
7/1/19 - 6/30/21 Ave Temp / Hosp		8	-	8	16
		749	142	633	1,524
Total # Inmate Meals Per Day		2,246	427	1,898	4,571
Total # Staff Meals Per Day		127	24	127	278
Total # Meals Per Day		2,373	451	2,025	4,849
7/1/19 - 6/30/21 Days		731	731	731	731
Gross 7/1/19 - 6/30/21 Meals		1,734,879	329,637	1,480,086	3,544,602
Prep / Waste Adjust		1.0%	1.0%	1.0%	1.0%
Total 6/1/19 - 6/30/21 Meals		**1,752,502**	**332,985**	**1,495,120**	**3,580,607**
7/1/17 - 7/31/18 Food Cost Per Meal		1.52	1.65	1.37	1.48
Estimated Inflation FY19		1.25%	1.25%	1.25%	1.25%
Est FY20 Food Cost Per Meal		1.53	1.67	1.38	1.50
Estimated Inflation FY20		2.00%	2.00%	2.00%	2.00%
Est FY21 Food Cost Per Meal		1.57	1.71	1.41	1.52
2019-21 Est Ave Food Cost Per Meal		1.55	1.69	1.40	1.51
2019-21 Est Food Cost		2,715,818.00	563,070.87	2,087,822.80	5,366,711.67

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Cost Per Day FY2018	NDSP	JRCC	MRCC	Total DOCR Facilities	Women Services \1	Contract Facilities
Housing Cost	$ 21,118,757.62	$ 14,099,997.52	$ 3,907,260.45	**$ 39,126,015.59**	$ 5,493,838.55	$ 12,990,219.28
2018 ADP	743.27	438.85	185.33	**1,367.46**	117.91	436.94
FY2018 Housing Cost Per Day	*$ 77.84*	*$ 88.03*	*$ 57.76*	***$ 78.39***	*$ 127.65*	*$ 81.45*
Medical Cost	$ 5,432,487.28	$ 2,429,492.97	$ 632,258.55	**$ 8,494,238.80**	$ 289,404.19	$ 225,867.46
2018 ADP	743.27	438.85	185.33	**1,367.46**	117.91	128.88
FY2018 Medical Cost Per Day	*$ 20.02*	*$ 15.17*	*$ 9.35*	***$ 17.02***	*$ 6.72*	*$ 4.80*
Education Cost	$ 792,366.99	$ 633,190.76	$ 351,002.98	**$ 1,776,560.73**		
2018 ADP	743.27	438.85	185.33	**1,367.46**		
FY2018 Education Cost Per Day	*$ 2.92*	*$ 3.95*	*$ 5.19*	***$ 3.56***		
Treatment Cost	$ 1,726,047.46	$ 1,093,703.05	$ 352,157.33	**$ 3,171,907.84**		
2018 ADP	743.27	438.85	185.33	**1,367.46**		
FY2018 Treatment Cost Per Day	*$ 6.36*	*$ 6.83*	*$ 5.21*	***$ 6.35***		
Allocated and Depreciation Costs	$ 4,274,692.82	$ 1,674,242.00	$ 403,798.51	**$ 6,352,733.33**	$ 326,307.74	$ 745,690.88
2018 ADP	743.27	438.85	185.33	**1,367.46**	117.91	436.94
FY2018 Allocated and Depre Cost Per Day	*$ 15.76*	*$ 10.45*	*$ 5.97*	***$ 12.73***	*$ 7.58*	*$ 4.68*
Total Costs	**$ 33,344,352.17**	**$ 19,930,626.30**	**$ 5,646,477.82**	**$ 58,921,456.29**	**$ 6,109,550.48**	**$ 13,961,777.62**
FY2018 Total Cost Per Day	**$ 122.91**	**$ 124.43**	**$ 83.47**	**$ 118.05**	**$ 141.96**	**$ 90.93**

Cost Per Day FY2018	P&P
Total P&P	$ 11,388,025.11
Depreciation	-
Allocated	$ 642,546.21
FY2018 Total Costs	**$ 12,030,571.32**
FY2018 ADC	7,153
FY2018 Ave Cost Per Day	**$ 4.61**

\1 - Does not include BTC Secure costs, BTC Secure costs of $933,086 are reported in Contract Facilities.

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DOCR – DIVISION OF ADULT SERVICES
2019-21 BUDGET DETAIL

Reporting Level: 01-530-500-85-00-00	
Program: ROUGH RIDER INDUSTRIES	

EXPLANATION OF PROGRAM COSTS

The Industries program provides training and employment services for the inmate population.

BUDGET BY TRADITIONAL LINE ITEM

Description	2017-19 Base Level	2019-21 Exec Rec	Percent of Total	Change from 17-19
Salary and Fringe	4,866,527	5,168,331	33%	301,804
Operating	9,649,516	8,624,852	65%	(1,024,664)
Capital	80,000	1,453,700	2%	1,373,700
Grants	-	-	0%	-
Total	**14,596,043**	**15,246,833**	**100%**	**650,840**
Funds				
General	-	-	0%	-
Other	14,596,043	15,246,833	100%	650,840
Total	**14,596,043**	**15,246,833**	**100%**	**650,840**
FTE	**33.00**	**32.44**	-	**(0.56)**

MATERIAL EXPENDITURES – (92% of budget)

Salary and Fringe – $5,168,331 – 34% of budget
- Industries Director – 1.0 FTE
- Business Office Staff– 2.44 FTE
- Purchasing Agent– 1.0 FTE
- Business Development– 1.0 FTE
- Administrative & Sales Assistant– 2.0 FTE

Account Executive– 2.0 FTE
Industries & Operations Manager– 8.0 FTE
Industries Specialist– 11.0 FTE
Warehouse/Driver– 2.0 FTE
Commissary Operations Manager- 1.0 FTE

Bldg, Ground, Maintenance – $6,346,762 – 42% of budget
Raw materials used in production and products resold via commissary operations

Operating Fees and Services - $1,329,000 – 9% of budget
Production expenditures, raw material and finished product freight, inmate wages

Land & Buildings - $1,140,000
JRCC Male Minimum Industries Building

SIGNIFICANT CHANGES

Employee compensation - $329,636
Salary increase - $158,330
Benefit increase - $56,265
Health insurance increase - $115,041

Bldg, Ground, Maintenance - $(754,019)

Land & Buildings - $1,140,000
JRCC Male Minimum Industries Building

2017 – 2019 BUDGET

As of 11/30/2018, 61% of this department budget has been expended.

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DOCR - Roughrider Industries

Description		2017-19 Biennium Budget	11/30/2018 BTD Expend	Remaining Balance	2019-21 Exec Rec
SALARIES	511000	3,138,096	1,829,442	1,308,654	3,141,476
SALARY BUDGET ADJUSTMENT	511900	-	-	-	-
SALARY INCREASE	599110	-	-	-	158,330
SALARIES - OTHER	512000	-	-	-	-
TEMP	513000	49,920	36,298	13,622	49,920
OVERTIME	514000	39,961	3,675	36,286	39,960
BENEFITS	516000	1,638,550	898,177	740,373	1,607,339
BENEFIT INCREASE	599160	-	-	-	171,306
TRAVEL	521000	290,016	161,366	128,650	259,220
IT-SOFTWARE/SUPPLIES	531000	53,143	13,487	39,656	47,500
PROFESSIONAL SUPPLIES & MAT	532000	-	26	(26)	-
FOOD & CLOTHING	533000	39,158	26,332	12,826	35,000
BLDG,GRNDS,VEHICLE MTCE S	534000	7,100,781	4,587,516	2,513,265	6,346,762
MISCELLANEOUS SUPPLIES	535000	13,426	26,919	(13,493)	12,000
OFFICE SUPPLIES	536000	22,376	10,252	12,124	20,000
POSTAGE	541000	3,356	2,549	807	3,000
PRINTING	542000	4,923	318	4,605	4,400
IT-EQUIP UNDER $5,000	551000	63,101	10,669	52,432	56,400
OTHER EQUIP - UNDER $5,000	552000	61,534	16,070	45,464	55,000
OFFICE EQUIP - UNDER $5,000	553000	-	-	-	-
UTILITIES	561000	167,821	90,115	77,707	150,000
INSURANCE	571000	31,774	17,619	14,155	28,400
LEASE/RENT - EQUIPMENT	581000	22,376	3,553	18,823	20,000
LEASE/RENT - BLDG/LAND	582000	-	4,895	(4,895)	-
REPAIRS	591000	89,952	46,652	43,300	80,400
IT-DATA PROCESSING	601000	44,752	23,760	20,992	40,000
IT-TELEPHONE	602000	29,089	18,280	10,809	26,000
IT-CONTRACTUAL SERVICES	603000	99,685	65,157	34,528	89,100
DUES & PROFESSIONAL DEV	611000	19,769	5,795	13,974	17,670
OPERATING FEES & SERVICES	621000	1,486,890	813,108	673,782	1,329,000
PROFESSIONAL SERVICES	623000	5,594	4,821	773	5,000
MEDICAL, DENTAL & OPTICAL	625000	-	-	-	-
LAND & BUILDINGS	682000	-	-	-	1,140,000
OTHER CAPITAL PAYMENTS	683000	-	-	-	-
EXTRAORDINARY REPAIRS	684000	80,000	128,593	(48,593)	15,000
EQUIP - OVER $5,000	691000	167,000	85,700	81,300	298,700
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	-	14,525	(14,525)	-
GRANTS, BENEFITS & CLAIMS	712000	-	-	-	-
Total		**14,763,043**	**8,945,667**	**5,817,376**	**15,246,883**
General Funds		-	-	-	-
Federal Funds		-	-	-	-
Special Funds		14,763,043	8,945,667	5,817,376	15,246,883
Total		**14,763,043**	**8,945,667**	**5,817,376**	**15,246,883**
FTE		**33.00**			**32.44**

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Agency	[redacted]rtment of Corrections and Rehabilitation
Program	85 AS - RRI
Reporting Level	01-530-500-85-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	1,325,930	3,138,096	3,380	3,141,476	0	0
Salary Increase	511010	0	0	0	158,330	0	0
Benefit Increase	511011	0	0	0	31,520	0	0
Health Increase	511012	0	0	0	115,041	0	0
Retirement Increase	511013	0	0	0	24,745	0	0
Temporary Salaries	513000	0	49,920	0	49,920	0	0
Overtime	514000	2,620	39,961	(1)	39,960	0	0
Fringe Benefits	516000	629,445	1,638,550	(31,211)	1,607,339	0	0
Travel	521000	129,806	290,016	(30,796)	259,220	0	0
Supplies - IT Software	531000	23,786	53,143	(5,643)	47,500	0	0
Food and Clothing	533000	17,527	39,158	(4,158)	35,000	0	0
Bldg, Ground, Maintenance	534000	3,178,191	7,100,781	(754,019)	6,346,762	0	0
Miscellaneous Supplies	535000	6,009	13,426	(1,426)	12,000	0	0
Office Supplies	536000	10,015	22,376	(2,376)	20,000	0	0
Postage	541000	1,502	3,356	(356)	3,000	0	0
Printing	542000	2,203	4,923	(523)	4,400	0	0
IT Equip Under $5,000	551000	28,243	63,101	(6,701)	56,400	0	0
Other Equip Under $5,000	552000	27,542	61,534	(6,534)	55,000	0	0
Utilities	561000	75,114	167,821	(17,821)	150,000	0	0
Insurance	571000	14,222	31,774	(3,374)	28,400	0	0
Rentals/Leases-Equip & Other	581000	10,015	22,376	(2,376)	20,000	0	0
Repairs	591000	40,261	89,952	(9,552)	80,400	0	0
IT - Data Processing	601000	20,030	44,752	(4,752)	40,000	0	0
IT - Communications	602000	13,020	29,089	(3,089)	26,000	0	0
IT Contractual Srvcs and Rprs	603000	44,618	99,685	(10,585)	89,100	0	0
Professional Development	611000	8,848	19,769	(2,099)	17,670	0	0
Operating Fees and Services	621000	665,507	1,486,890	(157,890)	1,329,000	0	0
Fees - Professional Services	623000	2,503	5,594	(594)	5,000	0	0
Land and Buildings	682000	0	0	1,140,000	1,140,000	0	0
Extraordinary Repairs	684000	0	80,000	(65,000)	15,000	0	0
Equipment Over $5000	691000	58,493	167,000	131,700	298,700	0	0
Adult Services	**77**	**6,335,450**	**14,763,043**	**154,204**	**15,246,883**	**0**	**0**
TOTAL EXPENDITURES for 85 AS - RRI		**6,335,450**	**14,763,043**	**154,204**	**15,246,883**	**0**	**0**
MEANS OF FUNDING							
Penitentiary Industries - 365	365	6,335,450	14,763,043	154,204	15,246,883	0	0
Special Funds	**SPEC**	**6,335,450**	**14,763,043**	**154,204**	**15,246,883**	**0**	**0**
TOTAL FUNDING for 85 AS - RRI		**6,335,450**	**14,763,043**	**154,204**	**15,246,883**	**0**	**0**
AUTHORIZED EMPLOYEES							

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Program 85 AS - RRI
Reporting Level 01-530-500-85-00-00-00-00000000

1 Object/Revenue Description / Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
FTE	33.00	33.00	(4.56)	28.44	0.00	0.00
Vacant	0.00	0.00	4.00	4.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 85 AS - RRI	33.00	33.00	(0.56)	32.44	0.00	0.00

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EQUIPMENT OVER $5,000

00530 Department of Corrections and Rehabilitation

Version: 2019R0200530

Description	Funding	2019-21 Request	2019-21 Optional Request	2019-21 Budget Recommendation
53' Enclosed Trailer	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	20,000	0	20,000
Total 53' Enclosed Trailer		**20,000**	**0**	**20,000**
B-Scan Body Detection and Mail Screening Device	General Fund	0	230,000	0
	Federal Funds	0	0	0
	Special Funds	0	0	230,000
Total B-Scan Body Detection and Mail Screening Device		**0**	**230,000**	**230,000**
Electronic Heavy Duty Upholstery Sewing Machine	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	5,000	0	5,000
Total Electronic Heavy Duty Upholstery Sewing Machine		**5,000**	**0**	**5,000**
Furniture Cutoff Saw	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	20,000	0	20,000
Total Furniture Cutoff Saw		**20,000**	**0**	**20,000**
Furniture Dust Collector	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	75,000	0	75,000
Total Furniture Dust Collector		**75,000**	**0**	**75,000**
Furniture Tiger Stop Saw	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	15,000	0	15,000
Total Furniture Tiger Stop Saw		**15,000**	**0**	**15,000**
Metal Chop Saw 16"	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	5,000	0	5,000
Total Metal Chop Saw 16"		**5,000**	**0**	**5,000**
Metal Sign Corner Machine	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	12,000	0	12,000
Total Metal Sign Corner Machine		**12,000**	**0**	**12,000**
NDSP Redundant Fence Protection	General Fund	0	160,000	0

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EQUIPMENT OVER $5,000

00530 Department of Corrections and Rehabilitation

Version: 2019R0200530

* RRI *

Description	Funding	2019-21 Request	2019-21 Optional Request	2019-21 Budget Recommendation
	Federal Funds	0	0	0
	Special Funds	0	0	160,000
Total NDSP Redundant Fence Protection		**0**	**160,000**	**160,000**
Portable Property X-Ray - JRCC	General Fund	0	22,000	0
	Federal Funds	0	0	0
	Special Funds	0	0	22,000
Total Portable Property X-Ray - JRCC		**0**	**22,000**	**22,000**
Programable Pattern Sewing Maching	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	16,700	0	* 16,700 *
Total Programable Pattern Sewing Maching		**16,700**	**0**	**16,700**
RRI - CNC Metal Plasma Cutting Table	General Fund	0	0	0
	Federal Funds	0	0	0
	Special Funds	130,000	0	* 130,000 *
Total RRI - CNC Metal Plasma Cutting Table		**130,000**	**0**	**130,000**
Agency Totals				
	General Fund	0	412,000	0
	Federal Funds	0	0	0
	Special Funds	298,700	0	710,700
	Agency Total	**298,700**	**412,000**	**710,700**

* - RRI Total *

\$ 298,700

AS-CO

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DOCR – DIVISION OF ADULT SERVICES
2019-21 BUDGET DETAIL

Reporting Level: 01-530-500-90-00-00	
Program: CENTRAL OFFICE - ADULT	

EXPLANATION OF PROGRAM COSTS

The Adult Services Central Office includes administration, human services, information technology, fiscal operations, training, medical services, and plant services.

BUDGET BY TRADITIONAL LINE ITEM

Description	2017-19 Base Level	2019-21 Exec Rec	Percent of Total	Change from 17-19
Salary and Fringe	19,478,666	22,004,359	40%	2,525,693
Operating	19,709,370	27,548,334	51%	7,838,964
Capital	2,459,442	4,712,744 \1	9%	2,253,302
Grants	-	-	0%	-
Total	**41,647,478**	**54,265,437**	**100%**	**12,617,959**
Funds				
General	40,778,276	49,320,057	91%	8,541,781
Other	869,202	4,945,380	9%	4,076,178
Total	**41,647,478**	**54,265,437**	**100%**	**12,617,959**
FTE	**97.17**	**104.28**	-	**13.11**

\1 – Amount includes the original estimate for MRCC renovation $2,443,077, estimate was revised after executive recommendation was complete – revised estimate totals $1,854,301

MATERIAL EXPENDITURES – (93% of budget)

Salary and Fringe – $22,004,359 – 41% of budget
- Administration/Human Resources – 12.04 FTE
- Fiscal Operations/Warehouse – 15.42 FTE

Training – 4.88 FTE
Plant Services – 20.88 FTE
Medical Services/Pharmacy – 51.06 FTE

Bldgs, Grnds, & Mtce, Utilities, and Repairs – $5,841,319 - 11% of budget
Maintenance expenditures, utilities, and repairs needed for the daily operations at the DOCR facilities.

IT Data Processing, IT Communications, IT Contractual Services - $3,589,641 – 7% of budget
ITD Payments,

Lease / Rent – Building - $4,608,008 – 8% of budget
JRCC Male Minimum housing unit rent

Professional Fees and Services - $7,214,505 – 13% of budget
Medical, plant, and administrative professional fees and services needed for the daily operations of the facilities.

Medical, Dental, and Optical - $3,675,604 – 7% of budget
Supplies needed by pharmacy, medical, dental, and optical services for the daily operations of the facilities. Budgeted amount reflects 340B pricing

Extraordinary Repairs - $3,334,065 **\1** – 6% of budget
NDSP
Building B Roof Repair - $244,000
North Gate Sally Port Repair - $119,068
Fire Alarm Panel Upgrade - $99,820
JRCC
ET Building Elevator Repair - $105,360
Roof and General Construction Repair - $110,900
Fire Alarm Panel – $145,290
Electrical Improvements - $66,550
MRCC Renovation
Original estimate - $2,443,077
Revised estimate - $1,854,301

SIGNIFICANT CHANGES

Employee compensation - $1,313,874
Salary increase - $679,034
Benefit increase - $235,339
Health insurance increase - $339,501

JRCC Male Minimum - $5,115,238
Medical Positions 1.2 FTE - $243,789
Utilities - $267,896
Unit Set-up and Rent - $4,603,553

JRCC Nurses Building (TRCC) - $493,556
Medical Positions 1.5 FTE – $366,627
Building maintenance and utilities - $126,929

MRCC Women's Minimum - $3,063,512 (includes revised renovation estimate)
Medical Positions 6.6 FTE - $1,209,211
Renovation (revised estimate) - $1,854,301

JRCC / NDSH Campus Evaluation - $500,000

Information Technology
MS-365 - $641,438
IT Unification - $60,814
4.88 FTE transferred to ITD
IT Projects - $633,200
Oracle Upgrade - $145,200
Contract / Payment Process System - $160,000
Intake / Legal Records / Movement - $240,000

2017– 2019 Budget

As of 11/30/2018, 68% of this department budget has been expended.

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DOCR - AS Central Office

Description		2017-19 Biennium Budget	11/30/2018 BTD Expend	Remaining Balance	2019-21 Exec Rec
SALARIES	511000	12,693,289	8,955,016	3,738,273	13,472,884
SALARY BUDGET ADJUSTMENT	511900	-	-	-	-
SALARY INCREASE	599110	-	-	-	679,034
SALARIES - OTHER	512000	-	-	-	-
TEMP	513000	871,596	601,236	270,360	792,372
OVERTIME	514000	364,512	273,971	90,542	409,068
BENEFITS	516000	5,549,269	3,842,200	1,707,069	6,016,161
BENEFIT INCREASE	599160	-	-	-	634,840
TRAVEL	521000	232,364	178,119	54,245	262,441
IT-SOFTWARE/SUPPLIES	531000	176,639	280,747	(104,108)	850,092
PROFESSIONAL SUPPLIES & MAT	532000	80,662	66,385	14,277	103,598
FOOD & CLOTHING	533000	266,918	1,488	265,430	87,907
BLDG,GRNDS,VEHICLE MTCE S	534000	885,915	553,372	332,543	879,137
MISCELLANEOUS SUPPLIES	535000	30,979	41,185	(10,206)	63,595
OFFICE SUPPLIES	536000	34,823	8,638	26,185	16,777
POSTAGE	541000	37,400	28,569	8,831	40,548
PRINTING	542000	25,255	9,474	15,781	13,324
IT-EQUIP UNDER $5,000	551000	346,278	215,559	130,719	389,589
OTHER EQUIP - UNDER $5,000	552000	50,241	51,815	(1,574)	76,533
OFFICE EQUIP - UNDER $5,000	553000	7,975	3,880	4,095	13,206
UTILITIES	561000	3,556,838	2,275,802	1,281,036	3,998,896
INSURANCE	571000	194,259	203,612	(9,353)	319,078
LEASE/RENT - EQUIPMENT	581000	61,114	69,973	(8,859)	102,979
LEASE/RENT - BLDG/LAND	582000	5,403	3,655	1,748	4,608,008
REPAIRS	591000	1,030,123	599,593	430,530	963,286
IT-DATA PROCESSING	601000	1,552,363	1,175,337	377,026	1,716,903
IT-TELEPHONE	602000	248,783	179,261	69,522	257,241
IT-CONTRACTUAL SERVICES	603000	276,717	24,858	251,859	1,615,497
DUES & PROFESSIONAL DEV	611000	100,613	109,934	(9,321)	109,002
OPERATING FEES & SERVICES	621000	204,427	130,577	73,850	188,588
PROFESSIONAL SERVICES	623000	6,750,383	4,751,799	1,998,584	7,214,505
MEDICAL, DENTAL & OPTICAL	625000	3,552,898	1,325,752	2,227,146	3,657,604
LAND & BUILDINGS	682000	844,000	844,000	-	-
OTHER CAPITAL PAYMENTS	683000	739,442	745,231	(5,789)	705,479
EXTRAORDINARY REPAIRS	684000	866,000	690,746	175,254	2,745,289
EQUIP - OVER $5,000	691000	10,000	32,167	(22,167)	-
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	935,907	12,068	923,839	673,200
GRANTS, BENEFITS & CLAIMS	712000	500,000	20,000	480,000	-
Total		**43,083,385**	**28,306,017**	**14,777,368**	**53,676,661**
General Funds		40,778,276	27,849,728	12,928,548	49,320,057
Federal Funds		510,994	56,204	454,790	107,977
Special Funds		1,794,115	400,085	1,394,030	4,248,627
Total		**43,083,385**	**28,306,017**	**14,777,368**	**53,676,661**
FTE		**97.17**			**104.28**

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Agency	[redacted]partment of Corrections and Rehabilitation
Program	90 Central Office - Adult
Reporting Level	01-530-500-90-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	6,324,475	12,693,289	779,595	13,472,884	0	0
Salary Increase	511010	0	0	0	679,034	0	0
Benefit Increase	511011	0	0	0	129,198	0	0
Health Increase	511012	0	0	0	399,501	0	0
Retirement Increase	511013	0	0	0	106,141	0	0
Temporary Salaries	513000	396,557	871,596	(79,224)	792,372	0	0
Overtime	514000	192,222	364,512	44,556	409,068	0	0
Fringe Benefits	516000	2,708,499	5,549,269	466,892	6,016,161	0	0
Travel	521000	114,956	232,364	30,077	262,441	0	0
Supplies - IT Software	531000	163,632	176,639	32,015	208,654	0	0
Supply/Material-Professional	532000	44,367	80,662	22,936	103,598	0	0
Food and Clothing	533000	43,955	266,918	(179,011)	87,907	0	0
Bldg, Ground, Maintenance	534000	418,429	885,915	(6,778)	879,137	0	0
Miscellaneous Supplies	535000	30,580	30,979	32,616	63,595	0	0
Office Supplies	536000	4,190	34,823	(18,046)	16,777	0	0
Postage	541000	20,275	37,400	3,148	40,548	0	0
Printing	542000	6,662	25,255	(11,931)	13,324	0	0
IT Equip Under $5,000	551000	165,051	346,278	43,311	389,589	0	0
Other Equip Under $5,000	552000	33,855	50,241	26,292	76,533	0	0
Office Equip & Furn Supplies	553000	3,603	7,975	5,231	13,206	0	0
Utilities	561000	1,681,297	3,556,838	442,058	3,998,896	0	0
Insurance	571000	101,032	194,259	124,819	319,078	0	0
Rentals/Leases-Equip & Other	581000	51,492	61,114	41,865	102,979	0	0
Rentals/Leases - Bldg/Land	582000	2,228	5,403	4,602,605	4,608,008	0	0
Repairs	591000	328,636	1,030,123	(66,837)	963,286	0	0
IT - Data Processing	601000	824,996	1,552,363	164,540	1,716,903	0	0
IT - Communications	602000	126,786	248,783	8,458	257,241	0	0
IT Contractual Srvcs and Rprs	603000	11,477	276,717	265,862	542,579	0	0
Professional Development	611000	43,107	100,613	8,389	109,002	0	0
Operating Fees and Services	621000	94,294	204,427	(15,839)	188,588	0	0
Fees - Professional Services	623000	3,364,566	6,750,383	464,122	7,214,505	0	0
Medical, Dental and Optical	625000	957,089	3,552,898	104,706	3,657,604	0	0
Land and Buildings	682000	844,000	844,000	(844,000)	0	0	0
Other Capital Payments	683000	390,898	739,442	(33,963)	705,479	0	0
Extraordinary Repairs	684000	229,022	866,000	2,468,065	3,334,065	0	0
Equipment Over $5000	691000	9,944	10,000	(10,000)	0	0	0
IT Equip/Sftware Over $5000	693000	0	935,907	(262,707)	673,200	0	0
Operating Budget Adjustment	699000	0	0	1,714,356	1,714,356	0	0
Grants, Benefits & Claims	712000	76,692	500,000	(500,000)	0	0	0
Adult Services	**77**	**19,808,864**	**43,083,385**	**9,868,178**	**54,265,437**	**0**	**0**

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Agency	Department of Corrections and Rehabilitation
Program	90 Central Office - Adult
Reporting Level	01-530-500-90-00-00-00-00000000

Description	Code	1 Object/Revenue	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
TOTAL EXPENDITURES for 90 Central Office - Adult			**19,808,864**	**43,083,385**	**9,868,178**	**54,265,437**	**0**	**0**
MEANS OF FUNDING								
Federal Fund Budget	002		0	0	96,983	96,983	0	0
SCAAP-BJA	P133		10,994	10,994	0	10,994	0	0
JRI	P160		101,252	500,000	(500,000)	0	0	0
Federal Funds	**FED**		**112,246**	**510,994**	**(403,017)**	**107,977**	**0**	**0**
State General Fund	001		19,297,705	40,778,276	7,227,907	49,320,057	0	0
General Fund	**GEN**		**19,297,705**	**40,778,276**	**7,227,907**	**49,320,057**	**0**	**0**
Pen.- Land Replacement - 366	366		0	0	300,000	300,000	0	0
Dept of Corrections Oper - 379	379		398,913	1,794,115	(919,727)	874,388	0	0
Strategic inv & imprv fund	493		0	0	3,663,015	3,663,015	0	0
Special Funds	**SPEC**		**398,913**	**1,794,115**	**3,043,288**	**4,837,403**	**0**	**0**
TOTAL FUNDING for 90 Central Office - Adult			**19,808,864**	**43,083,385**	**9,868,178**	**54,265,437**	**0**	**0**
AUTHORIZED EMPLOYEES								
Vacant			0.00	0.00	11.80	11.80	0.00	0.00
FTE			97.17	97.17	(4.69)	92.48	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 90 Central Office - Adult			97.17	97.17	7.11	104.28	0.00	0.00

Inmate Population Medically Responsible			
	Drugs and Supplies thru 7/31/18	7/1/17 - 7/1/18 Inmate Count Med Responsible	Average Cost Per Inmate Per Year
NDSP	396,116		
JRCC	241,955		
MRCC	204,158		
DWCRC	78,901		
Less Hep C Drugs	471,763		
	449,368	1,757	**$ 236**
2019-21	$ 236		
Est FY19 Inflation	2%		
Est FY19 Cost Per Inmate	241.45		
Est FY20 Inflation	2%		
Est FY20 Cost Per Inmate	246.93		
Est FY21 Inflation	2%		
Est FY21 Cost Per Inmate	252.54		
FY20 Est Inmate Med Pop	1,719		
FY21 Est Inmate Med Pop	1,782		
2019-21 Estimated Cost Non Hep C	**$ 874,498**		
2019-21 Hep C (Treat 56 per year)	**$ 2,732,266**	**($24,395 per treatment)**	
Total 19-21 Estimated Drug Cost	**$ 3,606,764**		

2019 - 2021 Estimate MMIS

	Male	Female	Total
FY2020 Estimated Inmate Population	1,505	214	1,719
17-19 - % Pop Billed Per Day (CBPD/CAPPD)	0.28%	0.28%	0.28%
Est # of Billings Per Day	4.28	0.61	4.89
# of days FY2020	366	366	366
Est # of Billings FY2020	1,567	224	1,791
As of 8/28/16 Ave Cost Per Inmate	$ 1,484	$ 1,484	$ 1,484
Estimated FY 19 Inflationary Increase	2.27%	2.27%	2.27%
Estimated FY19 Cost Per Inmate	1,517	1,517	1,517
Estimated FY20 Inflationary Increase	2.27%	2.27%	2.27%
Estimated FY20 Cost Per Inmate	$ 1,552	$ 1,552	$ 1,552
Estimated FY20 MMIS Cost	**2,431,786**	**347,620**	**2,779,405**
FY2021 Estimated Inmate Population	1,553	229	1,782
17-19 - % Pop Billed Per Day (CBPD/CAPPD)	0.28%	0.28%	0.28%
Est # of Billings Per Day	4.42	0.65	5.07
# of days FY2021	365	365	365
Est # of Billings 2019-21	1,612	237	1,850
Estimated FY20 Cost Per Inmate	$ 1,552	$ 1,552	$ 1,552
Estimated FY 21 Inflationary Increase	2.27%	2.27%	2.27%
Estimated FY21 Cost Per Inmate	$ 1,587	$ 1,587	$ 1,587
Revised Estimated FY21 MMIS Cost	**$ 2,559,151**	**$ 376,908**	**$ 2,936,058**
Total Estimate 19-21 MMIS Cost	**$ 4,990,936**	**$ 724,528**	**$ 5,715,464**

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Intake / Legal Records / Movement

Business Problem A

The ND Dept. of Corrections & Rehabilitation processed over 1600 admissions to prison in calendar year 2017. This includes a full vetting for legality of judgement, working with counties on transfer of custody, and receiving and processing a newly admitted person at North Dakota State Penitentiary or Dakota Women's Correctional & Rehabilitation Center.

Before the prison admission is even processed and the person is transported to DOCR custody, a tremendous amount of work takes place. The county provides the Legal Judgement and Court Finding to DOCR. DOCR's Legal Records department verifies demographic information, and ensures the legal judgement is, in fact, legal.

This content and vetting process takes place via phone calls and email, and is tracked via emails and spreadsheets.

After the judgement has been approved, emails circulate amongst Legal Records department to begin the next process – working with the counties to notify them of when "intake" can occur, or formal admission to prison via transfer of custody at NDSP or DWCRC.

This process takes place over emails, phone calls, and is tracked via spreadsheets. Legal Records staff work with counties to set intake dates, then notify security staff in Intake/ Reception/ Orientation Unit. If security staff are unavailable during the time the county has chosen, the process starts again, with phone calls, emails, and updating spreadsheets.

The process is not conducive to efficiency, transparency, and accuracy. Intake/Security staff have little oversight over when counties will need to deliver people for intake, Legal Records is forced to fill a middle/ broker role between deliverer and receiver, and the County has no medium to plan ahead.

This application seeks to produce a solution to Business Problem A, on behalf of the three groups involved (Legal, Intake/ Security, Counties).

Business Problem B

The ND Dept. of Corrections & Rehabilitation moves people continuously between institutional facilities, jails, contract facilities, and halfway houses. Currently a legacy MS Access program, emails, and spreadsheets are used to plan future movements. Classification and security departments rely on phone calls and emails to plan for bed openings.

Transport scheduling for court pick-ups, intra-system movements, and approvals for such take place in the Access app, emails, or phone calls. Spreadsheets are updated and kept on individuals' computer desktops.

This application seeks to produce a solution to Business Problem B.

Proposed Solution

The proposed solution of would utilize a process structure which allows an internal (NDGOV) and external (State of ND Online Services accounts) view, with ability defined by roles to perform actions. Counties would be provided or would create an account and be granted access to begin to input data. Internal staff would utilize NDGOV login governed by Active Directory groups.

The Intake Schedule screen is governed by Intake/ Security staff. The screen appears much like a weekly or monthly calendar. Each day of the week and months can be displayed. The days are separated into AM and PM sections. Each day holds a changeable number of 'intake slots'.

Intake/ Security unit controls the settings for: maximum number of daily slots, maximum number of AM/PM slots, maximum number of slots by day of the week, maximum number of slots by specific numeric date, blackout/ outage dates, deadline timeframe to schedule an intake, and override slots per specific day.

The process would be defined by specific action points and 'handoffs'. The process begins with a County needing to deliver a person to DOCR for a prison intake. The County logs into their

screen in the system, and enters some basic demographic information required to verify a correct person match. The County would also upload the Legal Judgement by which they need to deliver a person for intake and custodial transfer. Clicking Save sends automated email alerts to Legal Records notifying there is a new person to manage in the work queue.

Legal Records can log in and find the person in their work queue, and assign statuses to two areas – Demographic and Judgement Legality. Staff can set accept statuses for those, or deny (ending the transaction), or send back with notes. Examples would be if the Demographic content is acceptable, but the judgement is illegal. Clicking Save notifies the county via email (and placing into their work queue) any sent back work, accepted statuses, and denied statuses, with notes. The county can resubmit sent back content, and also provide notes to DOCR Legal Records staff. The system would also allow DOCR to add other data capture points on this screen in the Demographic, such as an inmate pregnancy or staff-assaultive behavior. DOCR staff could assign a Prioritization Score, if applicable.

Once the County receives Accepted Statuses for the person's Demographic and Judgement Legality, the County can schedule an intake. The County logs in to the Intake/ Schedule screen and can choose an intake slot that is open by using an 'Approved Names' pulldown menu, displaying just their County's names. Clicking Save after choosing an intake slot sends an automatic email to an Intake email inbox. Intake/ Security staff can also log into their internal screen and look at scheduled names by week or month.

This functionality provides for the three groups:

1. All three groups
    1. Take a complex legal process out of emails, spreadsheets, and phone calls
    2. Ensure transparency and fairness amongst Counties working with DOCR
    3. Allows for DOCR to easily drop into or out of a Prioritization Plan, based on an assigned Prioritization score and slot utilization
2. County
    1. Ability to plan ahead and book groupings to save time on transporting
    2. Ability to plan with other Counties on pooling transport times based on regional proximity
3. Legal Records
    1. Allows Legal Records dept to work with Counties to have judgements amended, if necessary
    2. Removes Legal Records as middle/ broker position between Intake/ Security and County
4. Intake/ Security
    1. Allows Intake/ Security to have ownership of intake process
    2. Allows planning ahead for staffing, low impact and high impact times

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3. Allows management to utilize or plan for wildly dynamic staffing needs based on actual plan need.

5. Parole Violation administrators
    1. Allows specific role to be built to add Parole Violators directly to schedule days, without being included in a maximum count (as Parole Violators are under DOCR custodial authority, and would not need to be scheduled by a County)

The proposed solution would also offer a basic movement planning screen for Classification staff. This schedule planning screen would include:

1. Screen for unit/ facility to log in (internal-NDGOV users) and enter a number of open beds, by date (up to 14 days ahead)
2. Screen for Classification staff to create a simple transport schedule, populated from existing DOCR docstars nightly data pull)
3. Ability to schedule on demand, and change listings

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Contract / Payment Process System

(COSMOS Business Office Version)

The DOCR COSMOS system was designed and built by ND agencies DOCR and ITD. The system is used to manage the VOCA and CVA grant application processes. The system offers an internal (NDGOV) and external (State of ND login) component, allowing true 'handoff' in business practice between subgrantees (funds applicants) and state grant managers. From application, to subgrantee grant allocation budget crafting, to reimbursement fulfillment via Peoplesoft webservice, the COSMOS system has provided deep efficiencies to DOCR's subgrantee 'pass-through' funding.

This project would utilize the work already completed to create a new COSMOS Business Office Version. A copy of the system and database, creating a Business Office specific iteration, would act as the starting point for the project.

The main goals of the new iteration would to apply the COSMOS model to the DOCR Business Office's operations, and allow for entities doing business with DOCR to more effectively manage their interaction, including reimbursement request.

The project would identify VOCA and CVA specific items, and seek to make trackable data points more generic and editable. Example areas such as budget line item topic/ text would be made editable (rather than hard-coded to a topic/ text in current COSMOS system), and narrative questions made optional based on user preference.

Vendors working with DOCR would have ability to manage reimbursements and contract budgets (if applicable). If line-item changes are required to a contract budget reimbursement amount, the ability would exist for vendors to submit changes for approval before the reimbursement process.

Another large piece of this new iteration is pulling in Inmate basic demographics and community supervision data. This data will allow quality assurance of billing, with major example of 'bed-days' for contract facilities. Currently a series of spreadsheets, email correspondence, and phone calls are used to fulfill the billing and reimbursement for inmate and community supervision bed-day charges.

By pulling the most basic data from DOCR IT systems into the new COSMOS Business Office iteration, DOCR could in effect provide amount/ invoice to contract facilities as to whom billing has been authorized. Payment could be calculated automatically based on interfaced data and contract amounts.

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DEPARTMENT OF CORRECTIONS AND REHABILITATION – DIVISION OF JUVENILE SERVICES
2019-21 BUDGET DETAIL

Reporting Level:	**530-200-20-00-00-00**
Program:	**JUVENILE COMMUNITY SERVICES**

EXPLANATION OF PROGRAM COSTS

The Juvenile Community Services program provides comprehensive assessment, treatment planning and case management for unruly and delinquent youth committed to its care, custody and control by state district court. Their goal is to provide a coordinated service delivery system for juvenile offenders with clearly defined treatment goals, supervision, management and administrative functions.

BUDGET BY TRADITIONAL LINE

Description	2017-19 Budget	2019-21 Ex Rec	% of Exec Rec	Change From 17-19
Salary and Fringe	5,094,759	5,190,872	53.6	96,113
Operating	3,144,949	3,688,198	38.1	543,249
Capital				
Grants	800,000	800,394	8.3	394
Total	**9,039,708**	**9,679,464**	**100.0**	**639,756**
General	6,192,159	6,991,553	72.2	799,394
Federal	2,018,832	1,859,194	19.2	(159,638)
Special	828,717	828,717	8.6	0
Total	**9,039,708**	**9,679,464**	**100.0**	**639,756**
FTE	31.47	31.47		0.00

MATERIAL EXPENDITURES (99.7% of budget)

Salary and Fringe - $5,190,872 – 53.6% of budget – 31.47 FTE

- 8.0 - Administrative Assistants
- 16.47 - Juvenile Correction Specialists
- 4.0 – Senior Juvenile Correction Specialists
- 1.0 - Senior Juvenile Corrections Specialist (ICJ)
- 0.5 - Director of Juvenile Services (split with YCC)
- 1.0 - Deputy Director of Juvenile Services
- 0.5 - Quality Assurance Manager (split with YCC)

Travel - $305,664 – 3.2% of budget

Motor pool, in-state/out of state meals, lodging & air transportation (Supervision), Family mileage reimbursements and Adult transport expenses for juveniles

IT-Software/Supplies - $29,600 – 0.3% of budget
Software Maintenance for Compass, Elite and Case Log Programs

Office Supplies - $15,871 – 0.2% of budget
Office supplies for 8 district offices (Supervision) & Administrative Services staff

Postage - $17,164 - 0.2% of budget
Postage for 8 district offices (Supervision)
Decrease due to use of technology (scanning)

Lease/Equipment - $26,548 – 0.3% of budget
8 district offices copier leases (Supervision)

Lease/Building - $336,881 – 3.5% of budget
8 district offices building leases (Supervision)

IT Telephone - $57,255 – 0.6% of budget
Telephone/Cellular charges for 8 district offices & Administrative Services staff

Dues and Professional Development - $31,470 – 0.3% of budget
Dues for ACA, Interstate Compacts, Council of Juv Correct Adm, ND Brd of Social Workers, National Partnership

Operating Fees and Services - $2,622,209 – 27.1% of budget
$19,434 Redwood Toxicology, Electronic Monitoring, Birth certificates and Record Keepers, Employee service awards
$75,000 Sheriff Transport – County
$525,000 Day Treatment + $537,500 Day Treatment Expansion
$1,465,275 ($500,000 of this reimbursed from ND Courts Intensive In-Home)

Professional Services - $213,454 – 2.2% of budget
Consulting Fees & outside professional services (Juvenile Justice Specialist) and PBS dues - Ward/Grand Forks County

Grants, Benefits & Claims - $800,394 – 8.3% of budget
Grant expenditures

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SIGNIFICANT CHANGES

Employee compensation - $333,113
- Salary increase - $164,871
- Benefit increase - $58,649
- Health insurance increase - $109,593

$537,500 Day Treatment Expansion

2017 – 2019 Budget

As of November 30, 2018, 60.9% of this department budget has been expended.

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DOCR - JUVENILE SERVICES COMMUNITY

Description	Code	2017-19 biennium Budget	11/30/18 BTD Expend	Remaining Balance	2019-21 Budget
SALARIES	511000	3,325,780	2,256,431.38	1,069,349	3,436,121
SALARIES - OTHER	512000	-	-	-	-
TEMP	513000	148,471	41,716	107,036	51,431
OVERTIME	514000	281	428	(428)	-
BENEFITS	516000	1,620,227	1,049,415	570,812	1,703,320
TRAVEL	521000	377,019	191,470	185,549	305,664
IT-SOFTWARE/SUPPLIES	531000	29,600	28,167	1,433	29,600
PROFESSIONAL SUPPLIES & MAT	532000	1,325	65	1,260	1,325
FOOD & CLOTHING	533000	-	-	-	-
BLDG,GRNDS,VEHICLE MTCE S	534000	1,475	534	941	1,475
MISCELLANEOUS SUPPLIES	535000	3,850	151	3,699	3,580
OFFICE SUPPLIES	536000	15,871	5,987	9,884	15,871
POSTAGE	541000	27,664	8,855	18,809	17,164
PRINTING	542000	7,044	98	6,946	7,544
IT-EQUIP UNDER $5,000	551000	-	-	-	-
OTHER EQUIP - UNDER $5,000	552000	-	-	-	350
OFFICE EQUIP - UNDER $5,000	553000	4,700	1,485	3,215	4,700
UTILITIES	561000	-	-	-	-
INSURANCE	571000	3,600	3,538	62	3,600
LEASE/RENT - EQUIPMENT	581000	26,272	17,567	8,705	26,548
LEASE/RENT - BLDG/LAND	582000	321,763	230,645	91,118	336,881
REPAIRS	591000	11,104	4,635	6,469	7,930
IT-DATA PROCESSING	601000	-	-	-	-
T-TELEPHONE	602000	57,255	33,195	24,060	57,255
IT-CONTRACTUAL SERVICES	603000	-	-	-	-
DUES & PROFESSIONAL DEV	611000	31,470	31,661	(191)	31,470
OPERATING FEES & SERVICES	621000	2,051,009	1,057,030	993,979	2,622,209
PROFESSIONAL SERVICES	623000	172,454	140,136	32,318	213,454
MEDICAL, DENTAL & OPTICAL	625000	1,474	713	761	1,578
LAND & BUILDINGS	682000	-	-	-	-
OTHER CAPITAL PAYMENTS	683000	-		-	-
EXTRAORDINARY REPAIRS	684000	-	-	-	-
EQUIP - OVER $5,000	691000	-	-	-	-
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	-	-	-	-
GRANTS, BENEFITS & CLAIMS	712000	800,000	400,124	399,876	800,394
Total		9,039,708	5,504,045	3,535,663	9,679,463
General Funds		6,192,159	3,899,339	2,292,820	6,991,553
Federal Funds		2,018,832	1,390,833	627,999	1,859,193
Special Funds		828,717	213,873	614,844	828,717
		9,039,708	5,504,045	3,535,663	9,679,463
FTE		31.47	31.47	-	31.47

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Agency	Department of Corrections and Rehabilitation
Program	20 Juvenile Community Services
Reporting Level	01-530-200-20-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	1,583,789	3,325,780	(54,530)	3,271,250	0	0
Salary Increase	511010	0	0	0	164,871	0	0
Benefit Increase	511011	0	0	0	32,883	0	0
Health Increase	511012	0	0	0	109,593	0	0
Retirement Increase	511013	0	0	0	25,766	0	0
Temporary Salaries	513000	24,598	148,471	(97,040)	51,431	0	0
Overtime	514000	281	281	(281)	0	0	0
Fringe Benefits	516000	736,548	1,620,227	(85,149)	1,535,078	0	0
Travel	521000	132,876	377,019	(71,355)	305,664	0	0
Supplies - IT Software	531000	14,512	29,600	0	29,600	0	0
Supply/Material-Professional	532000	65	1,325	0	1,325	0	0
Bldg, Ground, Maintenance	534000	319	1,475	0	1,475	0	0
Miscellaneous Supplies	535000	151	3,850	(270)	3,580	0	0
Office Supplies	536000	4,771	15,871	0	15,871	0	0
Postage	541000	6,473	27,664	(10,500)	17,164	0	0
Printing	542000	91	7,044	500	7,544	0	0
Other Equip Under $5,000	552000	0	0	350	350	0	0
Office Equip & Furn Supplies	553000	1,485	4,700	0	4,700	0	0
Insurance	571000	1,769	3,600	0	3,600	0	0
Rentals/Leases-Equip & Other	581000	13,144	26,272	276	26,548	0	0
Rentals/Leases - Bldg/Land	582000	160,552	321,763	15,118	336,881	0	0
Repairs	591000	3,558	11,104	(3,174)	7,930	0	0
IT - Communications	602000	23,520	57,255	0	57,255	0	0
Professional Development	611000	16,094	31,470	0	31,470	0	0
Operating Fees and Services	621000	734,909	2,051,009	571,200	2,622,209	0	0
Fees - Professional Services	623000	100,124	172,454	41,000	213,454	0	0
Medical, Dental and Optical	625000	256	1,474	104	1,578	0	0
Grants, Benefits & Claims	712000	400,124	800,000	394	800,394	0	0
Juvenile Services	**79**	**3,960,009**	**9,039,708**	**306,643**	**9,679,464**	**0**	**0**
TOTAL EXPENDITURES for 20 Juvenile Community Services		**3,960,009**	**9,039,708**	**306,643**	**9,679,464**	**0**	**0**
MEANS OF FUNDING							
OJJDP - Formula Funds	P026	400,124	800,000	394	800,394	0	0
IV-E/IV-A Reimbursements	P038	688,578	1,132,050	(231,956)	961,232	0	0
Crime Victims Advocacy-DJS	P158	50,075	86,782	4,239	97,568	0	0
Federal Funds	**FED**	**1,138,777**	**2,018,832**	**(227,323)**	**1,859,194**	**0**	**0**
State General Fund	001	2,694,528	6,192,159	533,966	6,991,553	0	0
General Fund	**GEN**	**2,694,528**	**6,192,159**	**533,966**	**6,991,553**	**0**	**0**

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Agency	Department of Corrections and Rehabilitation
Program	20 Juvenile Community Services
Reporting Level	01-530-200-20-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
Dept of Corrections Oper - 379	379	126,704	828,717	0	828,717	0	0
Special Funds	**SPEC**	**126,704**	**828,717**	**0**	**828,717**	**0**	**0**
TOTAL FUNDING for 20 Juvenile Community Services		**3,960,009**	**9,039,708**	**306,643**	**9,679,464**	**0**	**0**
AUTHORIZED EMPLOYEES							
FTE		31.47	31.47	(1.00)	30.47	0.00	0.00
Vacant		0.00	0.00	1.00	1.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 20 Juvenile Community Services		31.47	31.47	0.00	31.47	0.00	0.00

YCC

DEPARTMENT OF CORRECTIONS & REHABILITATION – DIVISION OF JUVENILE SERVICES
2019-21 BUDGET DETAIL

Reporting Level:	**530-200-30-00-00-00**
Program:	**YOUTH CORRECTIONAL CENTER – YCC**

EXPLANATION OF PROGRAM COSTS

The Youth Correctional Center program includes costs for Administration, Operations, Education and Treatment. The tasks assigned include planning, leadership, records and program management, administrative services, food services, security & supervision, education and treatment.

BUDGET BY TRADITIONAL LINE

Description	2017-19 Budget	2019-21 Ex Rec	% of Exec Rec	Change From 17-19
Salary and Fringe	15,297,398	16,321,014	92.1	1,023,616
Operating	1,297,825	1,395,549	7.9	97,724
Capital				
Total	**16,595,223**	**17,716,563**	**100.0**	**1,121,340**
General	14,732,898	15,259,840	86.1	526,942
Federal	861,029	736,464	4.2	(124,565)
Special	1,001,296	1,720,259	9.7	718,963
Total	**16,595,223**	**17,716,563**	**100.0**	**1,121,340**
FTE	93.87	95.12		1.25

MATERIAL EXPENDITURES – (97.5% of budget)

Salary and Fringe - $16,321,014 – 92.1% of budget – 95.12 FTE
+ 2.0 New FTE (Temp JIRS to Authorized JIRS)
- 0.75 Faculty FTE moved from Juvenile to Adult Services

7.0 – Administration
55.96 – Operations (4-Food, 51.96-Security)
14 – Treatment
18.16 – Education (12.89-Academic, 4.15-Vocational, 1.12 Administration)

Professional Supplies/Materials - $145,994 – 0.82% of budget

Treatment related supplies/resource materials and education textbooks/supplies and testing materials

Food and Clothing - $259,718 – 1.47% of budget

Includes food supplies for kitchen, juvenile clothing, linens and safety clothing - The YCC kitchen staff plan, prepare and serve three nutritional meals and one evening snack every day of the year or a total of 60,121 meals, 20,653 evening snacks and fresh fruit and vegetable afternoon snacks per biennium.

Miscellaneous Supplies - $95,756 – 0.54% of budget

For health, beauty, laundry, recreation, miscellaneous cottage supplies, small classroom tools and equipment

Professional Services - $442,925 – 2.5% of budget

PBS dues, haircuts and mending, PREA audit, contracted psychologist, ReadRight recertification and consultants

*$250,000 of this amount is for the NDYCC Campus Study

SIGNIFICANT CHANGES

Employee compensation - $1,226,816

Salary increase - $495,957
Benefit increase - $158,729
Health insurance increase - $339,620
Composite Schedule - $232,510

2 NEW FTE's (Temp to Authorized)

$250,000 ND YCC Campus Study

2017 – 2019 BUDGET

As of November 30, 2018 66.0% of this department budget has been expended.

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DOCR - ND YOUTH CORRECTIONAL CENTER

Description	Code	2017-19 Biennium Budget	11/30/18 BTD Expend	Remaining Balance	2019-21 Budget
SALARIES	511000	10,032,562	6,593,372	3,439,190	10,336,364
SALARIES - OTHER	512000	-	-	-	232,510
TEMP	513000	144,864	133,489	11,375	57,034
OVERTIME	514000	226,224	275,601	(49,377)	354,939
BENEFITS	516000	4,893,748	3,298,587	1,595,161	5,340,167
TRAVEL	521000	48,441	24,017	24,424	42,941
IT-SOFTWARE/SUPPLIES	531000	56,368	12,373	43,995	45,588
PROFESSIONAL SUPPLIES & MAT	532000	150,724	55,615	95,109	145,994
FOOD & CLOTHING	533000	373,596	148,022	225,574	259,718
BLDG,GRNDS,VEHICLE MTCE S	534000	55,903	22,968	32,935	43,403
MISCELLANEOUS SUPPLIES	535000	104,236	58,562	45,674	95,756
OFFICE SUPPLIES	536000	70,741	39,723	31,018	57,891
POSTAGE	541000	8,842	1,111	7,731	2,042
PRINTING	542000	1,965	652	1,313	1,965
IT-EQUIP UNDER $5,000	551000	64,207	13,347	50,861	60,190
OTHER EQUIP - UNDER $5,000	552000	13,995	27,542	(13,547)	12,544
OFFICE EQUIP - UNDER $5,000	553000	26,024	17,392	8,632	26,226
UTILITIES	561000	-	-	-	-
INSURANCE	571000	9,824	9,614	210	9,824
LEASE/RENT - EQUIPMENT	581000	5,672	3,849	1,823	7,200
LEASE/RENT - BLDG/LAND	582000	-	-	-	-
REPAIRS	591000	20,479	12,505	7,974	13,679
IT-DATA PROCESSING	601000	-	2,769	(2,769)	2,000
IT-TELEPHONE	602000	-	-	-	-
IT-CONTRACTUAL SERVICES	603000	26,428	18,555	7,873	63,746
DUES & PROFESSIONAL DEV	611000	40,565	35,866	4,699	28,215
OPERATING FEES & SERVICES	621000	35,137	21,064	14,073	32,529
PROFESSIONAL SERVICES	623000	183,425	90,660	77,707	442,925
MEDICAL, DENTAL & OPTICAL	625000	1,253	829	424	1,173
LAND & BUILDINGS	682000	-	-	-	-
OTHER CAPITAL PAYMENTS	683000	-	-	-	-
EXTRAORDINARY REPAIRS	684000	-	-	-	-
EQUIP - OVER $5,000	691000	-	33,780	(18,722)	-
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	-	-	-	-
GRANTS, BENEFITS & CLAIMS	712000	-	400	(400)	-
Total		**16,595,223**	**10,952,261**	**5,642,959**	**17,716,563**
General Funds		14,732,898	9,750,187	4,982,711	15,259,840
Federal Funds		861,029	754,370	106,659	736,464
Special Funds		1,001,296	447,705	553,591	1,720,259
		16,595,223	10,952,261	5,642,962	17,716,563
FTE		93.87	93.87	-	95.12

Agency	Department of Corrections and Rehabilitation
Program	30 Youth Correctional Center - YCC
Reporting Level	01-530-200-30-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	4,617,168	10,032,562	(192,155)	9,840,407	0	0
Salary Increase	511010	0	0	0	495,957	0	0
Benefit Increase	511011	0	0	0	101,700	0	0
Health Increase	511012	0	0	0	339,620	0	0
Retirement Increase	511013	0	0	0	57,029	0	0
Salaries - Other	512000	0	0	232,510	232,510	0	0
Temporary Salaries	513000	103,197	144,864	(87,830)	57,034	0	0
Overtime	514000	168,474	226,224	128,715	354,939	0	0
Fringe Benefits	516000	2,293,594	4,893,748	(51,930)	4,841,818	0	0
Travel	521000	17,281	48,441	(5,500)	42,941	0	0
Supplies - IT Software	531000	11,466	56,368	(10,780)	45,588	0	0
Supply/Material-Professional	532000	39,364	150,724	(4,730)	145,994	0	0
Food and Clothing	533000	100,859	373,596	(113,878)	259,718	0	0
Bldg, Ground, Maintenance	534000	16,031	55,903	(12,500)	43,403	0	0
Miscellaneous Supplies	535000	31,674	104,236	(8,480)	95,756	0	0
Office Supplies	536000	28,493	70,741	(12,850)	57,891	0	0
Postage	541000	864	8,842	(6,800)	2,042	0	0
Printing	542000	310	1,965	0	1,965	0	0
IT Equip Under $5,000	551000	59,127	64,207	(4,017)	60,190	0	0
Other Equip Under $5,000	552000	13,739	13,995	(1,451)	12,544	0	0
Office Equip & Furn Supplies	553000	14,523	26,024	202	26,226	0	0
Insurance	571000	4,807	9,824	0	9,824	0	0
Rentals/Leases-Equip & Other	581000	2,886	5,672	1,528	7,200	0	0
Repairs	591000	8,383	20,479	(6,800)	13,679	0	0
IT - Data Processing	601000	0	0	2,000	2,000	0	0
IT Contractual Srvcs and Rprs	603000	9,832	26,428	37,318	63,746	0	0
Professional Development	611000	23,680	40,565	(12,350)	28,215	0	0
Operating Fees and Services	621000	18,113	35,137	(2,608)	32,529	0	0
Fees - Professional Services	623000	80,285	183,425	259,500	442,925	0	0
Medical, Dental and Optical	625000	481	1,253	(80)	1,173	0	0
Juvenile Services	**79**	**7,664,631**	**16,595,223**	**127,034**	**17,716,563**	**0**	**0**
TOTAL EXPENDITURES for 30 Youth Correctional Center - YCC		**7,664,631**	**16,595,223**	**127,034**	**17,716,563**	**0**	**0**
MEANS OF FUNDING							
Institutional Care (Federal) - YCC	P022	245,236	247,263	(38,943)	218,606	0	0
IV-E/IV-A Reimbursements	P038	29,269	63,698	(63,698)	0	0	0
Title I - YCC	P050	112,776	217,956	(7,794)	210,162	0	0
Adult Education - YCC	P053	35,766	70,766	15,234	86,000	0	0
School Lunch - YCC	P057	106,272	201,306	(33,306)	168,000	0	0
Voc Ed (Incarcerated) - YCC	P064	20,000	40,000	(400)	39,600	0	0

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Agency	Department of Corrections and Rehabilitation
Program	30 Youth Correctional Center - YCC
Reporting Level	01-530-200-30-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
Team Nutrition Education	P065	1,278	1,345	(1,345)	0	0	0
FY 01 Fed Voca Grant	P066	499	499	(499)	0	0	0
(WIA) Youth Services - YCC	P081	1,138	1,138	(1,138)	0	0	0
Voc Ed (Carl Perkins) - YCC	P082	8,357	16,758	(2,662)	14,096	0	0
Library Services And Tech	P095	300	300	(300)	0	0	0
Federal Funds	**FED**	**560,891**	**861,029**	**(134,851)**	**736,464**	**0**	**0**
State General Fund	001	6,787,098	14,732,898	(411,066)	15,259,840	0	0
General Fund	**GEN**	**6,787,098**	**14,732,898**	**(411,066)**	**15,259,840**	**0**	**0**
Dept of Corrections Oper - 379	379	316,642	1,001,296	422,951	1,470,259	0	0
Strategic inv & imprv fund	493	0	0	250,000	250,000	0	0
Special Funds	**SPEC**	**316,642**	**1,001,296**	**672,951**	**1,720,259**	**0**	**0**
TOTAL FUNDING for 30 Youth Correctional Center - YCC		**7,664,631**	**16,595,223**	**127,034**	**17,716,563**	**0**	**0**
AUTHORIZED EMPLOYEES							
Vacant		0.00	0.00	5.00	5.00	0.00	0.00
FTE		93.87	93.87	(3.75)	90.12	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 30 Youth Correctional Center - YCC		93.87	93.87	1.25	95.12	0.00	0.00

AS-JS

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DEPARTMENT OF CORRECTIONS & REHABILITATION – DIVISION OF JUVENILE SERVICES
2019-21 BUDGET DETAIL

Reporting Level:	**530-200-40-00-00-00**
Program:	**CENTRAL OFFICE – JUVENILE**

EXPLANATION OF PROGRAM COSTS

The Central Office – Juvenile program costs consist of expenditures from department administration, training, information technology, medical services and plant services for the ND Youth Correctional Center.

BUDGET BY TRADITIONAL LINE

Description	2017-19 Budget	2019-21 Ex Rec	% of Exec Rec	Change From 17-19
Salary and Fringe	2,514,608	2,281,516	43.6	(233,092)
Operating	2,171,733	2,494,481	47.7	322,748
Capital	419,237	458,062	8.7	38,825
Total	**5,105,578**	**5,234,059**	**100.0**	**128,481**
General	4,675,579	4,601,264	87.9	(74,315)
Federal	0	13,225	0.3	13,225
Special	429,999	619,570	11.8	189,571
Total	**5,105,578**	**5,234,059**	**100.0**	**128,481**
FTE	13.33	11.08		(2.25)

MATERIAL EXPENDITURES – (93.2% of budget)

Salary and Fringe - $2,281,516 – 43.6% of budget – 11.08 FTE

(1.12) FTE from 17-19 due to IT Unification Staff
(1.13) FTE from 17-19 distributed to Adult Services
4.22 – Administration
1.74 – Medical
5.12 – Plant

Travel - $107,894 – 2.1% of budget
Motor pool, in-state/out of state meals, lodging & air transportation

Buildings & Grounds Maintenance - $210,973 – 4.0% of budget
Boiler, plumbing/heating, electrical and janitorial supplies for YCC facility

Utilities - $445,000 – 8.5% of budget
Gas, electricity, water and garbage for YCC facility

Repairs - $310,902 – 5.9% of budget
Repairs to the YCC facility
(Temporary structural repairs to heating plant, replacing water heaters in cottages, fire alarm panel upgrades and general repairs to walls, ceilings floors, bathrooms that are showing signs of significant deterioration)

IT Data Processing - $383,093 – 7.3% of budget
Community, YCC and Juvenile Central Office

IT Telephone - $99,673 – 1.9% of budget
YCC and Juvenile Central Office

IT Contractual - $121,948 – 2.3% of budget
System Maintenance Agreements

Professional Services - $460,096 – 8.8% of budget
ITD Unification expenses & One-Drive $291,637
Training Services $11,338
Medical MMIS $130,000
Architects, engineers and other professional needs $27,121

Extraordinary Repairs - $426,262
Security lock replacements
Roof, parking lot/roadway and exterior gym repairs

IT Equip over $5000 - $31,800
Contract Management & Procurement System
Oracle Upgrade

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SIGNIFICANT CHANGES

Employee compensation - $138,534
- Salary increase - $69,421
- Benefit increase - $24,353
- Health insurance increase - $44,760

2017 – 2019 BUDGET

As of November 30, 2018, 68.2% of this department budget has been expended.

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DOCR - CENTRAL OFFICE - JUVENILE

Description	Code	2017-19 Biennium Budget	11/30/18 BTD Expend	Remaining Balance	2019-21 Budget
SALARIES	511000	1,665,974	1,167,803	498,171	1,446,833
SALARIES - OTHER	512000	-	-	-	-
TEMP	513000	95,468	73,922	21,545	108,767
OVERTIME	514000	5,272	6,736	(1,464)	9,380
BENEFITS	516000	747,894	530,574	217,320	716,536
TRAVEL	521000	93,896	73,159	20,737	107,894
IT-SOFTWARE/SUPPLIES	531000	153,234	81,645	71,590	22,495
PROFESSIONAL SUPPLIES & MAT	532000	2,693	2,535	1,012	3,853
FOOD & CLOTHING	533000	2,981	3,589	(1,462)	3,600
BLDG,GRNDS,VEHICLE MTCE S	534000	186,873	153,678	33,195	210,973
MISCELLANEOUS SUPPLIES	535000	27,499	20,349	7,150	19,949
OFFICE SUPPLIES	536000	1,287	818	469	1,497
POSTAGE	541000	4,327	2,943	1,384	4,600
PRINTING	542000	3,727	1,599	2,128	3,727
IT-EQUIP UNDER $5,000	551000	63,322	14,161	54,160	71,716
OTHER EQUIP - UNDER $5,000	552000	22,684	20,971	(3,287)	38,000
OFFICE EQUIP - UNDER $5,000	553000	12,512	-	12,512	12,512
UTILITIES	561000	442,097	240,526	201,570	445,000
INSURANCE	571000	51,150	20,249	30,901	51,150
LEASE/RENT - EQUIPMENT	581000	7,216	548	6,672	1,241
LEASE/RENT - BLDG/LAND	582000	24	68	(48)	25
REPAIRS	591000	269,702	190,276	79,426	310,902
IT-DATA PROCESSING	601000	461,453	196,272	265,182	383,093
IT-TELEPHONE	602000	99,673	66,170	33,503	99,673
IT-CONTRACTUAL SERVICES	603000	1,754	488	1,266	121,948
DUES & PROFESSIONAL DEV	611000	55,789	49,943	5,846	67,682
OPERATING FEES & SERVICES	621000	18,534	14,933	3,601	17,059
PROFESSIONAL SERVICES	623000	103,510	127,504	(23,994)	460,096
MEDICAL, DENTAL & OPTICAL	625000	85,796	11,802	73,994	35,796
LAND & BUILDINGS	682000	-	-	-	-
OTHER CAPITAL PAYMENTS	683000	419,237	407,821	11,416	-
EXTRAORDINARY REPAIRS	684000	-	-	-	426,262
EQUIP - OVER $5,000	691000	-	2,349	(2,349)	-
MOTOR VEHICLES	692000	-	-	-	-
IT-EQUIP OVER $5,000	693000	-	-	-	31,800
GRANTS, BENEFITS & CLAIMS	712000	-	-	-	-
Total		**5,105,578**	**3,483,431**	**1,622,146**	**5,234,059**
General Funds		4,675,579	3,270,180	1,416,398	4,601,264
Federal Funds		-	-	-	13,225
Special Funds		429,999	213,252	205,748	619,570
		5,105,578	3,483,432	1,622,146	5,234,059
FTE		13.33	13.33	-	11.08

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Agency	Department of Corrections and Rehabilitation
Program	40 Central Office - Juvenile
Reporting Level	01-530-200-40-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
EXPENDITURES							
Salaries - Permanent	511000	819,252	1,665,974	(288,562)	1,377,412	0	0
Salary Increase	511010	0	0	0	69,421	0	0
Benefit Increase	511011	0	0	0	13,500	0	0
Health Increase	511012	0	0	0	44,760	0	0
Retirement Increase	511013	0	0	0	10,853	0	0
Temporary Salaries	513000	51,471	95,468	13,299	108,767	0	0
Overtime	514000	4,486	5,272	4,108	9,380	0	0
Fringe Benefits	516000	370,345	747,894	(100,471)	647,423	0	0
Travel	521000	51,038	93,896	13,998	107,894	0	0
Supplies - IT Software	531000	41,800	153,234	(130,739)	22,495	0	0
Supply/Material-Professional	532000	2,054	2,693	1,160	3,853	0	0
Food and Clothing	533000	2,981	2,981	619	3,600	0	0
Bldg, Ground, Maintenance	534000	112,741	186,873	24,100	210,973	0	0
Miscellaneous Supplies	535000	9,923	27,499	(7,550)	19,949	0	0
Office Supplies	536000	494	1,287	210	1,497	0	0
Postage	541000	2,237	4,327	273	4,600	0	0
Printing	542000	1,598	3,727	0	3,727	0	0
IT Equip Under $5,000	551000	7,275	63,322	8,394	71,716	0	0
Other Equip Under $5,000	552000	20,120	22,684	15,316	38,000	0	0
Office Equip & Furn Supplies	553000	0	12,512	0	12,512	0	0
Utilities	561000	183,712	442,097	2,903	445,000	0	0
Insurance	571000	9,966	51,150	0	51,150	0	0
Rentals/Leases-Equip & Other	581000	507	7,216	(5,975)	1,241	0	0
Rentals/Leases - Bldg/Land	582000	24	24	1	25	0	0
Repairs	591000	134,011	269,702	41,200	310,902	0	0
IT - Data Processing	601000	140,950	461,453	(78,360)	383,093	0	0
IT - Communications	602000	46,227	99,673	0	99,673	0	0
IT Contractual Srvcs and Rprs	603000	130	1,754	120,194	121,948	0	0
Professional Development	611000	32,880	55,789	11,893	67,682	0	0
Operating Fees and Services	621000	7,598	18,534	(1,475)	17,059	0	0
Fees - Professional Services	623000	103,413	103,510	64,949	168,459	0	0
Medical, Dental and Optical	625000	8,987	85,796	(50,000)	35,796	0	0
Other Capital Payments	683000	269,447	419,237	(419,237)	0	0	0
Extraordinary Repairs	684000	0	0	426,262	426,262	0	0
IT Equip/Sftware Over $5000	693000	0	0	31,800	31,800	0	0
Operating Budget Adjustment	699000	0	0	291,637	291,637	0	0
Juvenile Services	**79**	**2,435,667**	**5,105,578**	**(10,053)**	**5,234,059**	**0**	**0**
TOTAL EXPENDITURES for 40 Central Office - Juvenile		**2,435,667**	**5,105,578**	**(10,053)**	**5,234,059**	**0**	**0**
MEANS OF FUNDING							

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Agency	Department of Corrections and Rehabilitation
Program	40 Central Office - Juvenile
Reporting Level	01-530-200-40-00-00-00-00000000

1 Object/Revenue Description	Code	2 2017-19 First Year Expenditures	3 2017-19 Biennium Appropriation	4 2019-21 Total Changes	5 2019-21 Recommendation	6	7
Federal Fund Budget	002	0	0	13,225	13,225	0	0
Federal Funds	**FED**	**0**	**0**	**13,225**	**13,225**	**0**	**0**
State General Fund	001	2,286,462	4,675,579	(198,740)	4,601,264	0	0
General Fund	**GEN**	**2,286,462**	**4,675,579**	**(198,740)**	**4,601,264**	**0**	**0**
Dept of Corrections Oper - 379	379	149,205	429,999	89,400	533,508	0	0
Strategic inv & imprv fund	493	0	0	86,062	86,062	0	0
Special Funds	**SPEC**	**149,205**	**429,999**	**175,462**	**619,570**	**0**	**0**
TOTAL FUNDING for 40 Central Office - Juvenile		**2,435,667**	**5,105,578**	**(10,053)**	**5,234,059**	**0**	**0**
AUTHORIZED EMPLOYEES							
FTE		13.33	13.33	(2.25)	11.08	0.00	0.00
Vacant		0.00	0.00	0.00	0.00	0.00	0.00
TOTAL AUTHORIZED EMPLOYEES for 40 Central Office - Juvenile		13.33	13.33	(2.25)	11.08	0.00	0.00

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My name is Ashley Patzner. I was incarcirated at the Dakota Womens Correctional & Rehabilitation Center from March 8th of 2018 and was granted parole to my pending federal case on September 20th of 2018. Since being released I've been at Hope Manor Sober Living and I attend and am involved with the Recovery community involving Alcoholics Annonymus in addition to Narcotics Annonymus. I've just celebrated my 13 months of continious sobriety. I am here today to be the voice for the women who used to be there, the women currently there and the women that will be there in the future. Due to the charges that we're pending I was housed in Horizion, which is considered Medium/Maximum Security and that consists of one very small hallway with 5 dorms in addition to the Orientation unit. It's a very small area with almost no room to get your personal space and/or time unless your in your bunk area and that can be limited as well. Being housed with orientation in that same hallway become very frustrating as well because if there going anywhere, to lunch, rec, whatever the case may be they call no movement and we're not allowed to go from where we're at, even that just being the bathroom. There we're times our enquirers wouldn't be working, or minimum security for instance where our entire floor would have to get locked down so they would be allowed to shower. As you can imagine with the little room we did have to roam around, being locked down was very aggravating or annoying so to say. I remember one specific time our power was out in our entire building for multiple hours at a time, during the middle of the summer. So again we're stuck in our rooms not only on lock down but in the dark using our window for hopefully enough sun to see. I believe that happened on

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two different occasions, days apart, if that. It began to become very aggravating and people aren't able to communicate with friends and family and when your in a place like that you live for that connection, and those conversations. I'm not a mother but my family has always been a huge part of my life regardless, and not being able to have that consistency can make alot of women including myself feel as if they have nothing to work towards or look forward to. And you seen that all the time there, especially with visitation. New England isn't exactly a central location and because of that most women aren't allowed the privledge of visitation myself included. The human contact and communication is so important for anyone, inmate or not. And I think we could all agree with that. In addition there was one occasion I believe Aggelined was hit by construction or whatever the case was but our building was filling up with fumes and the entire prison was evacuated, shackled together and sat outside for maybe two hours and when it's 90° outside, those are the things that can push an inmate to be defiant or disrespectful/defiant. Being located in New England the resources are very limited, such as AA/NA meetings, more support groups or outside mentors to come in and those are a few of the very things that make a huge part of my recovery such a blessing today. I believe strongly the psychological sessions/or testing could be improved. I would like to see a more thorough psych evaluation/questionaire and more frequent visits. It can be a long process to get what a person may need or be helpful to them but not a lot of women may be mentally strong enough to wait 4-6 months before receiving that. If any of the women are anything like

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me and I know they are, your mental health can be one of your biggest downfalls. And it's so important to receive that proper diagnosis and care. I did complete CBISA (two) while there and I really enjoyed the programming. It helped me recognize those old behaviors and become open to learning those new behaviors. Conflict Resolution and Responsive Risk Reduction for women were classes that I enjoyed going to and looked forward to. The staff were helpful and approachable for the most part and that was always helpful. I've always felt like I could approach them and express issues or concerns. Some women may not feel comfortable doing that so in those high stress situations mentioned earlier can either create more chaos or isolation/depression and that may just depend on the person and/or time. I'm a huge advocate for any recovery 12 steps programs and I would love to see more of that brought into the prison. I believe it could be huge in their progress and growth during their time there and their chances for success could be higher. Thank you for the opportunity of allowing me to share these things with you.

House Bill 1019

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Julie Haberle ⇒ Opposition new

1) more counseling = girls - baby loss
" - Kids

=

1yr - couldn't get in
12 step - counseling needed

2) class - [redacted]
- Basic food cooking
- computer
Basic ~~- How to be a "Mom" + Care 4 Kids~~
- [redacted] /construction/

3) work ⇒ sewing - Cleaners
⇒ cooking - waitress
⇒ computer Knowledge !

4) they "Like" to keep them in the system!
It's a $ making organization

5) better "medical" assitance - faster response

6) For being call DWCRC [redacted] Center - the "R" (rehabilitation)
should be taken out - there isn't ~~ner~~ enough

Kasie Harbeck

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Grief + Loss

Parole + Probation officers more accountable

4 months sober !!

Assistant programs as a felon even going through traumas of life

Being in contact w/known felons is not allowed, without the possibility of revokation. Yet they are suppose to support each other in NA/AA + treatment classes.

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HB 1015 Testimony—DOCR Women's Prison Move to Bismarck—01-16-19

Good Morning Chairman and Members of the Committee.

My name is Lorraine Davis, the Founder and Executive Director of the Native American Development Center located in Bismarck, ND since 2014 to respond to the long overdue need for culturally responsive services for tribal members living in the Bismarck metropolitan area. I am a member of the Sisseton-Wahpeton Dakota Sioux Tribe one-hour south of Fargo and a descendent of the Arikara people of the MHA Nation.

I support HB 1015—moving the women's prison to Bismarck. I support this because 16 years ago, I served 90 days in the Jamestown women's prison for a non-felony charge related to alcoholism addiction. I had no visitors during my stay and no access to spiritual or cultural services. Social and cultural supports and access to family visits are crucial to rehabilitation success.

Research finds that family and cultural protective factors are the bedrock of resilience and growth for Indigenous women who have experienced trauma. **Masten and Monn (2015)** define resilience as the capacity of systems (i.e., individuals, families, communities) to overcome and adapt to adversity that threatens the systems' viability, development, and functioning. Many aspects of Indigenous family resilience may be protective for Indigenous women, enabling them to recover from IPV more quickly, end their violent relationships, or cope with relationship dysfunction. Indigenous peoples of the United states are focal, acknowledging the specific histories of colonization as well as resilience, transcendence, and survivance (ingenuity, strength, humor, and resistance to colonial subjugation) Indigenous peoples have demonstrated in response to historical oppression (Vizenor, 2008), other Indigenous peoples have context-specific circumstances related to colonization and political sovereignty and must be examined with these factors in mind. Uncovering aspects of family resilience can enable their replication and incorporation in culturally relevant prevention and intervention efforts to reduce IPV in Indigenous communities.

What does culturally responsive services mean?

- To be purposeful in servicing and teaching style, curriculum used, and expectations presented while being mindful of the culture of the clients, the teacher or service provider, the institution and the community.
- Providers must embrace a student's lived experience in all facets and use that to engage the client.
- Providers must recognize their own prejudices and "dismantle social structures that perpetuate oppression".
- Clients and citizens must feel represented in their business, education and society. Otherwise, engagement and opportunities for development are lost.
- Curriculum must reflect the culture of the client and students' ethnical background and their experiences---for example: Native Americans and other minorities have historically dealt with racism by the majority---White Caucasian—cultivating their need for a safe environment. A safe environment meaning a sense of belonging, familiarity, equality, humility, dignity and respect.
- Curriculum must reflect a high variety of cultures and viewpoints, a pure sense of diversity and equality in material used.

Native American Development Center | 209 N. 24th St., Ste. A Bismarck ND 58501 |
lorraine@ndnadc.org | Office: (701) 595-5181 | Cell: (701) 214-7911 | www.ndnativecenter.org

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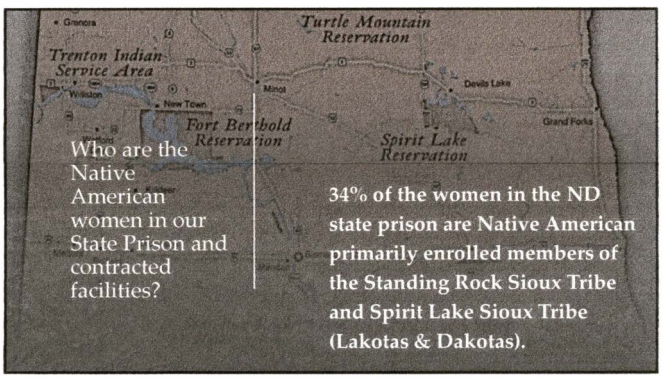
Culturally Responsive Services and Education for Native Americans

NATIVE AMERICAN DEVELOPMENT CENTER

LORRAINE DAVIS, FOUNDER & EXECUTIVE DIRECTOR

PRESENTATION MADE TO THE NORTH DAKOTA HOUSE APPROPRIATIONS ON 01/07/18 ON BEHALF OF THE NORTH DAKOTA CORRECTIONS RELOCATION OF THE WOMEN'S PRISON FROM NEW ENGLAND TO BISMARCK, ND.

1



Who are the Native American women in our State Prison and contracted facilities?

34% of the women in the ND state prison are Native American primarily enrolled members of the Standing Rock Sioux Tribe and Spirit Lake Sioux Tribe (Lakotas & Dakotas).

2

Why focus specifically on the Native American Population?

Approximately 75% of the Native Americans in Active Revocation have an absconding violation.

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Why focus specifically on the Native American Population?

2017 Native American Overall Revocation Rate: 46%

- **29% Parole Revocation Rate**
- **55% Probation Revocation Rate**
  - ✓58% Suspended Sentence Revocation Rate
  - ✓42% Deferred Imposition of Sentence Revocation Rate

4

Demographics

- **6.7% American Indians live in ND**
- **59% of American Indians live outside their reservations in North Dakota.**
- **10,942 American Indians live in the Bismarck metro area (Burleigh, Morton and Sioux counties).**
- **The largest urban Indian population in ND.**

Source: 2017 American Community Survey 1-Year Estimates. AMERICAN INDIAN AND ALASKA NATIVE ALONE OR IN COMBINATION WITH ONE OR MORE OTHER RACES.

5

So, what is Culture?

Culture is the conceptual system developed by a community or society to structure the way people view the world. It involves:

- **Set of beliefs, Norms, Values**

That influence ideas about relationships, how people live their lives, and the way people organize their world. Within a nation, race or community, people belong to multiple cultural groups and negotiate multiple cultural expectations on a daily basis.

Source: SAMHSA Tip 59: Improving Cultural Competence, p.xvi

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What is Cultural Responsive Services?

Respectful and Responsive to the health beliefs and practices-and cultural linguistic needs-of diverse population groups

- Sweat Lodge(s) (e.g., conducted variously per tribal traditions)
- Various Ceremonies (e.g., conducted variously per tribal traditions)
- Traditional Medicine(s), (e.g., natural herbs and plants) per tribe
- Sundance(s) (e.g., conducted variously per tribal traditions)
- Pow-wow(s) (e.g., conducted similar across the U.S. regardless of tribal host)
- Tribal Languages vary per Tribe (e.g., Sioux—Lakota & Dakotas similar; other tribes are significantly different from each other)
- Other Community Events (Community Feeds, Honoring Veterans, Elders, etc.)

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Why is Culture Important?

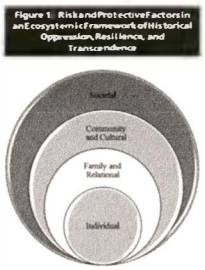
Culture shapes individuals' experiences, perceptions, decisions and how they relate to others. It influences the way people respond to services and interventions and impacts the way service providers deliver those services.

Source: SAMHSA Tip 59: Improving Cultural Competence, p.xvi

8

Framework of Historical Oppression, Resilience, and Transcendence

This framework is congruent with Indigenous people's holistic view of interconnections between physical, mental, emotional, and spiritual health (Cross, 1998; West, Williams, Suzukovich, Strangeman, & Novins, 2012) and has been proposed as a framework for ethnic minorities (Marsiglia & Kulis, 2015).



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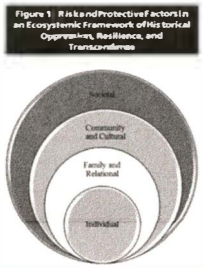
Framework of Historical Oppression, Resilience, and Transcendence

According to this framework, the interaction, accumulation, interconnections, and balance of risk and protective factors across multi-levels predict whether a person experiences **wellness** (balance among mind, body, soul, and spirit) after experiencing adverse experiences.



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Cultural Disruption

In general, spirituality and religion is important to all people. Most are Christians, who honor and use a patriarchal social structure. Whereas, tribal people historically followed a matrilineal social structure, with a female deity and female-centered households. This was disrupted during the boarding school and relocation era where Native Americans were forced to abandon their tribal cultures, e.g., way of life and tribal languages and forced to separate from their families.

11

Family Protective Factors

Indigenous women tend to rely on informal support systems, which is primarily comprised of family and extended family, which tend to be tight-knit, supportive, and affirming and provide the wisdom of elders and role models (Burnette,2016a).

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The Case for Culturally Relevant Services

Uncovering aspects of family resilience can enable their replication and incorporation in culturally relevant prevention and intervention efforts to reduce social ills in Indigenous communities (Burnette, 2016a).

Source: Burnette, C. E. (2016a). Family and cultural protective factors as the bedrock of resilience for indigenous women who have experienced violence.

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Native American Development Center

Incorporated on 09/10/12 to address the lack of culturally responsive services in the Bismarck Metro Area.

Our mission: To strengthen and advance Native American individuals and families by providing supportive services and resources designed to preserve culture and promote economic security.

Our Services: (1) Peer Support (2) Support Family Housing (3) Consumer Finance (4) Trauma Informed Mentoring (5) Cultural Revitalization through Education & Services

Our Vision:

We value human transformation—the power of people to become self-sufficient and productive members of society.

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Native American Development Center

Lorraine Davis, Founder & Executive Director

209 N. 24th St., Ste. A
Bismarck, ND 58501

Tel: (701) 595-5181

Email: Lorraine@ndnadc.org

Website: www.ndnativecenter.org

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Drette Seerveldt

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What is really needed in women's prison? Compared to the men ...

- Mental Health
  - having a mental Health counselor on call or 24-7 would or can be beneficial to an inmate who is attempting suicide, death or post partum due to having a baby while incarcerated or prior to entering.
- medical
  - Dental - having a 2 yr sentence in order to get seen.
  - HIV, AIDS, HepC precautions prior to putting into general population adequate
- visitation
  - location of facility is out of area to meet families needs & not the facilities due to being short staffed, having extended visits
- Education
  - more classes that women could benefit from upon release.
  - employment trades, access to law library
- Recreation
  - Real track
  - Weight room equipment
  - Exercise classes
-

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- prison pay
  - men get paid more
  - BWC 4hrs/day $1.55
  - $ sent from family or taken out of wages made child support or restitution being taken out of wages earned.

* Women should have the same accomodations and opportunities to rehabilitate as men do. Besides the welding program it's nothing but dead time.

- Food
  - non processed food
    * speak of seeb & health issues created in 2012-13

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For I am a small town girl raise most my life in Parshall ND and adult in Minot ND.

I am a mother of 4 so going to prison. to reconnect with my children. Who or what was going to do that for me. and my family.

That there are no Psysyological doctors or Counseling offered at all.

Its seperate buildings so if a altercation breaks out who is to say how long it will take for guards to get ~~to~~ from on side to next having to get

No classes available
The was an parenting class once the whole time I was there.
Spiritual or religious or NA or AA

Trades only 3 can do welding @ a time.

Sinks or toilets didnt work drains in the showers.

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Many of us woman have been thru [redacted] a shape/form of trauma. [redacted]. In the 17 months I was incarcerated I couldnt tell you how many woman were in and out of there most dont ever have time to clear our heads and evaluate our lives. before moving on to the next place which is great cause you will be able to get home sooner. But going to prison for me was a wake up call. I needed that. But more importantly I needed life skills, my family, counseling and many need a psychiatrist.

To go to a dentish it was a drive and a waiting list.

To Further our eduction. such as college (GED) or a trade it was very limited. Even the college courses.

Church services

NA or AA
More of a recreational Area.
Outdoor activities.
Volunteer work giving to the community

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* Access to psychitrist or counseling
* Dentist
* College or GED
* No Connection to our families
* No trades to get into
  Besides welding and only 3 could be in program 2 days a week and had to be transported off campus

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Good Morning, Chairman and members of the committee. I am Kelli Krieg, Director of Treatment Services at the Dakota Women's Correctional and Rehabilitation Center. For the record, I do not want to be up here today but I do think it is imperative I am; not only do I have experience working in behavioral health in the prison but also the community and more importantly, I've work day-to-day for over six years with these women you are making decisions for today.

I have not attended these testimonies previously but I have been a director at DWCRC for almost 5 years and I, too, have never been made aware of the DOCR's concerns that I've learned of through newspaper articles since the Governor's address and Leann's testimony here last week—not at DOCR Clinical Leadership meetings, DOCR trainings, audits, reports, emails, anywhere. I have read the North Dakota Department of Correction and Rehabilitation Biennial Reports, including the most recent report from 2015-2017 prepared by Leann. In the 82 page report, there were absolutely no concerns noted by Leann, not even in the areas where she addressed the Department's "Challenges" or "Goals". Ironically, under "challenges" I directly quote:

The challenges facing the Department in the future continue to center on aging building and equipment. Buildings at the Missouri River Correctional Center and the Youth Correctional Center are in desperate need of replacement. Buildings and infrastructure at the James River Correctional Center are in need of major improvements. 70 to 90 year old buildings are the norm with infrastructure replacement many years beyond normal life cycle expectations. There is a rule of thumb that says: For every dollar you spend on proper maintenance planning you will save at least five dollars in subsequent expenditures." (End quote)

To say the community of New England and southwest North Dakota has not embraced us is simply not true. We do not utilize the Hettinger Clinic because we have our own full-time Physician's Assistant and nurses on staff. We have wonderful dental care and have not reached out for any other dental contracts because we haven't had to do so. We have had work release contract with the local Bowling Alley and K and K Manufacturing here in town and numerous employers in Dickinson. Our vocational welding program is offered through New England Public Schools. Our ladies have college classes available to them through Dickinson State University. We have interns from Dickinson State as well. We are part of the Dickinson Addiction Counseling Training Program and the only active site for addiction counseling interns in western North Dakota. We offer Parenting Classes through a paid contract with West Dakota Parent and Family Resource Center. We have Victim Empathy courses offered through Lutheran Social Services.

As of today, DWCRC has more approved current active volunteers than we do inmate population (127 volunteers), who provide services at no cost to taxpayers. We have Native American Volunteer that is trained in Wellbriety, Mending Broken Hearts Training, Circles, CoDependency, and Women's Bible Studies. Domestic Violence Programming is offered through CHI St. Alexius Hospital-Dickinson nurse volunteers. White Bison Native American non-profit charitable organization held training for staff, inmates, and community volunteers onsite just a few months ago. A local New England resident provides weekly Scrapbooking classes which has been made possible with numerous scrapbooking supply donations for the local community. Local AA and NA volunteers offer workshops and weekly-to-monthly onsite support meetings. We have an amazing religious community that offers bible studies and other religious services on a weekly basis. We have a support group for Victims of Human Trafficking offered through highly trained volunteers from Domestic Violence and Rape Crisis Center,

Sexual Assault Nurse Examiner (or SANE) nurses from CHI- St Alexius in Dickinson, and Youthworks. Our Community Resource Manager schedules a "Community Lecture" twice monthly, including Tobacco Cessation lectures from Southwest District Health Unit In Dickinson, Social Services through Hettinger County Social Services, Senate Majority Leader Rich Wardner's wife Kayleen and her recovery housing Hopes Landing in Dickinson, Community Options, Teen Challenge, F5, Redemption Road, Warriors of the 21st Century, Free Through Recovery, Face It Together, Ministry on the Margin, Freedom Prison Ministries, former resident from The Sanctuary, United Way in Dickinson, and others. The Rabbit Hole, a local thrift shop in New England has allowed our ladies to sell their homemade cell house hobby items, including beadwork, crocheted stuffed animals, and more in their store. The Rabbit Hole also donates all of their received yarn to our inmate population. A few months ago, DWCRC Celebrated National Recovery Month in September with a Recovery Walk and Community Resources Vendor Fair with over 15 agencies voluntarily participating and 100% of our inmate population attending.

Not only has the City of New England and southwest North Dakota embraced our ladies, we have embraced them as well—volunteering at the "Burgers in the Park" every Tuesday evenings in the summer months in New England, donating blankets and stuffed animals to the Homeless Coalition, volunteering at Community Action and the AMEN Food Pantry, helping the local church's with the annual church fair, assisting with the city-wide clean-up efforts, making baby caps for the newborns at CHI St. Alexius hospital, tarring streets for the surrounding communities, donating mittens and gloves to the Domestic Violence and Rape Crisis Center in Dickinson and quilts for overseas ministries from yarn donations from the local thrift shop, participation in Adopt-a-Highway program, dog program partnership with Bakken Paws, I've personally taken inmate volunteers to Project ACE event, which provides Continuing Education opportunities for professional counselors, social workers, nurses, police officers, foster care parents, and more in so they can share their experience and help these different professionals understand their unique struggles following incarceration. We celebrated Red Ribbon in October with prevention for the local kids when I took some inmate volunteers to Mott-Regent High School to share their stories of how addiction has negatively impacted their lives with grades 8-12 at a school assembly. We had a famous Composer and concert on site for all our population just a few months ago. All of this was in place before the Governor's address and apparent concerns of lack of programming and activities offered. These opportunities are very important to me, as the Director of Treatment Services and I know they are to our Warden Rachelle as well, whose background is behavioral health and she runs our prison that. Leann's testimony stating, "*Often the DOCR offers to bring in volunteers and contract services such as technology training, Toastmasters, art programs, etc with a negative response from DWCRC to start them due to an inability to supervise the contactor or volunteer*" is completely untrue.

The DOCR 2015-2017 Biennial Report also shows a chart of program offerings across five DOCR facilities with DWCRC offering 26, three less than Bismarck -- with those classes being Theo Art School, SketchUP (which is a prerequisite for AutoCAD), and AutoCAD. On the same chart regarding enrichment offerings, DWCRC offered four less- being Resident Led Music at Graduation, Field Trips, Garden, and Career/Job Fair which all could be easily (except Field Trips for higher security levels) be implemented. I consider these impressive statics provided by Leann, not only because our population is much smaller but also, again, because we didn't even know there were concerns or we were apparently in some sort of competition.

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I cannot speak to the budget as that is not my area but it does not take a Financial Administrator to see that we are being asked to do a lot more, with a lot less. Leann's testimony last week noted "the number of women sentenced to the DOCR increased by almost 500%" in the last 20 years. Even though judges are sentencing women to prison at this alarming rate, DWCRC's budget continually gets cut. The DOCR Biennial report acknowledges that DWCRC's average daily population was 130 in the first year of the biennium and 127 for the second year. Representative Nelson made mention of this last week--- DWCRC continued to consistently accept more offenders than what we were being paid for (126) to accommodate the needs of the DOCR. This may not seem like a big deal, but let's look at the overall picture:

DWCRC does not sentence ladies to the DOCR. Judges hand sentences. The Incarceration Issues Committee surveyed district court judges who indicated 70% of these judges acknowledged that they had sentenced low-risk, non-violent individuals to the DOCR for the purpose of accessing treatment. Why? Are there not treatment opportunities available in the communities? It is only ethical (and certainly more cost effective) to treatment people in the least restrictive environments. This statistic is a huge problem and something that certainly will not change if not addressed. I have very closely followed the Governor since he took office. He continually preaches and I quote from his website, "*moving the resources upstream*" to "*save lives and save money*" and "*improve access to effective, community-based treatments*". "*Seventy-seven people died in North Dakota in 2016 from overdoses, and more than $260 million was spent in the past decade on new jails at the city, county and state levels*". So, why are we now proposing to invest millions dollars into brick-and-mortar prison institutions and programs that already exist? We cannot incarcerate our way out of this problem. We need to be investing those dollars into community-based treatments to help keep low risk, nonviolent individuals out of the prison system and at home with their kids—which is something everyone in this room can agree on.

The "Free Through Recovery" (or FTR) program appeared to be a great start (and I support the Governor's proposal to give more funding to this program). FTR is a community behavioral health service; clients are immediately discharged from FTR once sent to prison. I found it misleading that Leann's testimony pointed out that Bismarck had a larger capacity of providers when this program is not offer behind prison walls. There are over 7,000 North Dakotans on supervised parole and probation but the FTR total program capacity is 867 residents. This would mean FTR program is only available to approximately 12% of those on currently on supervision—and they are requesting to expand services to pretrial this biennium. Individuals spend a lot more time in the community than that do behind prison walls (as they should) and more money should be allocated to keep it that way.

FTR was initially supposed to be a piloted in Dickinson and Devil's Lake as these were two areas identified with major gaps. From the meetings I attended, this never happened due to the lack of services/service providers in the areas. We cannot link clients to services if they are not available. Dickinson has 1-3 FTR providers, none of which offer any direct clinical services. Residents in western ND (and really many communities, besides Bismarck, Jamestown and Fargo) with behavioral health issues, including many of those on supervised parole/probation, are required to travel to Bismarck, Jamestown, Fargo, or further to get the primary treatment they desperately need -or- these judges are sentencing them to the DOCR where treatment is guaranteed. Are these the "low-risk, non-violent individuals" that 70% of judges sentenced to the DOCR last year?

Once sentenced by these judges, the female offenders arrive at our facility and go through what we call the "Orientation" process. They meet with several staff for different assessments to needs: chemical dependency, mental health, educational, violence, etc. DWCRC sends one form with all of their recommendations to the DOCR Case Planning Committee in Bismarck who meets weekly on all men and women in the DOCR and they determine their case plans. The DOCR determines all female movements, not us. At their Classification hearing, the female offenders find out when and where they go to chemical dependency treatment and when they will be seen by the parole board. The DOCR has five contract facilities for women: DWCRC in New England, Centre Inc in Mandan, Bismarck Transition Center (or BTC) in Bismarck, Tomkins Rehabilitation Correction Center (or TRCC) in Jamestown, and Centre Inc in Fargo. In the last biennium, Centre Inc in Fargo expanded their women bed capacity by building a new 72 bed facility, increasing their capacity by about 40 beds.

The average length of sentence imposed by the courts for women was 3.98 years but the average length of stay is only 235 days. This statistic speaks for itself. In 2017, 65.5% of female offenders sentenced to DWCRC were transitioned out in 90 days or less to other contracted facilities per DOCR Case Planning decision. This statistic will not change should the women's prison be relocated. According to the budget request provided to you by the DOCR last week, they still has the same number of contracted beds for women budgeted for the BTC in Bismarck, TRCC in Jamestown, Centre Incs in Mandan and Fargo.

Because of the short-length of stay and quick turnover, in 2015 the DOCR Clinical Director (Lisa Peterson) and others developed a single-manualized, gender-specific program that incorporates elements from other evidenced-based cognitive behavioral skill building programs that targets criminal thinking, coping skills, conflict resolution, and trauma groups which we termed Responsive Risk Reduction for Women, or RRRW. This group is open-ended and offered to all custody levels so the ladies can participate immediately and at any time during their incarceration. Additionally, DWCRC Human Relations Counselors offer Seeking Safety (which is a manualized gender-specific group targeting PTSD and Substance abuse), Motivational Enhancement Group, Moving On, Conflict Resolution, Coping Skills, and individual emotion regulation and social skill building. We have a Sweat Lodge, offer Smudge, and numerous religious programs. Our part-time Psychologist provides individual psychological services and Sex Offender Assessments and Programming, for those who qualify. We use the same contract for psychiatric services as the rest of the department. The ladies have peer lead Peer Support and NA/AA Support groups. The Education department offers GED Classes, Read Right, Career Readiness, Computer Classes, Financial Literacy Classes, Entrepreneurial Training and more. Our Administrative Captain offers PiYo exercise classes three times a week. Our Training and Development Director offers CPR classes and certifications. Our Nurses provide Health Education Classes.

DWCRC is licensed by the Department of Human Services, Behavioral Health Division to provide Level II.1 Intensive Outpatient treatment programming. Over a year ago, we were looking to apply to provide other levels of care, even though it is not a common referral, and our only barrier was staffing. Higher levels of care require treatment activities seven days a week. DWCRC currently employs 2.5 Licensed Addiction Counselors (with an additional staff waiting to test for her license which would bring the total to 3.5) cannot offer daily treatment activities while assessing all 325+ new arrivals that come in every year. Leann has proposed to add additional behavioral health positions in their upcoming budget, and if or had we been offered more positions, we could staff more chemical dependency treatment groups and/or other levels of care on site. It should also be noted that during contract

negotiation in 2017, the Department of Corrections, not DWCRC, cut back our chemical dependency programming from four groups a year down to three groups a year because they wanted the women to transition out and complete treatment at the contracted facilities closer to their families.

Relationships are extremely important. I am a mother. I get it. And the staff and administration at DWCRC get it, as well. How do I know that? Because Warden Rachelle, with the help of DWCRC Administrative Team, organizes special family visitation events where we focus on activities for the children and family in areas outside the standard visitation room, often on weekends when staff offer to change their schedules and scheduled days off to accommodate these important events. We just had a big family Christmas Event held last month. Last summer, we had a huge "Kids Fun Day" event outside in the recreation yard with a BBQ and water activities for the kids.

I distributed out an "Increased Visitation" Survey to our female offenders in April 2018 to identify our ladies needs and identify barriers, not perceived barriers by upper administration. To me, the results were surprising. (These were check all that apply).

- 33% noted the children's caretakers have no money, resources (ex. reliable vehicle) and/or time to come to DWCRC
- 31% noted the caretakers are not and could not be approved visitors23% said they are leaving for treatment or transitional placement soon and want to wait until they get out and/or done with the system
- 23% said they didn't want their children to see them in this setting (prison)
- 21% said their children's caretakers refused to bring their children to this setting
- 15% said they feel guilty asking their caretakers to bring my children to see me
- 10% said they have no barriers. Their children are able to visit as often as they feel necessary
- 7% said Social Services has custody of their children
- 5% said this is not possible due to a court order, protection order, etc.

Additionally, we received a few write-ins that their children were out of state and the significant other/care take is on probation.

In closing, I just want to provide you, the lawmakers and general public, the reality of what is being sentenced and brought to DWCRC. To be fair, I didn't hand-pick the worst cast scenarios I've ever seen come through the door like I've heard in other testimony. I only picked clients that arrived in the past week:

Client #1 returned to DWCRC last Tuesday, January 8 to DWCRC on new charges while out on parole. She was originally handed a 3 year sentenced and arrived at DWCRC on April 7, 2016 on 8 different charges including Theft, Unauthorized Use of Personal Identification, Burglary with a Weapon, Robbery, Possession of a Controlled Substance, Possession of a Drug Paraphernalia, Hindering Law Enforcement, and Drug Delivery charges. Client #1 is 27 years old was living in Washburn/Bismarck prior to her incarceration, however, some of her extended family, including her 8 year old son, moved to New England after her incarceration. While at DWCRC, she received numerous positive behavior reports, 5 minor indecent reports, and two major incident reports, which were early in her sentence. She participated in the welding program and obtained a certificate, she held various preferred jobs in laundry, kitchen, and the Prairie Industries department, attended Health Education Classes provided by

our onsite nurses, attended a painting class, was trained and certified in CPR, she completed 95.5 group hours of Responsive Risk Reduction for Women classes. She was sent to TRCC in Jamestown for CD treatment from September-December 2017 and successfully completed. Following treatment, she returned to DWCRC per her request for work release. She started work release in January 2018 at Steffes Manufacturing and was making $18.00 an hour. She was released on parole April 3, 2018 to her family. She met with her parole officer that same day and was happy with her job and hoped to stay there long term. Her goal was to "stay clean and sober for her son and accomplish something in her life". She was involved with Free Through Recovery. Her next appointment with her parole officer was the following month on May 21, 2018. At this appointment, she admitted to relapsing on heroin and pills but expressed a desire to be a mother again and home with her son. There are several notes of her FTR Care Coordinator attempting to reach out to her, however, less than a month later, Client #1 was picked up on new charges in Burleigh County. She was released on the 24/7 drug patch and completed an addiction evaluation at West Central Human Service Center but never followed through. Several attempts were made from probation and FTR as she continued to spiral. She missed her July probation appointment, however, on August 27-31 she met with her parole officer who helped her set up another appointment- this time at Heartview almost a month out on September 20 and another appointment on September 21 for methadone. Client #1 missed all scheduled appointments with parole throughout September and contact was finally made on Friday September 21 when she told her parole officer that she did not follow through with her appointment at Heartview or methadone either. Her parole officer then informed her that she would be placed at a halfway house as that was the agreement if she did not follow through in the community and she was to report that next Monday, September 24. Client #1 did not show up but the parole officer persisted and finally got her to come at 415pm. They completed Centre Inc paperwork and she was to report by 10am the next day, the parole officer even offered her a ride there. She, again, did not follow through. Client #1 was arrested later that night on False Information and Drug and Paraphernalia charges with another individual she was advised to not have contact with. She has remained incarcerated since this arrest on September 26, 2018.

In case you missed this— Client #1 was incarcerated for under 2 years and completed chemical dependency treatment and numerous programming, enrichment, and vocational opportunities while incarcerated, her family was local, she was transitioned back to the community through work release, was released with a fulltime good paying job with the support of her parole officer and Free Through Recovery services, was offer intermediate measures while in the on community supervision yet relapsed within a week of release and only made it in the community for 5 months due to continued heroin, meth, and marijuana use.

Client #2 also returned last week Wednesday, January 9 to DWCRC on parole violations. She is 37 years old. She was previously incarcerated May-December 2018. This client has a long history of mental illness and is diagnosed with Schizophrenia. She is a mother but does not have custody of her children. I am unsure of how many children she has. When asked, "She reported she has many children, but has only met (remove first name of daughter, last name unknown- age 15), (remove first name of son, last name unknown age 13), and (remove sons full name- age 11) who all live with their maternal grandmother in California. She said she refers to her other children as baby boy or baby girl because the fathers of these children took them so she was unable to name them".

[redacted] Client #2 was originally handed a 360 day sentence and arrived at DWCRC May 24, 2018 on two charges: one felony Drug Paraphernalia charge and a misdemeanor drug paraphernalia charge. That's it. So without offering any services, alternatives, interventions, supervision.... this judge sentenced a severely, severely mentally ill lady to 360 days in prison. That is a huge problem to me. She was not on any psychiatric medications upon arrival and was seen immediately. Throughout her incarceration, she met individually 1-2 times/week with a Human Relations Counselor to address issues as they arose, worked through some Thinking for Change social and emotion regulation skill building, etc. Additionally, Client #2 also participated in Parenting classes, Seeking Safety programming, Responsive Risk Reduction for Women programming, weekly Ted Talks (motivational talks), PiYo exercise classes, Health Education Classes offered by DWCRC Nurses, the DWCRC Recovery Walk and Community Resources Vendor Fair, a 3 day on site Kogadus religious retreat, and held a preferred job at the supply closet. She received 21 positive behavior reports and only 4 minor incident reports related to third party mail, being late or refusing to work, and being disorderly. She displayed no violent tendencies.

Client #2 was reviewed by the parole board in 7 months later in December 2018 and granted parole 8 workdays later to Centre Inc in Mandan. In short notice, with the help of Mental Health and Release and Integration services, we attempted to set up services through West Central Human Service Center, however, they informed us they do not schedule appointments and are only able to go through open access. Client #2's only opportunity for open access was the very next morning after released on parole to get to West Central by 0830am. Because of the holiday, West Central was not accepting any open access clients from December 20-26. She was set up for Free Through Recovery services before she left DWCRC and discharged with a 30 day supply of her medication and prescriptions. Her parole notes on January 4, 2019, (16 days after her release) indicate that they were going to follow up with the Free Through Recovery referral because her preferred provider was at their capacity so she needed to pick another provider or remain on the waiting list. Later that same day, it is noted that Client #2 allegedly swung at another resident and Centre was going to terminate her. Client #2 said she was arguing with another resident about something and the resident made of her of her for "peeing her pants" recently. Her case was staffed with some DOCR Transitional Planning and determined to issue a warrant and return her to DWCRC. Client #2 was taken into jail January 4, 2019 and returned to DWCRC. Her parole paperwork indicates 2 violations:

1. Has violated condition #4 of her Parole Agreement in that the parolee engage in assaultive behavior on or about 1/4/19 at Centre Inc. Specifically, the parolee was involved in an alteration with another resident at Centre Inc in which she parolee swung at the other resident.
2. Has violated Condition 15 of the Parole Agreement in that the parolee was terminated from the DOCR or parole board approved residence at Centre Inc. Specifically, the parolee was terminated on or about 1/4/19 due to the incident listed in the first violation.

In case you missed this- this severely mentally ill client was sentenced to prison for 1 felony and 1 misdemeanor charge without exhausting any options in the community, she sat approximately 7 months, engaged in several programming opportunities, was set up for FTR service upon release, paroled to a transitional facilities, and was on parole for **16 days** and did not pick up any new charges but had her parole revocated and was sent back to prison.

Client #3 was an evaluation I completed last Tuesday, January 8. She is 25 years old and was returned on a parole revocation. She was originally handed a 3 year sentence and arrived at DWCRC on June 18, 2018 for two charges: Arson and Endangering by Fire Explosion. Immediately upon arrival we started a

Birth Plan as she arrived several months pregnant. Despite our efforts, Client #3 had no viable plan when she birth to a healthy baby boy 26 days later. The baby was placed at Stark County Social Services. Stark County Social Services brought the baby weekly every Wednesday from 12-2pm for visits. She has 5 other children, ages 9, 8, 7, 6, and 3 who were all previously adopted out to her aunt. In the 65 days she was with at DWCRC, Client #3 was also certified in CPR, successfully completed Career Readiness classes, participated in Ted Talks and worked on the General Work Crew. She was sent to TRCC in Jamestown for chemical dependency treatment on August 22, 2018 per DOCR Case Planning Committee decision. She successfully completed the program at TRCC 98 days later, on November 28, 2018 and was release on parole to Centre Inc in Mandan. She requested to go to Centre Inc to be closer to her baby boy who was involved in Social Services in Bismarck but while at Centre, found out her fiancé was cheating on her and she had no other support. After a failed drug test a week into her release, Client #3 admitted to using methamphetamine in the Centre Inc bathroom 5 days after her release from treatment and transitioned to parole on December 3, 2018. She was met with by Centre Inc staff and was cooperative and "was given another chance instead of termination. We made it very clear that using in the facility is a serious offense and that we had grounds to terminate, but would give her another opportunity to learn from her mistake. We made it clear that she had one more chance". She then used again in the facility the following weekend. They again staffed her case with DOCR Transitional Planning and decided to issue a warrant, arrest her, and return her to DWCRC. She was out on parole for 20 days.

In case you missed this—Client #3 was incarcerated at DWCRC 65 days, had visitation with her child, completed treatment and was released after 163 days on a 3 year sentence, was on parole for **20 days** before her arrest and return to DWCRC. Just like Client #2, she had 3 violations on her paperwork: 2 for using meth and 1 for being termination from Centre Inc for using meth.

Client #4 was returned to DWCRC this week on inmate status following an escape. She is 21 years old and has 4 children: boy age 4 and boy age 1 who live with their grandparents in Rolla and a girl age 3 and a girl age 2 who live in a foster home. She was originally sentenced to 18 months in prison on five charges: 3 drug paraphernalia charges, Child Neglect, and Ingesting a Controlled Substance. She arrived at DWCRC on August 23, 2018. In her 41 days at DWCRC, she participated in GED Classes and Responsive Risk Reduction for Women programming. She was transitioned to BTC on October 3, 2018 per DOCR Case Planning Committee Decision to participate in chemical dependency treatment. 13 days in to her incarceration at BTC, on October 16, 2018, she escaped and remained on escape status for almost 3 months until she as apprehended last week. Escapes from minimum-security transitional housing is, unfortunately, not uncommon. Like almost all others with the same scenario, Client #4 was not criminally charged with escape.

So- These are the norm. This is what we are dealing with. There are major problems in the system but this is not a direct issue of DWCRC facility, its staff, contracts, volunteers, city of New England or SW North Dakota.

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Fr. Gary Benz, pastor of Saint Mary's Parish, spiritual volunteer at DWCRC, distinction of serving in my hometown and the coorections center is my former school.

Dakota Women's Correctional Rehabilitation Center
Dep. and Rehabilitation
Director of Corrections, LeAnn Bertsch

Interview: no spiritual care for the woman inmates

Took it as a great insult. Faithful volunteers concerned about the spiritual well being of the women. Our parish of Saint Mary's offers faith formation classes on Wednesday and Thursdays and we offer Confession and Mass every Sunday and on Christmas day as well (very emotional Mass, as they are away from their children). We have given the women hundreds of Bibles, materials for spiritual reading, and any resource they so desire. [Summa Theologica of Saint Thomas Aquinas]. Other denominations as well: Pentecostal churches, Seventh Day Adventist, and retreats offered by the ELCA. Christmas cards from children of the faith formation program of Our Redeemers Church of New England. We take this spiritual work seriously, because until the woman find a relationship with God, the true healing they are looking for will always be elusive. [core of any 12- step program]. Many women have found the Lord at the correction center and this has been central to their rehabilitation back into society. Hear from them (letters, a sample): 1) Father Gary, I want to thank you for coming here and helping me and these ladies be connected to the Lord. Thank you, God bless you, and know that I am forever grateful.

2

2) Fr. Gary, I want to thank you very much for coming into my life. I believe God sent me back to prison to meet you. Thank you.

Phone call * 3) Fr. Gary, I will be coming back for a visit to thank your parish for what you did for me. You gave us the love of God and I needed this to turn my life around and back to Him.

Local sports teams use the facility (gym)
- Church fair (women assist). women come back to say, "Thank you". Treat us with dignity.

Small town values: we care about people, their bodies and souls. Rare to find this in larger facilities/ communities.

Building, continuing the legacy of the SSNDS. Lot of blood, sweat, and tears went into this facility. [Old, decrepit, we are told.40 years old]. Insult to the people.

Kari
319-2423

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C

DAKOTA WOMEN'S CORRECTIONAL REHAB CENTER

A Division of the Southwest Multi-County Correction Center
Rachelle Juntunen, Warden

440 McKenzie Street
New England, ND 58647

Telephone: 701-579-5100
Fax: 701-579-5101

Dakota Women's Correctional and Rehabilitation Center Testimony on House Bill 1015

Good morning Chairman Nelson and Members of the Committee:

I am Rachelle Juntunen, Warden at Dakota Women's Correctional and Rehabilitation Center (DWCRC). I appreciate you giving me an opportunity to speak on behalf of the facility in regards to the Governor's proposal to close DWCRC and move the women to the grounds of MRCC. I just want to start off by saying that I have no argument against simply moving the women to a more centralized location in the State, which would make visitation for children easier. Building a new gender responsive campus would provide great opportunity for the women should the state decide to fund that option. However, spending millions of dollars on temporary housing at this point, is questionable. For the last 15+ years, DWCRC has been a good partner with the ND DOCR and few issues have been brought forth prior to the Governor's Budget Address on December 5, 2018.

Regardless of the decision made within the legislature, I stand before you today to refute some of the allegations that the Director of Corrections has made against DWCRC, as I feel the staff deserve respect and recognition for the work they have done and currently do. The flyer that was handed out to the Appropriations Committee on Monday, January 7th, intentionally depicted a very negative and inaccurate image of the DWCRC. DWCRC sends a monthly report with statistics to the ND DOCR, so they are aware of the programs and services offered at our facility.

ND DOCR Audits: DWCRC has been regularly audited by the DOCR since it opened. The 2 most recent audits were in July 2016 and April 2018. Although I never received a written copy of the 2018 audit, the verbal closeout did not identify any concerns or noncompliance. The written summary of the 2016 audit was as follows: "*there were no concerns regarding the safety, security or programming within the facility and they are operating in compliance with the contract and their policies*." When the position of Facility Operations Director for the DOCR was established in 2015, DWCRC began having monthly site visits from Don Redman and on occasion, Director Bertsch. In the last 3 years that these visits have occurred, there have

been no deficiencies addressed with myself, and I can assure you that the DOCR administration does not operate in a manner that "overlooks issues that are of concern or lacking." In 2018, Director Bertsch toured DWCRC 4 times, most recently in September 2018. During this visit she inquired about the possibility to move the women to Bismarck and use DWCRC to house minimum security men and focus on vocational training and work release. At that time, she asked me to explore this option with the Board of Directors and make contact with other key agencies. At her request, this was done and we had further conversations about this. On October 24th, I received an email from her stating the information I had put together was "exciting" and she would attempt to get additional meetings lined up with some key stakeholders the 2nd week of November. This was the last I heard from her regarding this issue until I reached out to her on December 5th, following the Governor's Budget Address. At no time during these discussions did she address deficiencies she felt were occurring in regards to the services that are offered to the women at DWCRC. During contract negotiations with DWCRC in 2015, Director Bertsch met with our Board of Directors and stated she wanted to sign a 10 year contract with DWCRC to show support for our facility.

DWCRC Capacity: DWCRC has been in operation since 2003. Although our contract is for 126 beds, due to an increased need in higher custody beds, several years ago 5 additional beds were created in the medium security unit so we can accommodate 45 medium/maximum security offenders. We also have 70 minimum security beds, as well as provide 16 intake and orientation beds. There are 5 special management unit beds and 3 infirmary beds. This summer, a second perimeter fence was added to further secure the medium/maximum security unit. This was an investment of just under $115,000. Please note that the DOCR was aware of this plan and although were apparently having discussions about planning to move the women, they did not advise us to refrain from completing this project.

DWCRC Programming: DWCRC offers over 25 different programming options, at variable intervals, to include substance abuse treatment, gender specific treatment groups for females, education and vocational opportunities. DWCRC also offers the evidenced based treatment programs that are provided to the male offenders within the ND DOCR. Below is a list of the programs that are offered at DWCRC:

1. Licensed II.1 Chemical Dependency Program (CBISA: this program addresses problematic and criminal substance use behavior through the use of cognitive and behavioral skills. DWCRC has the capacity to get licensed as a 3.5 provider, however, this is not a common referral level made for the females, but certainly obtainable at DWCRC. During the contract negotiation in 2017, the DOCR Women's Services Director changed the amount of times we offer treatment from 4x/year to 3x/year. This was due to the need to keep other groups at contracted facilities full, *not* DWCRC's inability to facilitate this many groups.

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2. Pre-Contemplation Group: this group is designed to increase motivational enhancement
3. GED/Adult Education
4. Sexual Offender Treatment
5. Conflict Resolution Group: evidenced based group that is also offered to the men within the DOCR system
6. Coping Skills: this program is offered to the orientation group and touches on topics such as sleep hygiene and positive decision making.
7. Responsive Risk Reduction for Women: This program is designed to equip female offenders with trauma informed Cognitive Behavioral Therapy (CBT) and Dialectical Behavioral Therapy (DBT) skills to increase capacity for pro-social responses in risky situations. This program is gender specific and enhances motivation for change.
8. Seeking Safety Group (PTSD and Substance Abuse): an evidence-based model that can be used in group or individual counseling. It was specifically developed to help survivors with co-occurring trauma and substance abuse.
9. Moving On: This program provides women with alternatives to criminal activity by helping them identify and mobilize personal and community resources
10. Prairie Industries Program:
    a. Onsite:
        i. Sewing
        ii. Commissary
        iii. TMI Key cutting
    b. Offsite work in the community:
        i. Steffes Corporation: has been a partner of DWCRC for 10 years. Several ladies have been hired upon release with salary, benefits and housing. Ladies have also been offered welding positions in other areas of the state based on the experience they get within the welding program and through their work at Steffes
            1. Vocational opportunities at Steffes:
                a. Welding: includes Bobcat manufacturing
                b. Paint line

    c. Electrical
    d. Manufacturing work
  ii. Community Cleanup projects
  iii. City maintenance and street repair
11. Vocational Welding Program (offered by New England Public School)
12. Psychological Services (DWCRC has a contracted psychologist that provides services on-site)
13. Sweat Lodge and Smudge for Native Americans
14. Co-Dependency Group (Offered by a Native American volunteer. Also participated in the White Bison Training at DWCRC for the program Mothers of Tradition)
15. Within My Reach Group (domestic violence group offered by a group of volunteers from CHI St. Alexius Health, Dickinson)
16. Victims of Human Trafficking Group (offered by staff at Youth Works)
17. Offender enrichment activities (crochet groups, art classes, quilting, cooking class, scrapbooking, TED Talks, CPR, PIYO (exercise group), positive behavior parties, holiday activities, Lectures on various medical and health topics)
18. AA/NA groups (NA is offender led and AA is led by an volunteer AA group out of Dickinson)
19. Community Resources that come to DWCRC include:
    a. Hopes Manor
    b. Hopes Landing
    c. Tobacco Prevention
    d. Salvation Army
    e. Ministry on the Margins
    f. Warriors of the 21st Century
    g. F5
    h. Hettinger County Social Services
    i. United Way
20. Religious programming (various community volunteers and churches come to DWCRC for services and Bible Studies weekly)
21. College Classes through DSU and correspondence
22. Volunteer activities within the local communities
    a. Red Ribbon Week speakers
    b. Food pantry
    c. Lions Club Burgers in the Park in NE
    d. Salvation Army
    e. Area ditch clean-up
23. Parenting Class (offered by West Dakota Parenting and Family Resource Center out of Dickinson who are sponsored by the NDSU Extension so our current parenting

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instructor would be able to deliver the new Parenting from the Inside out that will be offered to the males.

24. Career Readiness
25. Computer Classes
26. Financial Literacy Class
27. Entrepreneurial Training (offered by The Center for Technology & Business)
28. Peer Support groups

Number of grievances regarding programming in 2018: 0

The Community has embraced DWCRC: DWCRC has 127 volunteers that provide various programming at our facility. That equates to approximately 1 volunteer for every 1 offender. In the past, the ladies at DWCRC have been involved in community wide clean ups and invited to the lunches that follow. They assist with the St. Mary's Church Fair yearly in a variety of capacities. They volunteer at Burgers in the Park which is hosted by the Lions Club weekly during the summer months. The Catholic Church has asked to carol at the facility during Christmas. The thrift store in store buys and sells offender cell hobby and also gives us all the donated yarn in support of the crochet groups. Donations for enrichment group supplies totaled well over $5000 in 2018.

Medical Care: Medical services are offered onsite, including 24 hour nursing care, an infirmary for hospitalization and observation and a physician assistant is onsite 3 days/week with 24/7 on-call coverage. In addition, ambulance services are stationed in New England and we have access to local pharmacy during non-business hours. Offsite medical care is provided through contracts with CHI St. Alexius Hospital and Sanford Health Clinics in Dickinson, ND. The women at DWCRC have high medical needs and the statistics below identify the amount of time spent to address medical concerns each month.

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2018 Average # of patients seen per month	DWCRC (Capacity 126)
Nursing Visits: Sick call/walk-[redacted]/admit/discharge	511
Dr. call visits	88
Offsite medical	48
ER	2

Our contract with Sanford Health provides pre-natal care and babies are typically delivered at CHI St. Alexius in Dickinson. The rate of pregnancies amongst the population at DWCRC in the last 12 months was not 10% as suggested by Director Bertsch, but rather 4%. For two months in 2018, we had 10 pregnant offenders which was an all-time high for DWCRC. That is not the case today and as of 01/15/19, we had 2. Of that 4%, approximately half of those females delivered while incarcerated at DWCRC. A vast majority of the females that delivered during their incarceration, left DWCRC very soon after giving birth and transferred to a treatment facility or halfway house in either Bismarck/Mandan, Fargo or Jamestown. Although most are considered "high risk" pregnancies due to drug use during gestation, very few require treatment in Bismarck or Fargo. The majority are able to receive prenatal care at Sanford Health Clinic and safely deliver at CHI, St. Alexius in Dickinson. A prenatal specialist from Bismarck also comes to Sanford Health in Dickinson once per month.

[redacted]Number of Medical grievances in 2018: 0

A lack of services at DWCRC is not the reason for the rapid movement in and out of the facility: In Director Bertsch's testimony on January 7th, she reported that the rapid turnover of offenders at DWCRC is due to the lack of adequate services, which is simply not true. The reality is that the transfer of these ladies is driven by their parole eligibility date, which tends to occur once the female offenders have served 30% of their sentence. Some examples of this are as follows:

1. *2 year sentence=3.5-4 months at DWCRC*: arrived at DWCRC on 11/21/18. Treatment at TRCC in Jamestown in March 2019 with a parole review in May 2019.
2. *18 month sentence=1.5-2 months at DWCRC*: arrived at DWCRC 11/21/18. Treatment at TRCC in Jamestown in January 2019 with a parole review in February 2019.
3. *18 month sentence= 3.5-4 months at DWCRC*: arrived on 11/19/18. Treatment at TRCC in Jamestown in March 2019. Parole review in May 2019.

[redacted]

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In the last 4 years, over 65% of the new arrivals have transferred to treatment centers and/or halfway houses in urban locations, which again, is not due to a lack of programming at DWCRC. In fact, when the contract with the DOCR was renegotiated in 2017, the DOCR dropped the number of times per year that DWCRC was to offer Level II.1 Chemical Dependency Treatment from 4 to 3 and this change was not reflective of our ability to provide, but rather the department's preference. DWCRC has also had to adjust their group length and programming at times to better accommodate the short stay of the female offenders. In 2016, we actually moved away from offering 12 week, closed ended groups and started an open ended group called Responsive Risk Reduction for Female Offenders. This group allows attendance for 1 week at a time with a focus on skill building. In the past, female offenders have had to stay at DWCRC past their treatment transfer dates so we could stabilize their [redacted]edical or mental health needs. I am unsure as to how that would happen if DWCRC did not provide adequate services.

DWCRC has initiated many of the changes the ND DOCR has received National Recognition for: DWCRC staff are trained in core correctional practices and we take a humanitarian approach in our dealings. In regards to the manner in which segregation is used within the ND DOCR and the changes that have successfully been enacted for the male offenders, female offenders are very rarely segregated and if they are, it is for short periods of time and includes access to programs and peer support. Females are also often provided periods of integration with general population if their needs require a lengthier stay in the Special Management Unit, however the use of this unit is often unnecessary.

Mental Health Housing Needs: In 2014, DWCRC had an architect draw up plans for an expansion that would increase our orientation bed space, provide a unit where those with significant mental health issues could be housed, provide additional programming space and space for onsite vocational programming for the higher security offenders (which if you recall was a deficiency Director Bertsch noted in her testimony on the 7th). All of this was estimated to cost approximately $4 million. Although DWCRC was willing to make the investment and [redacted]d identified funding sources the counties could use, the DOCR did not support the plan which led to its abandonment. Currently, DWCRC and the DOCR work with the ND State

Hospital (NDSH) to address needs that cannot be met at DWCRC, however, this is a very small percentage of those that arrive at our facility. Very similar conversations regarding an expansion for a mental health unit with the DOCR also occurred in 2012 but the DOCR Director [redacted] not support it at that time either and again referred to using the NDSH.

DWCRC Staff training mirrors DOCR Staff Training: The flyer that was passed out on January 7th, stated DWCRC only spends 3 weeks training staff vs. the DOCR's 16. It is imperative to note that DWCRC staff complete the same ND POST board, correctional officer certification program that the DOCR staff do. (For those of you that are not familiar with this program, POST stands for *Peace Officer Standards Training*.) For years, DWCRC has trained staff in the following manner: they are given some initial coursework and policy review and then assigned to a training officer, whom is responsible to ensure they are well versed in their duties. During their training they are subject to evaluations and must complete an On the Job Training Manual. This process takes several months to complete in its entirety. This model is similar to the new way in which the DOCR is now training their own staff. The ND POST Certified CO Basic Training Program offered at DWCRC, as well as the On the Job Training Manual are mirrored off the DOCR's training program and the DWCRC Training Director works very close with the DOCR Training Director to ensure consistency.

DWCRC strives to continue to offer more services and those similar to what are available to [redacted]e male offenders in the state:

[redacted]have worked at DWCRC for 13 years and know that the staff there are passionate about what they do and work hard to provide great service. DWCRC staff are involved in trainings and meetings with the DOCR, which include the Children of Incarcerated Parents initiative. It is my understanding that the families of the female offenders will have the same opportunity to engage in the support groups in Bismarck as do families of the male offenders, which includes Team Kaizen and a program at the YMCA for children with incarcerated parents. DWCRC should also be able to provide the new parenting program that has very recently been implemented at the DOCR if that is the wish of the Director. I, myself, sit on a subcommittee for the Children of Incarcerated Parents and also attend the monthly Wardens meeting to keep up to date on what is transpiring within the male facilities. It is always the intent of DWCRC to match services as much as possible, which leads me to another statement made by Director Bertsch during the budget overview. If you recall, she stated that despite the DOCR offering to pay for enrichment classes and opportunities, DWCRC has refused to accept them--which is perplexing. I have been the Warden at DWCRC since 2011 and I have never refused to implement anything the DOCR has required and I certainly would not turn down an opportunity that was already funded--That simply does not make sense. In fact, over the last few months, I have learned that the DOCR receives monies from the Department of Public [redacted]struction (DPI) for their student count, which includes females in the GED program at

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DWCRC. Until recently those funds have not been moved downstream to our facility despite the females being part of the count to achieve these.

DWCRC provides quality Education: It is without argument that there were issues in the DWCRC Education department in 2017 and during a state audit, DWCRC was found to be noncompliant in standards regarding the "testing processes." The DWCRC Education staff at the time, had been allowing the females to test when they themselves felt they were ready vs. documented milestones. According to the final report submitted to Director Bertsch from DPI on January 5, 2018, the issues with DWCRC testing processes "*were quickly corrected*" to the satisfaction of DPI, through guidance by the DOCR. Starting in November 2017, DOCR staff traveled to DWCRC 2-3 times per month to offer supervision, however, within the last 6 months, have come monthly. This decrease in visits should attest to the corrective action taken by the DWCRC Education Department and the position the department is currently in. In regards to the statistic on the flyer regarding the stats of females getting their GED's at TRCC vs. DWCRC in the same time frame, the big picture is that these ladies are spending 3 months in GED prior to transferring to TRCC and then spending another 1-2 months in GED classes there. The time spent in GED at DWCRC, would surely impact their readiness to test and their skill set. Women that come to DWCRC without a GED or high school diploma are started in the classroom one month after arrival. TRC/TASC which includes both male and female students and the program Director Bertsch referenced in the flyer, had 24 graduates in 2018, which is greater than all the male facilities as well. This seems to indicate their achievement is influenced by the work the students are doing prior to transferring, not poor quality education services at DWCRC.

I feel compelled to tell you that during visits from DOCR principal's since November 2017, there have been zero deficiencies noted in the program and their visits include onsite classroom monitoring and approval for testing. The DOCR Education Director, in the July 2016 audit, identified the DWCRC Read Right Instructor as being one of the strongest within the DOCR and she still works for DWCRC today.

The requirements for GED testing, or "hoops" as Director Bertsch referred to them in her testimony, were put in place by the DOCR Director of Education services following the audit in the fall of 2017. These requirements mandate that DWCRC get prior to approval from the DOCR prior to any GED Ready or GED official test be administered.

The termination of a DWCRC Education staff member has allowed for a healthier atmosphere in the Education Department within the last 6 months. After the retirement of our long-term GED teacher in the spring of 2018, our Education program appears to be back on track with its success indicated in the most recent DOCR's Adult Education Quarterly Report below, which outlines testing success for each facility.

Adult Education Grant Quarterly Review/Report

Year: 2018-2019 Quarter 2: October 1, 2018 - December 31, 2018

Overall GED Testing Results							
Total Tests Taken:	244		Overall Pass Rate:				70.90%
Total Tests Passed:	173						
Ready Test Breakdown by SITE							
	NDSP	**JRCC**	**MRCC**	**TRC/TASC**	**DWCRC**		**TOTAL**
Tests Taken	24	37	12	17	8		98
Tests Passed	17	16	8	10	8		59
Average Score	153.1	143.4	149.5	145.5			
Pass Rate	**70.83%**	**43.24%**	**66.67%**	**58.82%**	**100.00%**		60.20%
Official Test Breakdown by SITE							
	NDSP	**JRCC**	**MRCC**	**TRC/TASC**	**DWCRC**		**TOTAL**
Tests Taken	33	48	9	44	12		146
Tests Passed	25	36	6	35	12		114
Average Score	150.8	151.1	149	150.5			
Pass Rate	**75.76%**	**75.00%**	**66.67%**	**79.55%**	**100.00%**		78.08%

In reference to the chart above, please keep in mind that DWCRC typically has fewer students in GED than MRCC. The average number of students at MRCC in the last quarter of 2018 was 68. The average number of students at DWCRC during that same time frame was 27.3. It is also important to note that MRCC has 3 instructors and DWCRC has 2. MRCC students are often in classes longer than those at DWCRC---with the average number of days students spend in GED at DWCRC at 72.

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A comparison of GED Graduates from each DOCR facility is below:

2017 GED Graduates by Facility		Bed Capacity
NDSP	18	779
JRCC	27	437
MRCC	6	191
DWCRC	17	126
2018 GED Graduates by Facility		
NDSP	9	
JRCC	12	
MRCC	6	
DWCRC	3	

Please keep in mind that DWCRC was without a full-time teacher from February-July 2018.

Number of educational grievances in 2018: 0

Medication Assisted Therapy: In the fall of 2018, ways to provide medication assisted therapy (MAT), such as Methadone, at DWCRC were initiated and I do believe there are options. The DOCR Medical Director is confident he would be able to provide Suboxone treatment to the females and I believe this is already built in to the DOCR budget request for the 2019-2021 bienium. Discussions with Heartview have been progressive with a promising possibility to provide Methadone treatment to the females in the same capacity as it is currently offered to the men at NDSP. I do not believe that JRCC currently offers MAT which means this would also not be an option at this time, for medium or minimum security offenders, if they were all housed in Jamestown. Currently, DOCR policy only allows for the continued treatment of those that are already on MAT prior to intake, which means this is an option for few offenders. However, it is an important part of recovery and I would fully support offering it at DWCRC. Cass County, Burleigh/Morton and Ward are the only 3 jails in the state that provide MAT at this time, so any offender coming in from a different county jail is typically detoxed from the Methadone prior to their arrival.

DWCRC does attract and retain professional staff: DWCRC currently employs 2.5 LAC,'s with another staff member that has completed all training requirements and only has her test to complete before being eligible for licensure. We have 3 case managers/human relations counselors. We have 8 nurses that are trained in behavioral health and crisis counseling. We have 27 security staff that are certified correctional officers. In addition, we have 2 education staff and staff that we have invested thousands of dollars in to get them trained to provide quality care and rehabilitation. The majority of these staff cannot or are not willing to relocate. Over 60% of DWCRC staff have been at DWCRC for three years or more. Of that 60%, 45% have been here for five years or more. As of December 31, 2018, DWCRC had 56 full-time and 14 part-time staff.

Closing DWCRC would have a significant impact on behavioral health in Western ND. Despite the fact that there is a significant lack of services in our area and a healthy job market, as of 01/03/19, there were ZERO job openings in Dickinson or the surrounding areas for licensed addiction counselors, human relation counselors or case managers. DWCRC is also part of the Dickinson Addiction Counselor Training Consortium—the only training consortium for LAC's in Western ND. DWCRC is also the only active training site that has been in operation for the last few years and we have recruited and trained six Licensed Addiction Counselors (LAC). A complete dissolve of DWCRC, with no option for other opportunities, may result in the loss of many resources that can help fight the behavioral health crisis in Western North Dakota. DWCRC is also a training site for student nurses from Dickinson State University with fantastic reviews.

On behalf of the staff and board of directors, I ask that DWCRC's contract with the ND DOCR continue to be funded through the 2019-2021 biennium so we have time to review the concerns from the ND DOCR. It would also allow time for legislators to examine the needs of the women and decide whether or not they wish to fund a brand new facility in a central location. Spending millions of dollars on temporary housing in the interim, is just not necessary, nor does it appear there will be any cost savings in reviewing testimony from the DOCR. As a licensed addiction counselor, I ask that you consider investing the money that will be spent on temporary housing into behavioral health services in Western North Dakota where it is lacking the most. DWCRC has trained staff and programming in place.

Should the decision to move the women to a more central part of the state be made, DWCRC would also appreciate an opportunity provide a vocational training facility for minimum security males. If you recall, this was an idea that was initiated by the DOCR Director 4 months ago and felt the facility could be successful in this mission. This would eliminate the need to hire new staff at other facilities that would then need to be trained—DWCRC already has almost 70 staff that are trained in correctional services.

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In closing, I again want to thank you for the opportunity to present these facts. At best, it has been disheartening as to how this has transpired and the allegations that have been made against the facility.

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Dakota Women's Correctional and Rehabilitation Center

Facility Pictures

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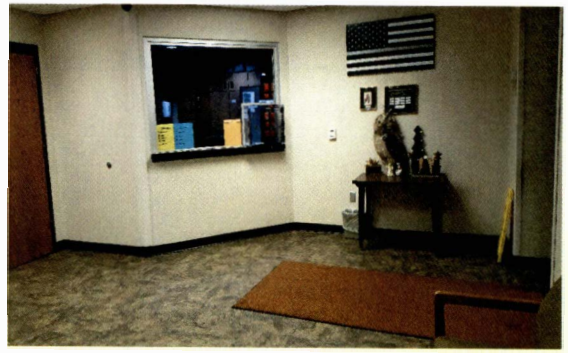
Front Entrance







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Visitation Room





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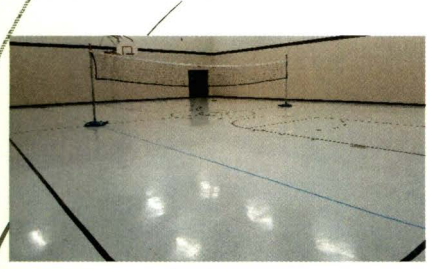
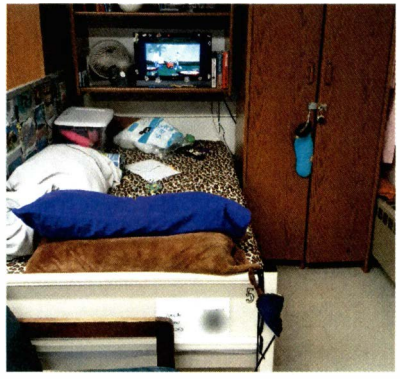
Horizon Hall (medium/max security)















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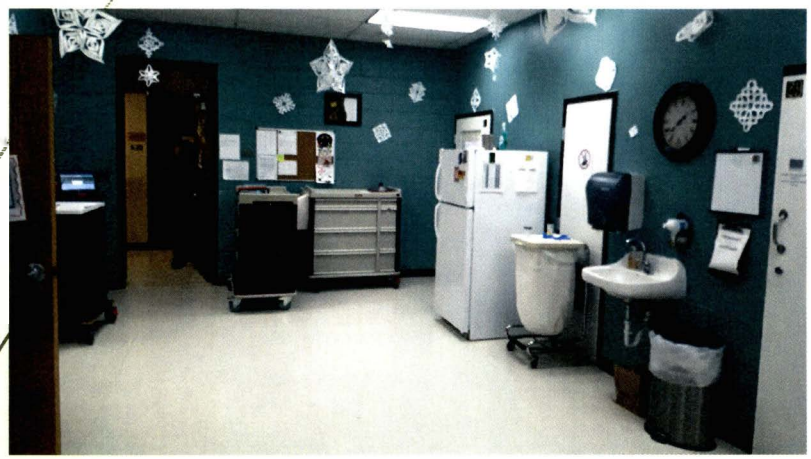
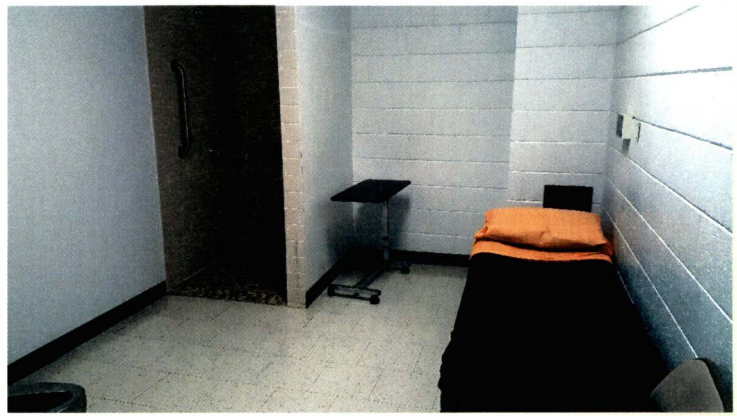
Infirmary





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Case Management/Treatment Services







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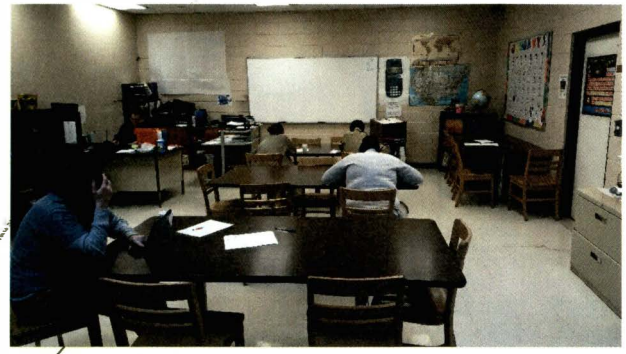
Education and Library







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Kitchen and Dining Room







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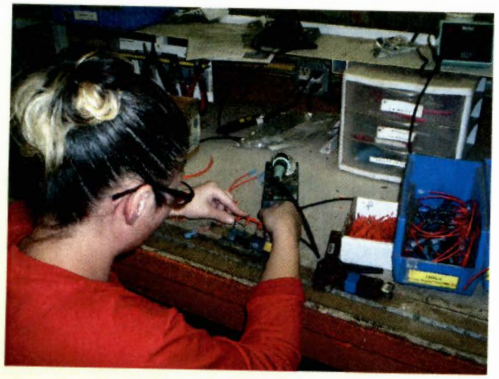
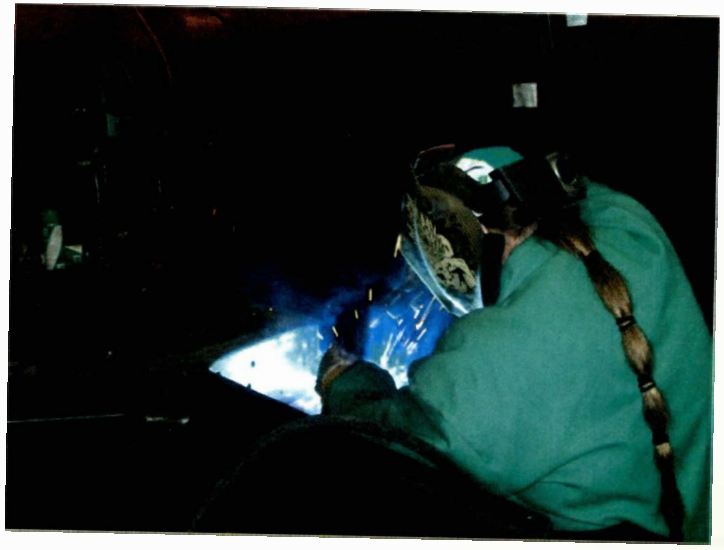
Industries







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TESTIMONY ON ND BILL 1015

January 15, 2019

By: Kelly Koppinger, New England Public School Superintendent

701-579-4160

New England Public School

Members of the Committee:

I am Kelly Koppinger, Superintendent of New England Public School. I am here today to offer information and to testify in opposition to the closure of the Dakota Women's Correctional Rehabilitation Center. You - as lawmakers – are tasked with deciding to close the Center and re-locate it. Before you make that decision, I believe it is important that you understand the implications it would have if it is closed.

Rural communities throughout North Dakota struggle to provide economic opportunities for their residents. In today's economy, traditional agricultural enterprises and industrial recruitment can no longer be relied upon to bring jobs to rural communities. Once driven by agriculture and manufacturing, most rural economies in North Dakota now rely on low-wage, and frequently part-time, retail trade and services. Rural community leaders are constantly searching for viable economic alternatives.

Over the past 40 years, the community of New England had been plagued with a shrinking population, high unemployment rate and no way of keeping our young, talented people in our region. In 2003, the community of New England put together a "Main Street" initiative to address the issues of a stagnant economy and outmigration by cooperating with surrounding counties in SW North Dakota bringing a regional correctional facility to southwest North Dakota. The prison has not only stabilized our local economy but in fact rejuvenated it. There are no seasonal fluctuations, it is a non-polluting industry, and in many circumstances, it is virtually invisible. We've got people who are working here and spending their money in our southwest North Dakota.

The Dakota Women's Correctional Rehab Center (DWCRC) employs 56 full-time people and 70 people total from southwest North Dakota. Closing this facility is extremely bad news for these employees who support their families thanks to the good jobs that this center provides for people

across southwest North Dakota. Some of these workers drive from surrounding towns and counties; however, a large majority of them live within our school community.

The closure of the center would have a devastating effect on southwest North Dakota, including New England Public School. Since 2008, our enrollment has more than doubled. In 2008, we had 142 students. Currently, we house 304 students PK-12. The closure would impact 20-25 students and 70 people employed by the correctional facility. The school district could stand to lose around a half a million dollars in revenue if those impacted by the closure move out of the district. This is about 13% of our total budget.

This lost revenue would have to be passed on to our community, which is ultimately going to lose the 70 employees due to the closure. These tax increases will also put negative pressure on employment within our community. When individuals and businesses are taxed more, spending and profits will fall, which means other businesses may need to make budget cuts. One of the easiest ways to cut budgets is to lay off employees creating more unemployment within the community and more people leaving our community.

The Governors' desire to "save money" instead causes lost jobs and the loss of a "Main Street" initiative so vital to the community of New England. This closure could bankrupt New England and have a devastating effect on the educational outcomes for our children.

Currently, we share resources with the correctional center. Our Vocational Instructor is shared with the correctional center allowing us to offer a full-time contract to him. We were planning on hiring another Vocational Instructor to expand our offerings to our students as well as the correctional center. Currently, we offer welding to the correctional center and the girls receive certification for this class.

Over the past 10 years, we have had 192 correctional students go through our welding program. Many of them have become gainfully employed in the area upon completion of this course.

Over the past year, Miss Juntenen and I have had several conversations regarding expanding the curriculum offered to the correctional center in the future. These courses include:

Auto Collision
Plumbing
Small Engines
Culinary Arts

Drafting
Graphic Design
3D Printing

[redacted]

Music

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Because we cooperate with the center, we can afford to hire teachers and expand services to the center.

We need to have the Governor reconsider his proposal and keep his promise by rewarding communities who have developed their own "Main Street" initiatives. Closing this correctional facility means putting more than 70 people out of work. These hardworking men and women, and their families will need to start all over. Their children will need to find a new school. Our school would be in trouble financially. Our community may never recover from this closure.

In the Governor's strategic budget proposal, he stated he wants to stand ready to work together with everyone toward a shared purpose – to Empower People, Improve Lives and Inspire Success – in every county and every corner of our state. Spending $35 million out of the Legacy Fund to repurpose [redacted] State Hospital in Jamestown is not improving the lives of the seventy people affected by this closure. This isn't inspiring small rural communities to think outside the agricultural box to improve their communities when economic opportunities are taken away from small rural communities and given to the larger communities. We would welcome the opportunity to have the same opportunity Jamestown has been afforded with the $35 million injected into their community from the Legacy Fund. Instead, the proposal is to close the New England facility taking our Main Street initiative and giving it to another community.

Numerous community members spent hundreds of hours putting this initiative together for New England. To have it pulled from our community and given to another community would be contradicting the mission and purpose identified by the Governor and his administration.

I ask you, is this the message we want to send rural North Dakota? Is this how we empower people, improve lives, and inspire success? Furthermore, is the Legacy Fund intended to be used to enhance one community at the expense of another?

[redacted]urge you to reconsider.

Thank you and I stand for questions.

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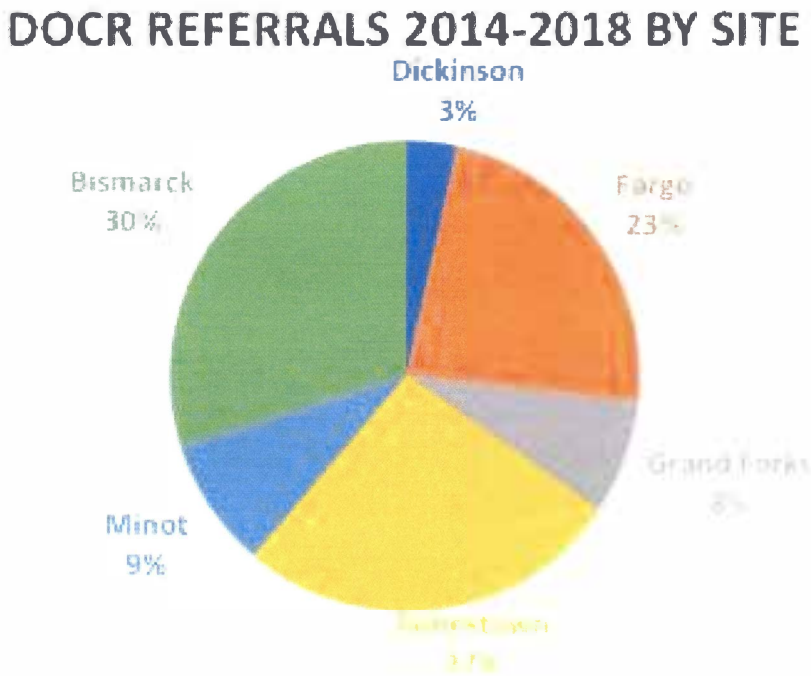
Sex Offender Treatment and Assessment of North Dakota (STAND)

- Since 2014, STAND has consistently served about 100 DOCR clients at any given time.
- STAND provides assessment and group and individual treatment services to clients who have been identified as posing a moderate to high risk for sexual re-offense.
- All clinical staff are masters or doctoral trained.
- Group services utilize the model Cognitive Behavioral Interventions for Sexual Offenders (Smith, 2013), which includes 56 two-hour sessions. This is the same model utilized by DOCR in prison-based sex offender treatment.
- The average length of participation in the program, including aftercare, is about 18 months.
- Clients can be referred upon transition from prison, or immediately following adjudication to a term of supervised probation.

The table below shows the percentage of clients who receive services in each location.



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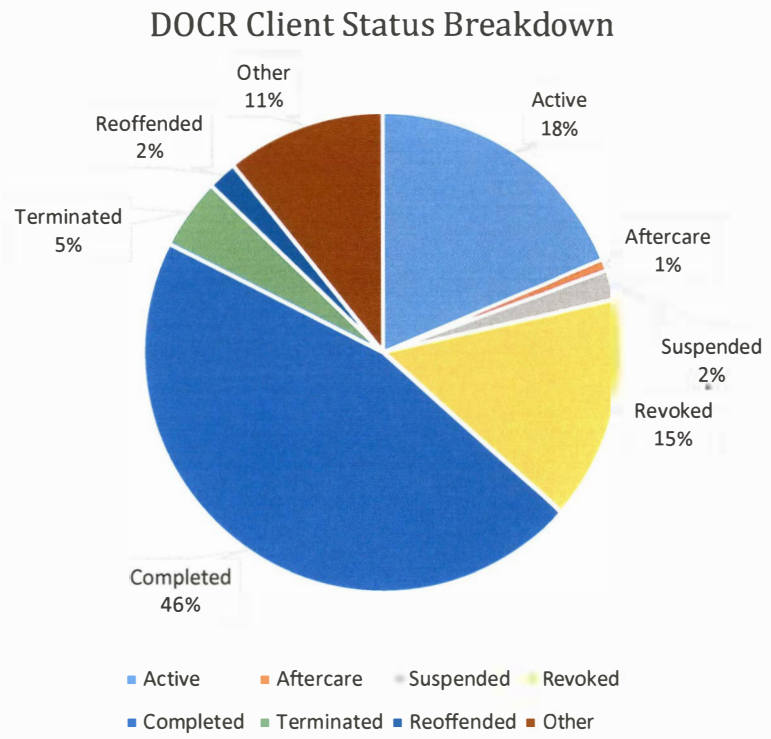
The table below shows the current status of all DOCR clients referred to STAND since the contractual relationship began in 2014. The "other" category includes one client who died, some who moved out of state, one who absconded, and one who was determined to not require sex offender treatment.



FREE THROUGH Recovery

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The mission of Free Through Recovery (FTR) is to improve healthcare outcomes and reduce recidivism by delivering high-quality community behavioral health services linked with community supervision.

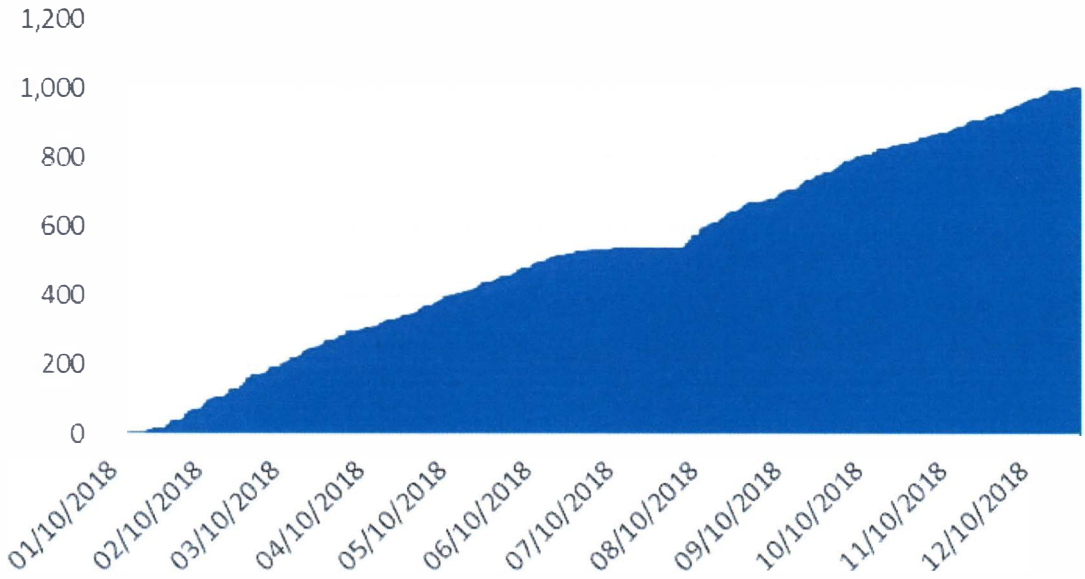
1. FTR began accepting referrals on January 10, 2018 and services began on February 1, 2018.

Over **900** individuals have participated in FTR

627 current participants

867 total program capacity

Total Referrals Submitted



*Includes those who have been discharged

Data through January 1, 2019

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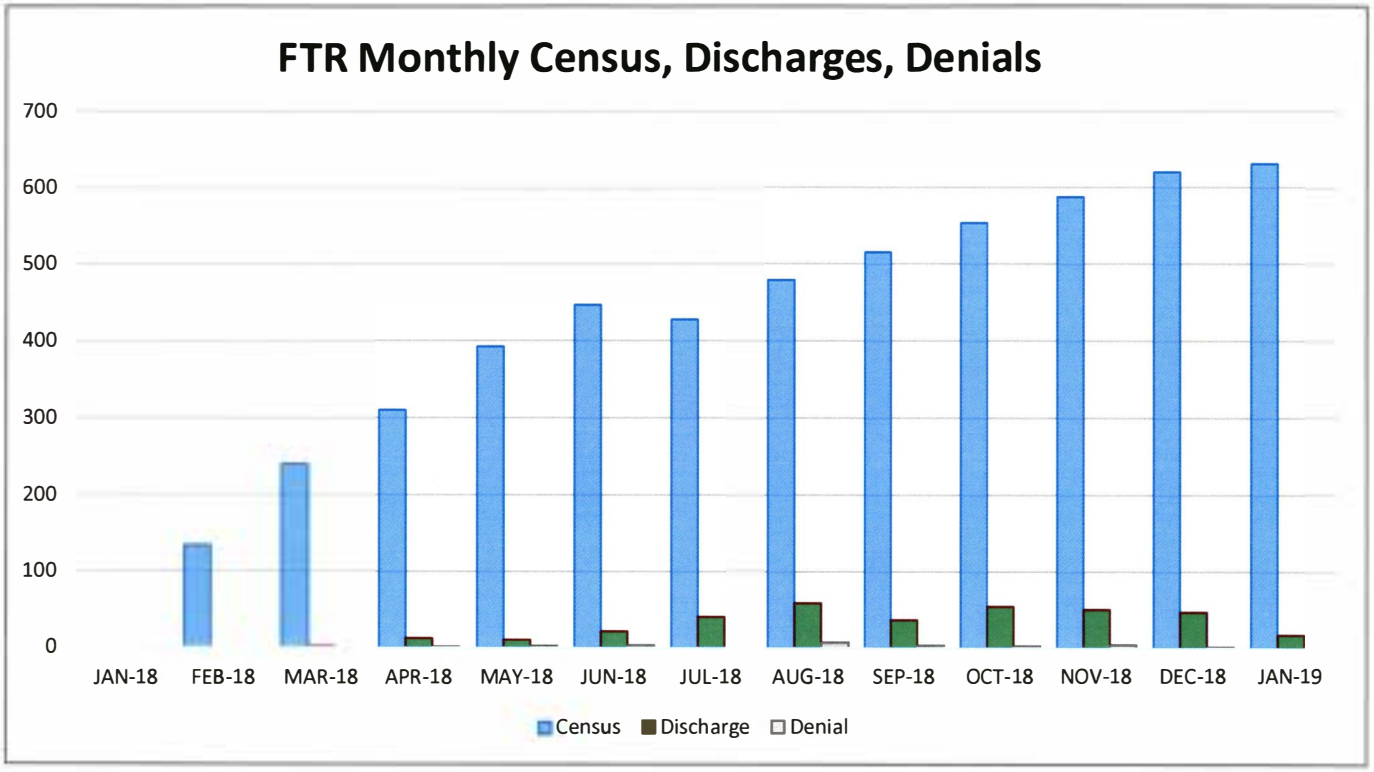
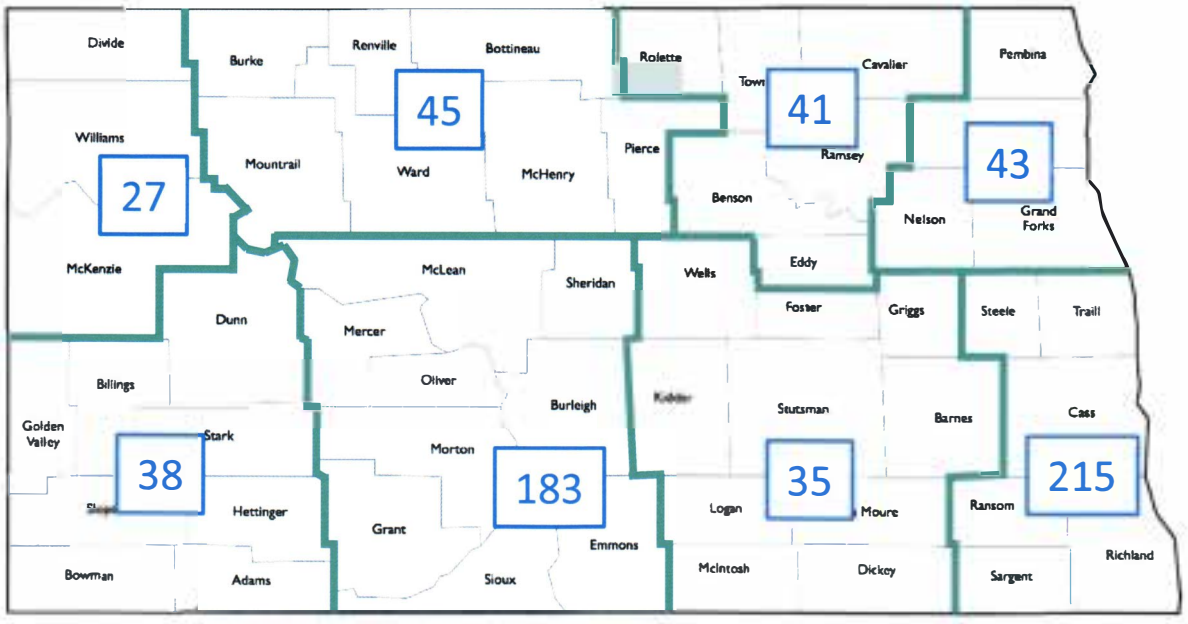
2. The total number of individuals in FTR continues to rise with 627 participants currently in the program. 365 individuals have been discharged from the program and 33 individuals did not meet criteria for FTR at the time they were referred.



3. The majority of current participants in the program come from the Fargo area (34%), followed by Bismarck (29%).

FTR Participants by Region



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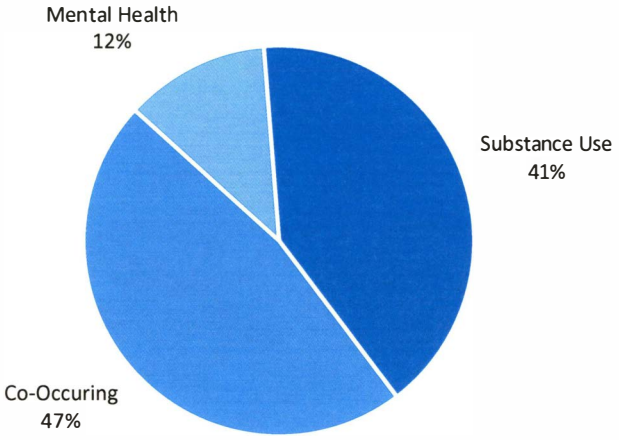
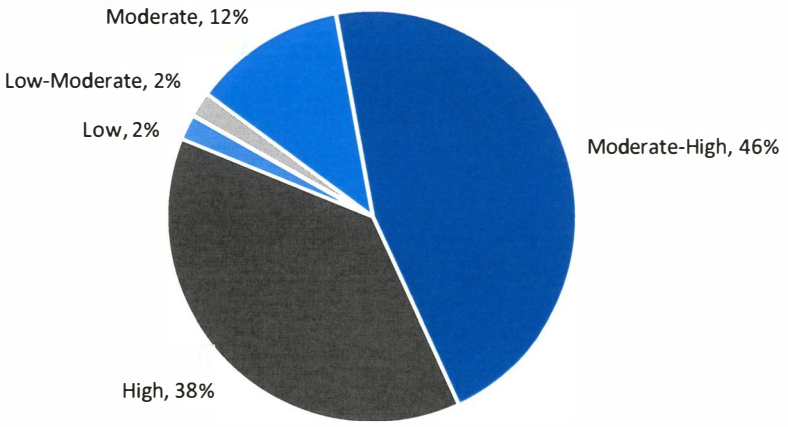
4. FTR is addressing a variety of behavioral health needs, including substance use disorder, mental illness, and co-occurring substance use/mental health disorders. Of the 627 participants in FTR, 295 of them have co-occurring disorders.

FTR Admissions by Behavioral Health Need



5. FTR is designed to serve people in the criminal justice system at moderate-to-high risk of committing new crimes. The majority of participants in FTR fit into these categories.

Risk Levels of Participants



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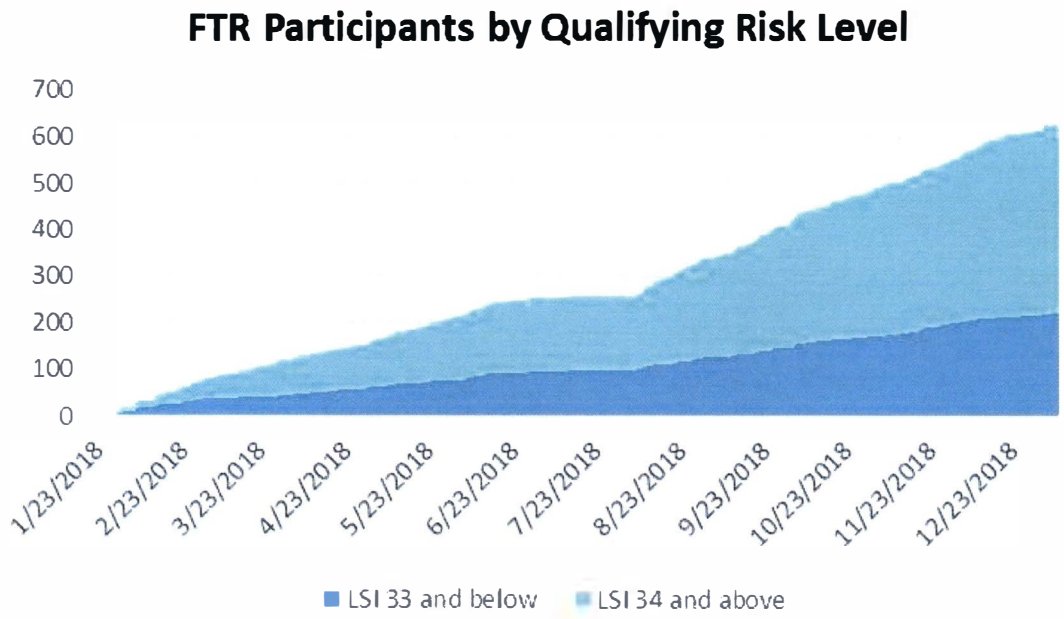
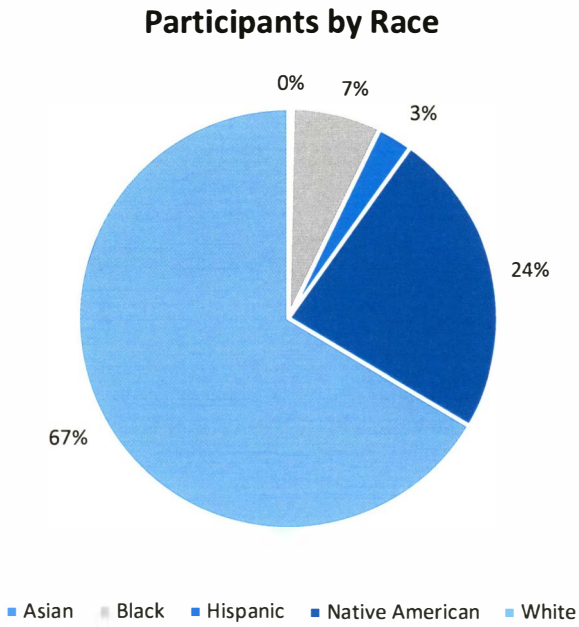
6. An LSI-R score of 34 or higher, indicating moderate-to-high risk of recidivism, qualifies an individual for the FTR program, though the FTR clinical administrator overrides this requirement for people with high behavioral health needs.



7. The majority of Individuals who are currently participating in FTR are white (417), followed by those who are Native American (148).



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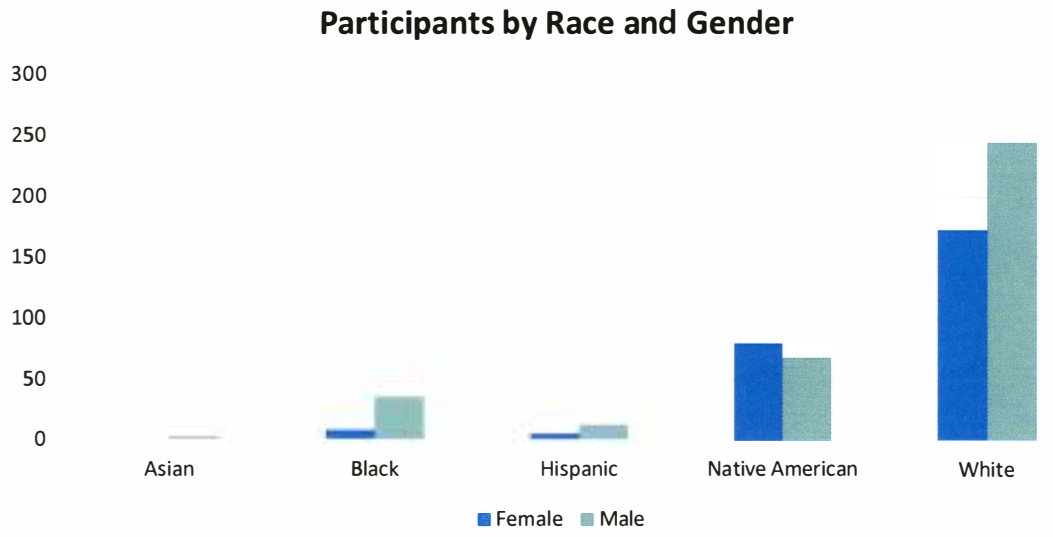
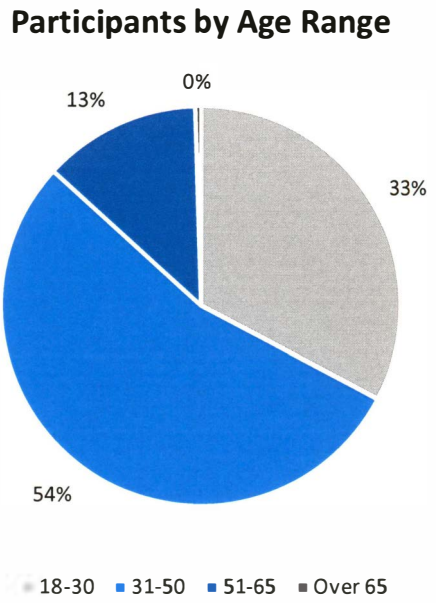
8. White males make up the largest percentage of FTR participants, followed by White females. Native American females represent slightly more participants (80) than Native American males (68).



9. 389 individuals who are currently participating in FTR are in the 31-50 age range, followed by 205 individuals who are in the 18-30 age range.



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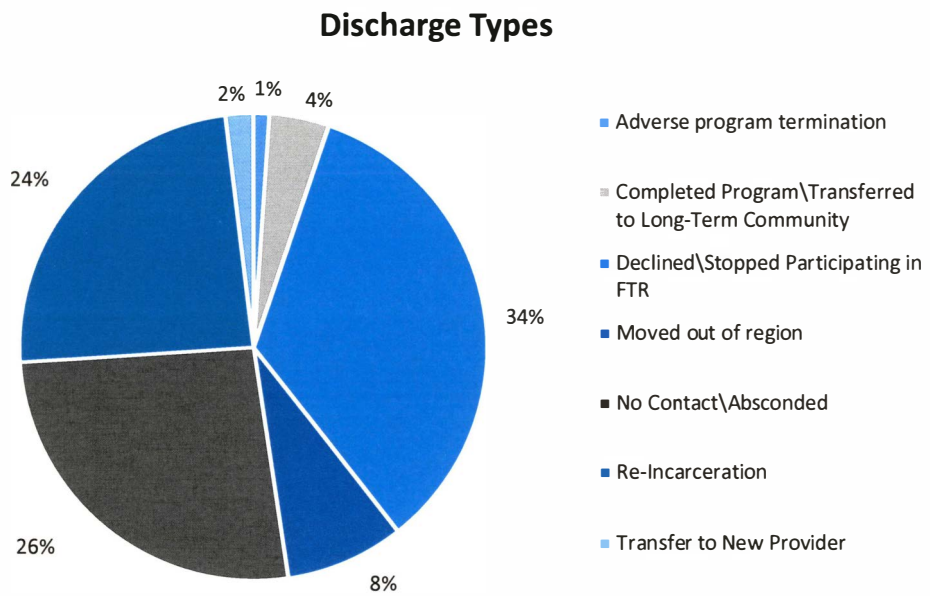
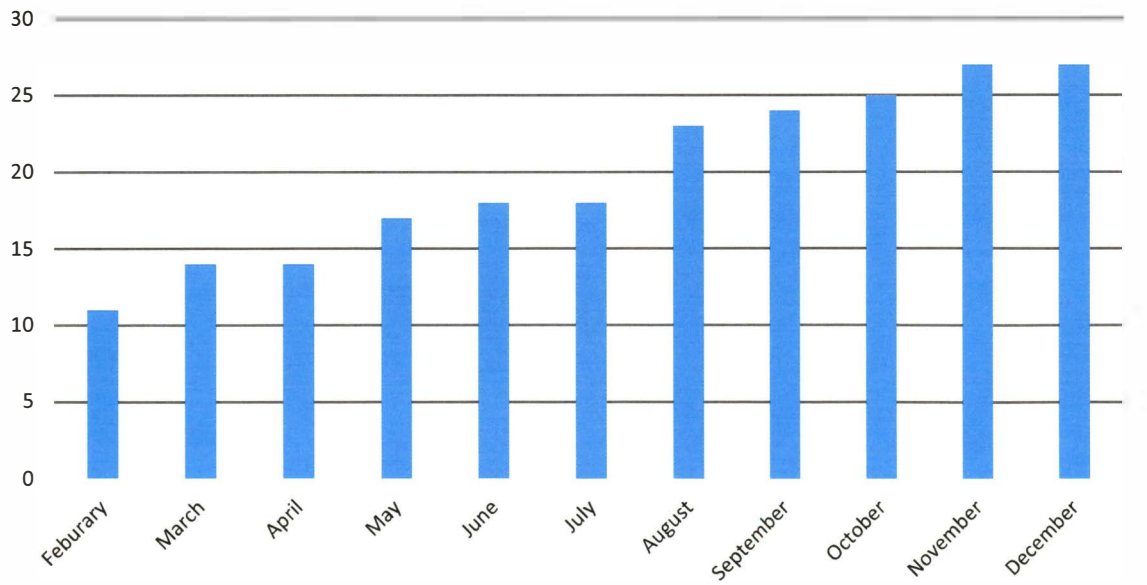
10. There have been a total of 358 discharges from FTR. The majority of individuals declined or stopped participating in FTR (120), followed by those who had no contact with their care coordinator or absconded (94).



11. Various community agencies and organizations comprise the FTR providers. As of February, 2018 there were 11 total providers. This number has grown and there are currently 27 FTR providers located across the state.



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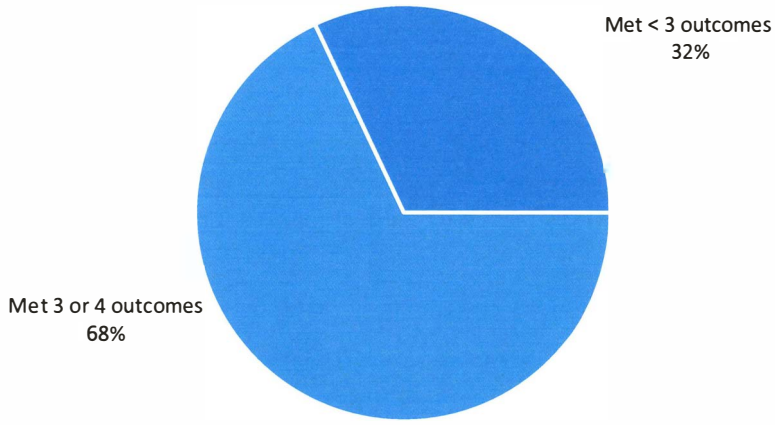
Outcome Monitoring

FTR providers began tracking outcome metrics for participants in March 2018. In order for providers to receive performance pay, participants must meet 3 of the 4 outcome metrics. The outcome metrics providers are reporting on are as follows:

- Is the participant living in a residence that is supportive of their recovery?
- Is the participant actively seeking or participating in employment?
- Is the participant demonstrating effort to reduce their substance use or the harm associated with their use and/or improve their mental health functioning?
- Did the participant avoid law enforcement involvement resulting in arrest, criminal charge, or probation violation resulting in initiation of revocation?

12. Overall, from March through December 2018, providers earned performance pay for 68% of their participnts meeting 3 of the 4 outcome measures.

Overall March - December 2018 Outcomes



13. Overall, (From March-December) positive outcomes were achieved by:

- 73% of the participants in the criminal justice involvement domain
- 67% of the participants in the recovery domain
- 73% of the participants in the housing domain
- 70% of the participants in the employment domain

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14. Listed below is the current capacity of each FTR provider by city in which they are located.

Provider	Fargo	Bismarck	Minot	Grand Forks	Williston	Devils Lake	Dickinson	Tioga	Jamestown	Watford City	Valley City	Total
Lutheran Social Services	20	27	5	15	5	5	10		5			92
Community Options	20	29	15	25	10	20	10		5			134
Community Medical Services	25		20									45
STAND	5			3					6			14
Native American Development Center		6										6
F5 Project	45	10				10						65
Elliott Kabanuk	15											15
Fraser Ltd	20											20
Warriors of the 21st Century		55										55
Face It TOGETHER	17	13										30
Redemption Road	40								10			50
Lighthouse Church	40											40
Centre Inc	25	25										50
Lost and Found Recovery Center	20											20
Solid Ground Counseling											15	15
You Shine Guardianship				13		13						26
Solutions Behavioral Healthcare	50											50
Western Edge Ministries							5					5
Freedom Church				10								10
Selah Counseling					15					10		25
Summit Counseling Services					15			5		5		25
ND Adult and Teen Challenge		20										20
[redacted]nited Way Dickinson							20					20
[redacted]e Church				10								10
[redacted]achi Mentoring/Midstate Volunteer Program						10						10
Valley Community Health Centers				10								10
Ministry on the Margins		5										5
Total	**342**	**190**	**40**	**86**	**45**	**58**	**45**	**5**	**26**	**15**	**15**	**867**

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DOCR Adult Services Inmate Population Information

Inmate Population on December 31, 2018 (Male and Female)

TOTAL COUNT: 1695

NDSP **713**, JRCC **439**, MRCC **184**, DWCRC **127**, Non Traditional Beds **232**

Non-Traditional Bed Breakdown:

Correctional Centers (Jails) **0**, Interstate Compact **22**, TRCC **85**, BTC **50**, CPP **2**, GFC **18**, LRRP **0**, MTPFAR **26**, MTPMDN **10**, FTPFAR **9**, FTPMDN **10**

Year	2013	2014	2015	2016	2017	2018
Admissions - Calendar Year	1231	1399	1603	1624	1604	1527
Releases - Calendar Year	1191	1257	1526	1628	1672	1555
Inmate Count on December 31	1576	1718	1795	1791	1723	1695

Inmate Count on December 31 (Crime Type)

Offense	2013	2014	2015	2016	2017	2018
Violent Offenders (Excluding Sexual)	536	569	567	594	600	589
Sex Offenders	274	298	294	303	294	301
Property and Other Public Order Offenders	351	349	386	329	330	313
Drug & Alcohol Offenders	415	502	548	565	499	492
Drug - Deliver, Manufacture or Intent	247	258	294	316	278	286
Drug - Possession Only	136	171	200	220	180	176
Alcohol - DUI, APC	32	73	55	29	41	30

Inmate Count on December 31 (Minimum Mandatory)

Offense	2013	2014	2015	2016	2017	2018
Breaking/Unlawful Entry Into a Motor Vehicle	0	1	1	2	1	0
DUI/Actual Physical Control	10	2	0	11	2	0
Driving Under Suspension	0	0	0	0	0	0
Refusing to Submit to Chemical Testing	0	0	0	1	0	0
Drug Offenses (Not Alcohol)	31	26	22	25	26	15
Reckless Endangerment	0	3	1	2	4	3
Assault	9	5	3	6	13	17
Burglary With Weapon	0	0	1	3	4	4
Felonious Restraint	0	0	0	1	1	0
Kidnapping	1	0	0	0	0	0
Sex Offense	10	11	9	21	21	17
Terrorizing	14	6	1	11	16	14
Robbery	9	11	11	14	12	16
Criminal Vehicular Injury	0	0	0	1	1	0
Negligent Homicide/Criminal Vehicular Homicide	1	1	1	2	2	3
Manslaughter	0	0	0	0	1	1
Murder *	14	16	17	19	22	25
Felon in Possession of a Firearm	0	0	1	0	0	0
Offender Registration Violation	0	0	0	2	2	0
Total	99	82	68	121	128	115

* There are **80** males and **4** females with a Life sentence (not all are minimum mandatory sentences)

6.78% of the inmate population on December 31, 2018 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	2013	2014	2015	2016	2017	2018
Number of Inmates Having 85% TIS	308	318	304	299	274	261
Average Sentence In Years (excludes Life)	8.40	8.25	10.23	10.48	11.88	12.90

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DOCR Adult Services Inmate Population Information (Male and Female)						
Average Inmate Population, Admissions, Releases by Fiscal Year						
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Average Daily Population	1528.65	1567.87	1696.26	1781.65	1805.81	1760.97
Admissions	1206	1291	1531	1657	1600	1576
Releases	1141	1228	1389	1612	1586	1681
Number Of Fiscal Year Admissions by Crime Type						
	FY 2013	FY 2014	FY2015	FY 2016	FY 2017	FY 2018
All Inmates	1206	1291	1531	1657	1600	1576
Violent Offenders (Non-Sexual)	305	277	327	325	364	366
Sex Offenders	81	83	83	74	98	76
Drug & Alcohol Offenders	413	522	708	775	729	712
Property and Other Public Order Offenders	407	409	413	483	409	422
Average Sentence Imposed By Court (Fiscal Year, Crime Type, In Months, Excludes Life Sentences)						
	FY 2013	FY 2014	FY2015	FY 2016	FY 2017	FY 2018
All Inmates	31.26	34.35	32.74	30.37	33.17	30.82
Violent (Non-Sexual)	29.45	43.56	35.04	37.57	38.14	34.95
Sex Offenders	81.88	75.29	72.60	66.67	69.63	66.49
Drug & Alcohol Offenders	28.96	29.68	29.35	27.52	29.66	27.96
Property and Other Public Order Offenders	25.06	25.85	28.15	24.55	26.28	25.78
Number Of Fiscal Year Admissions By Length Of Court Imposed Sentence						
	FY 2013	FY 2014	FY2015	FY 2016	FY 2017	FY 2018
Less Than One Year	39	23	33	41	29	43
One Year to Less Than Five Years	1038	1114	1294	1453	1356	1342
Five Years to Less Than Ten years	93	105	144	122	165	147
Ten Years to Less Than Twenty Years	16	27	35	27	29	25
Twenty Years or More	20	22	25	14	21	19

NOTE: The average sentence is that sentence imposed by the court. It does not take into account such things as good time, credit for time served, parole relief or any other method of shortening the sentence except Pardon Advisory Board recommendations adopted by the Governor (which can actually change the sentence). The average sentence is reported in months to two decimal points.

Data is based on the "controlling sentence" for offenders who are admitted for multiple crimes. Controlling sentence is the longest sentence ordered by the court that has not expired.

NDSP - North Dakota State Penitentiary. **JRCC -** James River Correctional Center. **MRCC** - Missouri River Correctional Center. DWCRC - Dakota Women's Correctional Rehabilitation Center (New England), TRCC - Tompkins Rehabilitation Correctional Center (Jamestown). BTC - Bismarck Transition Center. CPP - Community Placement Program. MTP - Male Transition Program (Fargo & Mandan). FTP - Female Transition Program (Fargo & Mandan). GFC - Grand Forks Centre. LRRP - Lake Region Re-entry Program (Devils Lake).

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DOCR Adult Services Inmate Population Information

Inmate Population on December 31, 2018 (Female Only)

TOTAL COUNT: 196

NDSP **0**, JRCC **0**, MRCC **0**, DWCRC **127**, Non Traditional Beds **69**

Non-Traditional Bed Breakdown:

Correctional Centers (Jails) **0**, TRCC **30**, BTC **19**, CPP **1**, FTPFAR **9**, FTPMDN **10**

Year	2013	2014	2015	2016	2017	2018
Admissions - Calendar Year	195	252	299	326	300	296
Releases - Calendar Year	209	205	295	321	314	299
Inmate Count on December 31	157	204	208	213	199	196

Inmate Count on December 31 (Crime Type)

Offense	2013	2014	2015	2016	2017	2018
Violent Offenders (Excluding Sexual)	42	53	54	59	68	59
Sex Offenders	6	8	8	6	4	5
Property and Other Public Order Offenders	43	41	51	42	35	34
Drug & Alcohol Offenders	66	102	95	106	92	98
Drug - Deliver, Manufacture or Intent	37	44	46	50	39	49
Drug - Possession Only	27	51	46	54	50	47
Alcohol - DUI, APC	2	7	3	2	3	2

Inmate Count on December 31 (Minimum Mandatory)

Offense	2013	2014	2015	2016	2017	2018
Breaking/Unlawful Entry Into a Motor Vehicle	0	0	0	0	0	0
DUI/Actual Physical Control	1	1	0	0	0	0
Driving Under Suspension	0	0	0	0	0	0
Refusing to Submit to Chemical Testing	0	0	0	0	0	0
Drug Offenses (Not Alcohol)	6	5	3	5	3	1
Reckless Endangerment	0	0	0	0	0	1
Assault	1	0	0	1	2	2
Burglary With Weapon	0	0	0	0	0	0
Felonious Restraint	0	0	0	0	0	0
Kidnapping	0	0	0	0	0	0
Sex Offense	0	0	0	0	0	0
Terrorizing	0	0	0	1	0	0
Robbery	1	1	1	1	0	0
Criminal Vehicular Injury	0	0	0	1	0	0
Negligent Homicide/Criminal Vehicular Homicide	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0
Murder *	0	0	0	0	0	0
Felon in Possession of a Firearm	0	0	0	0	0	0
Offender Registration Violation	0	0	0	0	0	0
Total	9	7	4	9	5	4

* There are 4 females with a Life sentence (not a minimum mandatory sentence)

2.04% of the female inmate population on December 31, 2018 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	2013	2014	2015	2016	2017	2018
Number of Inmates Having 85% TIS	16	21	22	21	23	17
Average Sentence In Years (excludes Life)	8.53	8.31	9.89	10.54	9.85	11.75

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DOCR Prisons Adult Services Inmate Population Information (Female Only)						
Average Inmate Population, Admissions, Releases by Fiscal Year						
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Average Daily Population	172.55	170.15	199.17	219.45	224.15	205.14
Admissions	212	214	287	332	291	300
Releases	199	216	252	313	308	309
Number Of Fiscal Year Admissions by Crime Type						
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
All Inmates	212	214	287	332	291	300
Violent Offenders (Non-Sexual)	53	38	55	52	57	65
Sex Offenders	4	1	2	2	1	1
Drug & Alcohol Offenders	88	114	159	199	177	169
Property and Other Public Order Offenders	67	61	71	79	56	65
Average Sentence Imposed By Court (Fiscal Year, Crime Type, In Months, Excludes Life Sentences)						
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
All Inmates	26.55	24.80	30.73	24.89	27.03	30.80
Violent (Non-Sexual)	28.49	27.29	32.58	28.21	28.82	30.49
Sex Offenders	93.00	60.00	37.56	60.00	60.00	96.00
Drug & Alcohol Offenders	26.65	25.11	31.06	22.81	27.38	24.80
Property and Other Public Order Offenders	20.79	22.07	28.38	24.52	23.49	22.44
Number Of Fiscal Year Admissions By Length Of Court Imposed Sentence						
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Less Than One Year	5	5	4	6	6	11
One Year to Less Than Five Years	198	198	259	315	266	271
Five Years to Less Than Ten years	7	10	16	10	16	13
Ten Years to Less Than Twenty Years	0	1	5	0	2	2
Twenty Years or More	2	0	3	1	1	3

NOTE: The average sentence is that sentence imposed by the court. It does not take into account such things as good time, credit for time served, parole relief or any other method of shortening the sentence except Pardon Advisory Board recommendations adopted by the Governor (which can actually change the sentence). The average sentence is reported in months to two decimal points.

Data is based on the "controlling sentence" for offenders who are admitted for multiple crimes. Controlling sentence is the longest sentence ordered by the court that has not expired.

NDSP - North Dakota State Penitentiary. **JRCC -** James River Correctional Center. **MRCC** - Missouri River Correctional Center. DWCRC - Dakota Women's Correctional Rehabilitation Center (New England), TRCC - Tompkins Rehabilitation Correctional Center (Jamestown). BTC - Bismarck Transition Center. MTP - CPP - Community Placement Program. Male Transition Program (Fargo & Mandan). FTP - Female Transition Program (Fargo & Mandan). GFC - Grand Forks Centre. LRRP - Lake Region Re-entry Program (Devils Lake).

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DOCR Adult Services Inmate Population Information

Inmate Population on December 31, 2018 (Male Only)

TOTAL COUNT: 1499

NDSP **713** JRCC **439**, MRCC **184**, Non Traditional Beds **163**

Non-Traditional Bed Breakdown:

Correctional Centers (Jails) 0, Interstate Compact **22,** TRCC 55, BTC **31**, CPP **1**, GFC **18**, MTPFAR **26**, MTPMDN **10**, LRRP **0**

Year	2013	2014	2015	2016	2017	2018
Admissions - Calendar Year	1036	1147	1304	1298	1304	1231
Releases - Calendar Year	982	1052	1231	1307	1358	1256
Inmate Count on December 31	1419	1514	1587	1578	1524	1499

Inmate Count on December 31 (Crime Type)

Offense	2013	2014	2015	2016	2017	2018
Violent Offenders (Excluding Sexual)	494	516	513	535	532	530
Sex Offenders	268	290	286	297	290	296
Property and Other Public Order Offenders	308	308	335	287	295	279
Drug & Alcohol Offenders	349	400	453	459	407	394
Drug - Deliver, Manufacture or Intent	210	214	248	266	239	237
Drug - Possession Only	109	120	154	166	130	129
Alcohol - DUI, APC	30	66	52	27	38	28

Inmate Count on December 31 (Minimum Mandatory)

Offense	2013	2014	2015	2016	2017	2018
Breaking/Unlawful Entry Into a Motor Vehicle	0	1	1	2	1	0
DUI/Actual Physical Control	9	1	0	11	2	0
Driving Under Suspension	0	0	0	0	0	0
Refusing to Submit to Chemical Testing	0	0	0	1	0	0
Drug Offenses (Not Alcohol)	25	21	19	20	23	14
Reckless Endangerment	0	3	1	2	4	2
Assault	8	5	3	5	11	15
Burglary With Weapon	0	0	1	3	4	4
Felonious Restraint	0	0	0	1	1	0
Kidnapping	1	0	0	0	0	0
Sex Offense	10	11	9	21	21	17
Terrorizing	14	6	1	10	16	14
Robbery	8	10	10	13	12	16
Criminal Vehicular Injury	0	0	0	0	1	0
Negligent Homicide/Criminal Vehicular Homicide	1	1	1	2	2	3
Manslaughter	0	0	0	0	1	1
Murder/Attempted Murder*	14	16	17	19	22	25
Felon in Possession of a Firearm	0	0	1	0	0	0
Offender Registration Violation	0	0	0	2	2	0
Total	90	75	64	112	123	111

* There are **80** males with a Life sentence (not all are minimum mandatory sentences)

7.40% of the male inmate population on December 31, 2018 had a minimum mandatory sentence.

Inmate Count on December 31 (85% Truth-In-Sentencing)

	2013	2014	2015	2016	2017	2018
Number of Inmates Having 85% TIS	292	297	282	278	251	244
Average Sentence In Years (excludes Life)	8.39	8.25	10.26	10.48	12.09	12.98

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DOCR Adult Services Inmate Population Information (Male Only)						
Average Inmate Population, Admissions, Releases by Fiscal Year						
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Average Daily Population	1356.10	1397.72	1497.09	1562.20	1581.66	1555.83
Admissions	994	1077	1244	1325	1309	1276
Releases	942	1012	1137	1299	1278	1372
Number Of Fiscal Year Admissions by Crime Type						
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
All Inmates	994	1077	1244	1325	1309	1276
Violent Offenders (Non-Sexual)	252	239	272	273	307	301
Sex Offenders	77	82	81	72	97	75
Drug & Alcohol Offenders	325	408	549	576	552	543
Property and Other Public Order Offenders	340	348	342	404	353	357
Average Sentence Imposed By Court (Fiscal Year, Crime Type, In Months, Excludes Life Sentences)						
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
All Inmates	32.27	36.25	33.20	31.74	34.53	30.20
Violent (Non-Sexual)	29.65	46.16	35.54	38.72	39.89	35.89
Sex Offenders	81.30	75.48	73.46	67.29	69.73	66.10
Drug & Alcohol Offenders	29.57	30.96	28.86	29.14	30.40	28.95
Property and Other Public Order Offenders	26.20	26.51	28.11	24.55	26.72	26.39
Number Of Fiscal Year Admissions By Length Of Court Imposed Sentence						
	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Less Than One Year	34	18	29	35	23	32
One Year to Less Than Five Years	840	916	1035	1138	1090	1071
Five Years to Less Than Ten Years	86	95	128	112	149	134
Ten Years to Less Than Twenty Years	16	26	30	27	27	23
Twenty Years or More	18	22	22	13	20	16

NOTE: The average sentence is that sentence imposed by the court. It does not take into account such things as good time, credit for time served, parole relief or any other method of shortening the sentence except Pardon Advisory Board recommendations adopted by the Governor (which can actually change the sentence). The average sentence is reported in months to two decimal points.

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DOCR - VOCA Funding History	
Award Year	**Award Amount**
2010	$1,299,851
2011	$1,361,989
2012	$1,263,793
2013	$1,375,921
2014	$1,535,406
2015	$4,925,609
2016	$5,600,938
2017	$4,718,330
2018	$8,068,752
2019	Unkown - Potentional 35% Reduction

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House Appropriations, Human Resources Division, HB 1015
ND Department of Corrections and Rehabilitation, Staff Turnover Rates, January 2019

ND DOCR Turnover by Division 2011 - 2018

Year	All DOCR	All Division of Adult Services	All Division of Juvenile Services	Youth Correction Center	DJS Community	Parole & Probation	Missouri River Correction Center	James River Correction Center	ND State Penitentiary	Central Office	Rough Rider Industries	Biennium Average
2011	14.3%	14.3%	16.6%	17.6%	13.9%	6.0%	4.8%	20.8%	14.2%	9.9%	23.2%	
2012	18.4%	17.7%	22.4%	21.8%	13.9%	8.0%	31.4%	16.2%	23.6%	10.6%	22.2%	16.3%
2013	17.4%	17.5%	18.7%	14.3%	35.2%	4.9%	21.0%	21.3%	21.5%	15.5%	3.1%	
2014	19.9%	18.8%	19.2%	23.6%	6.8%	4.7%	27.4%	26.6%	29.7%	10.5%	6.5%	18.6%
2015	20.9%	20.6%	29.0%	27.7%	23.7%	3.7%	27.4%	25.0%	26.8%	11.3%	10.1%	
2016	20.5%	19.0%	27.8%	28.9%	40.6%	8.9%	14.0%	27.0%	18.4%	23.3%	16.1%	20.7%
2017	16.5%	15.0%	25.5%	25.7%	25.0%	4.1%	18.4%	18.9%	22.3%	10.9%	6.5%	
2018	17.6%	16.2%	23.5%	23.5%	23.5%	7.8%	14.0%	18.4%	23.9%	9.4%	7.1%	17.1%
Avg	**18.3%**	**17.6%**	**22.7%**	**22.8%**	**22.7%**	**5.7%**	**20.6%**	**22.3%**	**22.3%**	**13.1%**	**12.5%**	

Correctional Officer (CO) Turnover	**2015**	**2016**	**2017***	**2018***
Correctional Officer I and II Overall Average	35.8%	25.4%	**36.1%**	**28.5%**
NDSP CO I and II	33.6%	24.0%	**29.7%**	**35.6%**
JRCC CO I and II	30.1%	39.7%	**45.1%**	**30.8%**
MRCC CO I and II	43.8%	12.5%	**33.3%**	**19.0%**

***includes temporary CO's**

CO Separation Reason (CO I, II, and Temp) 2015-2018 Average			
Resignation	33.2%	Retirement	3.9%
Discharge	24.2%	School	3.0%
Other Empl	20.9%	Health	0.6%
Relocation	10.2%	Death	0.4%
Personal	3.7%		

Juvenile Insitutional Residence Specialist (JIRS) Turnover	**2015**	**2016**	**2017**	**2018**
JIRS I and Temp JIRS	51.9%	63.0%	48.1%	46.4%
JIRS II	12.5%	25.0%	25.0%	37.5%

JIRS Separation Reason (JIRS I, II, and Temp) 2015-2018 Average					
Resignation	35.2%	Discharge	22.6%	School	10.0%
Other Empl	22.7%	Relocation	12.9%	Retirement	1.6%

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DOCR FTE Reconcilation

Department Cost Center	July 2019 Beginning FTE Count	2017 - 2019 Internal Adjustments	2019 - 2021 Base Level	Temp to FTE	IT Unification	JRCC Nurse's Building (TRCC)	JRCC Minimum Security	MRCC Women's Facility	Pre-Trial Services Pilot	2019 - 2021 Recommended FTE
Juvenile Community Services	31.47		31.47							31.47
Youth Correctional Center	93.87	(0.75)	93.12	2.00						95.12
Central Office - Juvenile Services	13.33	(1.13)	12.20		(1.12)					11.08
Adult Services - Administratin	4.00		4.00							4.00
Parole and Probation	110.35		110.35						7.00	117.35
Transitional Planning	12.00		12.00							12.00
Max Security - ND State Penitentiary	208.95	1.00	209.95	10.00						219.95
Medium Security - James River Correctional Center	151.00	1.75	152.75	6.00		18.00				176.75
Transitional Facilities	39.05		39.05	2.00			35.00	(33.05)		43.00
Treatment and Programming	40.00	(3.00)	37.00			8.00		2.00		47.00
Education	10.10		10.10							10.10
Women's Services	1.00		1.00					33.05		34.05
Roughrider Industries	33.00	(0.56)	32.44							32.44
Central Office - Adult Services	97.17	2.69	99.86		(4.88)	1.50	1.20	6.60		104.28
Total	**845.29**	**(0.00)**	**845.29**	**20.00**	**(6.00)**	**27.50**	**36.20**	**8.60**	**7.00**	**938.59**

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12-65-08. Interstate transfer or travel of probationers - Fees.

1. Upon the approval by the department of corrections and rehabilitation of a request of a probationer who is under the supervision of the department of corrections and rehabilitation to transfer residence to another state under the interstate compact for adult offender supervision, the probationer shall pay to the department an application fee of one hundred fifty dollars. The department may waive the offender's application fee. If the department waives the offender's payment of the fee, the department shall

pay the offender's application fee. In addition to the application fee paid by the probationer or the department, the county having jurisdiction over the probationer, upon approval of the application for transfer, shall pay to the department a fee of one hundred fifty dollars. However, if the balance in the fund created pursuant to subsection 3 exceeds seventy-five thousand dollars on June thirtieth of the immediately preceding fiscal year, the department shall waive the entire fee otherwise required to be paid by the county.

2. Any probationer residing in the state who requests a travel permit to travel to another state shall pay to the department a travel permit fee of ten dollars. In the case of illness or death in the probationer's family, the department may waive the travel permit fee for hardship.

3. The department shall transfer all funds collected or paid under this section to the state treasury for deposit in the probationer violation transportation fund. The funds deposited in this fund may be spent pursuant to legislative appropriation for the purpose of defraying the costs of returning to the state probationers who violate their conditions of supervision. The department may contract with a private entity to assist in the administration of the fund.

4. The department shall adopt rules for implementation of this section.

Correctional Fees Collected	Actual Collection	Ave Supervision Count	72% Ave Billable	$ 55.00 Monthly Fee	35.4% Collectible
Jul-17	72,028.92	7,155	5,123	281,743.94	0.26
Aug-17	105,473.33	7,178	5,140	282,683.97	0.37
Sub Total	177,502.25	7,468			
Sep-17	75,948.96	7,202	5,156	283,603.35	0.27
Sub Total	253,451.21	7,456			
Oct-17	113,627.31	7,198	5,153	283,437.27	0.40
Sub Total	367,078.52	7,443			
Nov-17	102,228.25	7,194	5,151	283,294.87	0.36
Sub Total	469,306.77	7,397			
Dec-17	86,203.80	7,191	5,149	283,197.18	0.30
Sub Total	555,510.57	7,338			
Jan-18	133,033.85	7,190	5,148	283,156.53	0.47
Sub Total	688,544.42	7,269			
Feb-18	80,079.87	7,164	5,130	282,127.26	0.28
Sub Total	768,624.29	7,184			
Mar-18	126,282.19	7,126	5,102	280,618.44	0.45
Sub Total	894,906.48	7,178			
Apr-18	116,078.66	7,094	5,079	279,359.51	0.42
Sub Total	1,010,985.14	7,169			
May-18	81,316.90	7,084	5,072	278,950.51	0.29
Sub Total	1,092,302.04	7,161			
Jun-18	95,342.75	7,067	5,060	278,277.88	0.34
Sub Total	1,187,644.79	7,154			
Jul-18	83,969.74	7,070	5,062	278,413.16	0.30
Sub Total	1,271,614.53	7,146			
Aug-18	147,577.44	7,080	5,069	278,817.13	0.53
Sub Total	1,419,191.97	7,138			
Sep-18	64,058.53	7,045	5,044	277,428.58	0.23
Sub Total	1,483,250.50	7,125			
Oct-18	73,846.20	7,035	5,037	277,052.65	0.27
Sub Total	1,557,096.70	7,112			

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Total Supervised by District	Count
Beulah	57
Bismarck	939
Bismarck Central Office	127
Bottineau	61
Devils Lake	230
Dickinson	537
Fargo	1458
Grafton	100
Grand Forks	912
Jamestown	290
Mandan	602
Minot	769
Oakes	75
Rolla	87
Wahpeton	119
Washburn	61
Williston	545
Total	6969

Total Interstate Compact Out	636

Officers	Count
Heterogeneous	57
Sex Offense Specialist	11
Parole Specialist	9
Drug Court	5
Mental Health Specialist	2
Training/Development Officer	1
Program Managers	7
Director	1
Total Sworn Officers	93

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District Office	Caseload Type	Officers	Officers Average	Officers Average W/O Non-Classified	Corrections Agent	Corrections Agent Average	Corrections Agent Average W/O Non-Classified	Corrections Case Manager	Corrections Case Manager Average	Corrections Case Manager W/O Non-Classified
Beulah	Heterogeneous	1	57	55						
Bismarck	Heterogeneous	*8	68	52	*1	90	54			
	Sex Offense Specialist	4	50	48						
	Drug Court	1	29	29						
	Parole Specialist	2	53	46						
	Mental Health Specialist	1	40	38						
Bismarck Central Office	Heterogeneous	*1	67		*1	60				
Bottineau	Heterogeneous	1	61	54						
Devils Lake	Heterogeneous	2	78	69	1	14	11			
	Parole Specialist	1	60	54						
Dickinson	Heterogeneous	4	69	60	2	115	100			
	Sex Offense Specialist	1	34	30						
Fargo	Heterogeneous	9	92	72	3	122	111			
	Sex Offense Specialist	2	48	47						
	Drug Court	2	24	21						
	Parole Specialist	3	54	48						
	Mental Health Specialist	1	28	25						
Grafton	Heterogeneous	1	79	75	1	21	21			
Grand Forks	Heterogeneous	6	74	64	2	119	91			
	Sex Offense Specialist	1	33	32						
	Drug Court	1	43	37						
	Parole Specialist	1	57	53						
Jamestown	Heterogeneous	3	72	64	1	17	17			
	Sex Offense Specialist	1	57	46						
Mandan	Heterogeneous	*3	76		1	211	206			
	Parole Specialist	2	80	67						
Minot	Heterogeneous	7	83	77	1	119	46			
	Sex Offense Specialist	1	33	28						
	Drug Court	1	37	33						
Oakes	Heterogeneous	1	75	64						
Rolla	Heterogeneous	1	80	61	1	7	6			
Wahpeton	Heterogeneous	1	78	70	0.75	41	39			
Washburn	Heterogeneous	1	61	49						
Williston	Heterogeneous	4	93	82	*1	0	0	1	113	65
	Sex Offense Specialist	1	58	57						

*Williston Corrections Agent has been on extended FMLA

*Mandan has 1 vacant officer position-working on backfill

*Bismarck has 1 vacant officer position-working on backfill

*Bismarck has 1 vacant corrections agent position-working on backfill

*Minot has 1 vacant community corrections case manager position-working on backfill

*Fargo has 1 vacant officer position-working on backfill

*Bismarck Central Office Staff manage cases that are incarcerated in North Dakota, other states, federal, or have been deported

**All counts are one-day snapshots

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DOCR Estimated 19-21 Man-Camp Expenditures	
485,625	Delivery and Set-up
60,000	Water and Sewer Hookup
50,000	Electrical Hookup
4,117,928	Lease Payments - 4 Units ($39.12 / day / bed X 144 beds X 731 days)
157,896	Utilities ($1.50 / day / bed X 144 beds X 731 days)
4,871,449	**Total**

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RRI Worker Pay Scale

Pay Grade	Hourly Rate	Rewiew Time
1	0.45	2 months
2	0.98	2 months
3	1.31	2 months
4	1.51	2 months
4+1	1.55	1 year
4+2	1.59	1 year
4+3	1.63	1 year
4+4	1.67	1 year
5	.02/year	annually with no cap

* The +1,2,3,4 are the years in the grade 4 pay grade and in the past was capped at 4+4.
RRI implemented the grade 5 pay to reward our long serving workers with continued pay increase opportunities.

TEACHER SALARY STUDY REPORT

Conducted by Human Resource Management Services
July 2018

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Purpose & Scope of Study

This study was conducted at the request of the Superintendent of Public Instruction (DPI) and the Director of the Division of Juvenile Services, Department of Corrections & Rehabilitation, 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 gathered from the following public school districts:

- Bismarck
- Devils Lake
- Mandan
- West Fargo

An effort was made to also gather salary schedules and benefit information from the following school districts; however, these school districts did not have finalized information that could be used in the analysis.

- Fargo
- Grand Forks
- Minot

Salary Schedule

Past North Dakota Composite Salary Schedules were created using information from the public school districts listed above. However, for the 2019-2021 Composite Salary Schedule, it was determined that using the available four school district's information would reflect no change to the 2019-2021 Composite Salary Schedule from the 2017-2019 Composite Salary Schedule. The actual starting daily rate for the school districts is $223. When HRMS created the 2017-2019 Composite Salary Structure, we projected the 2018-2019 daily rate to be $233. The actual daily rate is approximately 4.5% lower than our projected daily rate from the last schedule.

Information from 2017-2019 North Dakota Composite Salary Schedule

2017 – 2019 Projection Salary Schedule

School Year	# of Contract Days	Starting Daily Rate	Starting Annual Rate
2017 - 2018	187	$ 226.02*	$ 42,266
2018 - 2019	187	$ 233.04**	$ 43,578

*2016-17 school year actual projected daily average with 3% aging factor
**2017-18 school year projected daily average with additional 3% aging factor

Actual school district information is shown in the [redacted] below. HRMS performed a projection salary schedule based on the school district information. The projected starting salaries for 2019-2020 and 2020-2021 show no change from our 2017-2018 and 2018-2019 projections from our last composite schedule analysis.

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2018-2019 Actual Public Schools Salary Schedules			
School District	# of Contract Days	Starting Daily Rate (at Step 1)	Starting Annual Rate (at Step 1)
Bismarck	187	$ 249	$ 46,612
Devils Lake	184	$ 204	$ 37,500
Mandan	186	$ 242	$ 45,000
W Fargo	188	$ 198	$ 37,308
Averages:	**186**	**$ 223**	**$ 41,605**

2019 – 2021 Projection Salary Schedule			
School Year	# of Contract Days	Starting Daily Rate	Starting Annual Rate
2019 - 2020	187*	$ 227.56**	$ 42,554
2020 - 2021	187*	$ 231.84***	$ 43,354

*187 is the standard number of contract days for all seven school districts
**2018-19 school year actual projected daily average with 1.88% aging factor
***2019-20 school year projected daily average with additional 1.88% aging factor

The above approach would create a 2019-2021 Composite Salary Schedule with no change from the 2017-2019 Composite Salary Schedule. Due to the absence of information by three school districts, HRMS does not feel that this is appropriate. Instead, we used our previous projection and applied an increase on this amount based on the school district average percentage increase. The following projections were used to create the 2019-2021 Composite Salary Schedule.

2019-2021 Projection Salary Schedule			
School Year	# of Contract Days	Starting Daily Rate	Starting Annual Rate
2019 - 2020	187	$ 233.04	$ 43,578
2020 - 2021	187	$ 237.42	$ 44,398
		Average Starting Annual Rate:	**$43,988**

*187 is the standard number of contract days for all seven school districts
**2018-19 school year projected daily rate per previous schedule.
***2020-21 school year projected daily average with additional 1.88% aging factor

The base salary of the 2019-2021 Composite Salary Schedule starts at Step 1, $43,988. This is 3.37% percent above the projected 2019-2020 average of the four public school districts, $42,554 and 1.46% above the projected 2020-2021 average of the four public school districts, $43,354.

It is important to note that the salaries for the public school districts took effect July 1, 2018. The average percent increase is 1.88% from 2016-2017 to the current 2018-2019 schedules. Because the next state budget biennium covers 2019-2021, this percent was used by HRMS as the aging factor for projections on the 2018-2019 average daily public school district rates in order to account for likely increases by school districts during this time. Other aging factors are available, such as nationwide economic indicators (US Bureau of Labor Statistics, Economic Cost Index/ECI – 2.7% annual change

for all civilian workers, March 2018) and North D[redacted]tate government employee budget increases (0% for 2018-2019).

Consistent with public school district salary schedules and composite salary schedules in the past, the 2019-2021 Composite Schedule advances lanes based on credentials while it advances steps based on years of service. Teachers in lanes BA/BS up to BA/BS+45 will receive a $725 increase for each additional year of service. Teachers in lanes BA/BS+60/MA/MS up to MA/MS+60/EDD will receive a $900 increase for each additional year of service. The BA/BS+60/MA/MS through MA/MS+15 lane will receive an additional $100 for Step 12 and above. The MA/MS+30 through MA/MS+60/EDD will receive an additional $300 for Step 12 and above.

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On average, teachers will receive a slightly higher increase for advancing their education versus additional years of service. The salary increase from lane to lane varies from $1,000 to $1,200. This is a change at the MA/MS/BA/BS+60 Lane and above. The change is in line with the public schools. Experience alone does not increase the value of a teacher as much as the combination of experience and additional education.

BA/BS	BA/BS +15	BA/BS +30	BA/BS +45	MA/MS/ BA/BS+60	MA/MS +15	MA/MS +30	MA/MS +45	MA/MS +60/EdD
	+1,000	+1,000	+1,000	+1,200	+1,200	+1,200	+1,200	+1,200

Summary Recommendation

- **HRMS recommends that the attached 2019-2021 Composite Salary Schedule be adopted.** All teachers at the NDSB and NDSD are required to have special education credentials and knowledge of deaf or blind culture. At YCC, which is an at-risk environment, all teachers work with troubled youth continually. These special situations exceed requirements/conditions for the majority of teachers at other schools. NDSB and NDSD need to be able to compete with larger schools for teaching staff with the same specialized credentials. All three schools need to be able to compete with schools in their local areas: Grand Forks, Devils Lake, and Bismarck/Mandan. This 2019-2021 Composite Salary Schedule attempts to match the market throughout the biennium.
- **HRMS recommends that teachers who reach the max Step in their appropriate Lane receive no additional increase in salary, with exception to the biennium schedule change.** An additional review was done regarding market processes for this situation. The recommendation remains consistent to that of the majority of local public school districts.

Benefits

The table of Teacher Benefit information is included at the end of this report. The survey results reflect what is in place at the present time for the 2018-2019 school year. The purpose of this information is to show the cost of the various benefits that are provided by the school districts surveyed, not to compare the value or quality of one district's benefits to those of another.

Questions pertaining to this document or the study may be directed to Krista Schulz (328-3374) at Human Resource Management Services.

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Teacher Benefit Survey Information

School	Health		Retirement		Life Ins.		Vision		Dental		EAP	Sick Days/ Yr	ST/LT Disability	Funeral Days	Personal Days/Yr	Other Leave*
	Dist	Emp	Dist	Emp	Dist	Coverage	Dist	Emp	Dist	Emp						
State of ND	**$1,240.82**	**$0**	**12.26%** [8]	**3%**	**$0.28**	**$3,500**	**$0**	**$6.57/$18.55** [5]	**$0**	**$38.64/$123.30** [5]	**Yes**	**12**	**No**	**3**	**12-24** [3]	**No**
Bismarck	100%/100%/68% [6]	0%/0%/32% [6]	12.75%	11.75%	$7.50	$50,000	$12/$17 [5]	$0/$10.50 [5]	$27/$52 [5]	$15/$60 [5]	Yes	12-14 [2]	Yes	[7]	2-5 [3]	Yes
Devils Lake	100%/89.5% [5]	0%/10.5% [5]	24.50%	0.00%	[1]	$50,000	$11.80/$11.80 [5]	$0/$15.30 [5]	$40.40/$40.40 [5]	$0/$65.60 [5]	Yes	10	Yes	5	3	No
Mandan	72%	28%	12.75%	11.75%	[1]	$50,000	100%	$0	$0	$39.96/$129.82 [5]	Yes	10-12 [2]	Yes	0	3	Yes
West Fargo	85%/85%/75% [6]	15%/15%/25% [6]	12.75%	11.75%	[1]	$25,000	100% [4]	0%	100% [4]	0%	Yes	10-12 [9]	Yes	5	2	Yes

*Educational Training, Professional Growth, Child care, Political Activity, Absence Due to Necessity, Adoption, Catastrophic/Emergency, etc

(1) Information was not included in the school district contract
(2) Information is based on contract length (9-12 months)
(3) based on years of experience
(4) Single coverage
(5) Single/Family
(6) Single/Single plus Dependant/Family
(7) Deducted from sick leave
(8) Includes 7.12% employer contribution, 4% employee contribution (paid by the state), and 1.14% employer health insurance credit contribution
(9) One day for every month of work

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Composite Salary Schedule
2019-2021

Lane / Step	I	II	III	IV	V	VI	VII	VIII	VIIII
	BA/BS	BA/BS+15	BA/BS+30	BA/BS+45	BA/BS+60/ MA/MS	MA/MS+15	MA/MS+30	MA/MS +45	MA/MS+60/ EDD
0	43,263	44,263	45,263	46,263	47,288	48,488	49,688	50,888	52,088
1	43,988	44,988	45,988	46,988	48,188	49,388	50,588	51,788	52,988
2	44,713	45,713	46,713	47,713	49,088	50,288	51,488	52,688	53,888
3	45,438	46,438	47,438	48,438	49,988	51,188	52,388	53,588	54,788
4	46,163	47,163	48,163	49,163	50,888	52,088	53,288	54,488	55,688
5	46,888	47,888	48,888	49,888	51,788	52,988	54,188	55,388	56,588
6	47,613	48,613	49,613	50,613	52,688	53,888	55,088	56,288	57,488
7	48,338	49,338	50,338	51,338	53,588	54,788	55,988	57,188	58,388
8	49,063	50,063	51,063	52,063	54,488	55,688	56,888	58,088	59,288
9	49,788	50,788	51,788	52,788	55,388	56,588	57,788	58,988	60,188
10	50,513	51,513	52,513	53,513	56,288	57,488	58,688	59,888	61,088
11	51,238	52,238	53,238	54,238	57,188	58,388	59,588	60,788	61,988
12	51,963	52,963	53,963	55,063	58,188	59,388	60,788	61,988	63,188
13	52,688	53,688	54,688	55,888	59,188	60,388	61,988	63,188	64,388
14	53,413	54,413	55,413	56,713	60,188	61,388	63,188	64,388	65,588
15	54,138	55,138	56,138	57,538	61,188	62,388	64,388	65,588	66,788
16	54,863	55,863	56,863	58,363	62,188	63,388	65,588	66,788	67,988
17	55,588	56,588	57,588	59,188	63,188	64,388	66,788	67,988	69,188
18	56,313	57,313	58,313	60,013	64,188	65,388	67,988	69,188	70,388
19	57,038	58,038	59,038	60,838	65,188	66,388	69,188	70,388	71,588
20	57,763	58,763	59,763	61,663	66,188	67,388	70,388	71,588	72,788

Position #	Lname	Fname	Current Salary	Salary on 19-21 Composite	Difference	Salary for 24 months	Benefits - 32% of salary increase	
5679	Miller	Bryan	$ 4,571.00	$ 5,693.00	$ 1,122.00	$ 26,928.00	$ 8,616.96	$ 35,544.96
5863	Kreitinger	Rose	$ 6,025.00	$ 7,265.00	$ 1,240.00	$ 29,760.00	$ 9,523.20	$ 39,283.20
5864	Berg	Emma	$ 4,270.00	$ 5,643.00	$ 1,373.00	$ 32,952.00	$ 10,544.64	$ 43,496.64
5866	Candy	Michelle	$ 4,285.00	$ 7,354.00	$ 3,069.00	$ 73,656.00	$ 23,569.92	$ 97,225.92
5867	Bossingham	Melissa	$ 4,201.00	$ 5,854.00	$ 1,653.00	$ 39,672.00	$ 12,695.04	$ 52,367.04
5884	Herberholz	Mandy	$ 4,201.00	$ 4,968.00	$ 767.00	$ 18,408.00	$ 5,890.56	$ 24,298.56
27040	Vacant		$ 4,285.00	$ 4,968.00	$ 683.00	$ 16,392.00	$ 5,245.44	$ 21,637.44
27041	Cronrath	Blaine	$ 5,076.00	$ 6,054.00	$ 978.00	$ 23,472.00	$ 7,511.04	$ 30,983.04
28524	Kuehn	Stephanie	$ 6,131.00	$ 7,265.00	$ 1,134.00	$ 27,216.00	$ 8,709.12	$ 35,925.12
								$ 380,761.92
Temp JRCC	Bahr	Jeremy	$ 3,331.00	$ 5,049.00	$ 1,718.00	$ 41,231.89	$ 13,194.21	$ 54,426.10
Temp JRCC	Candy	David	$ 3,431.00	$ 7,354.00	$ 3,923.00	$ 94,152.08	$ 30,128.67	$ 124,280.75
Temp JRCC	Lengenfelder	Sean	$ 3,331.00	$ 5,210.00	$ 1,879.00	$ 45,095.89	$ 14,430.69	$ 59,526.58
Temp JRCC	Michaelson	Dana	$ 3,431.00	$ 6,418.00	$ 2,987.00	$ 71,688.08	$ 22,940.19	$ 94,628.27
Temp JRCC	Vanderlean	Meg	$ 3,331.00	$ 6,640.00	$ 3,309.00	$ 79,415.89	$ 25,413.09	$ 104,828.98
Temp NDSP	Carroll	Jason	$ 3,331.00	$ 5,935.00	$ 2,604.00	$ 62,495.89	$ 19,998.69	$ 82,494.58
Temp NDSP	Mahler	Herman	$ 3,331.00	$ 6,418.00	$ 3,087.00	$ 74,087.89	$ 23,708.13	$ 97,796.02
Temp NDSP	Opdahl	David	$ 4,206.00	$ 4,968.00	$ 762.00	$ 18,287.95	$ 5,852.14	$ 24,140.09
Temp NDSP	Lengenfelder	Abby	$ 3,331.00	$ 4,918.00	$ 1,587.00	$ 38,087.89	$ 12,188.13	$ 50,276.02
Temp NDSP	Uhrig	Tyler	$ 4,206.00	$ 5,851.00	$ 1,645.00	$ 39,479.95	$ 12,633.58	$ 52,113.53
								$ 744,510.91
								$ 1,125,273.00

Temps Current Salary - Current Hrly Rate X 8 hr/day X 182 days / 9 months

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Inmate Tracking and Management System

Application would provide advanced electronic inmate tracking and mangement - inmate identification, rounds and well-being, head count, program attendance and cell check. This application would be fully integrated with present offender management system (ELITE). Application will allow officers to have and record important inmate information via a mobile device wirelessly synchronized to the offender management system.

1. Controlled resident movement in a maximum security facility is paramount to a safe environment.The North Dakota State Penitentiary operates with open movement times where up to 300 residents are moving at a single time.This results in residents going to places where they shouldn't be, such as recreation areas.There are times where these residents assault people they wouldn't normally be around through this open movement.This program would have up to the second tracking of individuals to make sure they are in an authorized location.
    - Currently manually tracking appointments, but this program will include appointment scheduling.Staff will be alerted for programming and medical appointments.Less wait time for the medical staff and better monitoring of resident movement.A corrections officer currently controls the waiting room for the clinic and this system will coordinate the medical scheduling through the housing unit staff.
    - This system provides real time resident information for the officers at any given time at their fingertips.For staff supervising programming, recreation and dining areas; they will be proactive in identifying people who shouldn't be in there area.
    - An alert is sounded when two residents are in the same area if there are separation issues.
2. Logging, counts and rounds
    - Rounds must be completed at time intervals of every 45 minutes in general housing and 2 times per hour in specialized housing units.
    - Ensures staff are completing rounds in a timely manner.
    - Staff efficiencies, because rounds, count and logging is completed via a handheld device.Currently staff must be at a desk to complete this work
    - Provides staff the ability to be more interactive with the residents and not be stationed behind a desk.Building rapport with residents is very important for the safety of the facility and a person's success in making behavior changes.
    - Staff are alerted for high risk security checks as well as for residents on some level of monitoring as a result of mental health issues.
3. Tracking of services
    - Currently track razors in our restrictive housing unit.We have had suicide attempts as a result of the razors not being logged.This program would provide notifications of the razors and ensure staff retrieve it in a timely manner.
    - Legal mail delivery is currently tracked by a mail room card. Legal mail processing has implications if not completed timely and securely. This program would eliminate the tracking with a card through various people. The tracking of this mail would be completed through the handheld device.It would be very similar to tracking of certified mail through the US Postal Service.
    - All services in specialized housing would be tracked through this software.This information is currently tracked manually.
    - Visitation is currently manually entered into our offender management system.This program would automatically log the visit and ensure residents do not have any restrictions for visitation.

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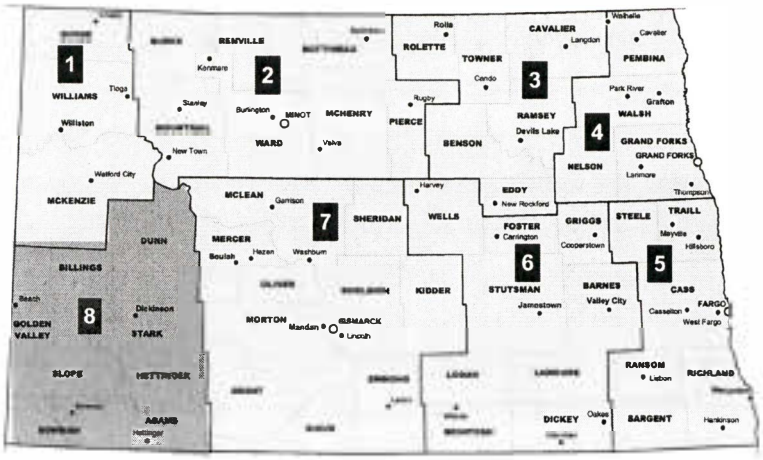
JOBS IMPACT

Of Dakota Women's Correctional And Rehabilitation Center Relocation

The Dakota Women's Correctional and Rehabilitation Center (DWCRC) is located in New England, North Dakota, a city with a population of 607 located in Hettinger County (pop. 2,601) within Region 8, approximately 25 miles south of Dickinson, North Dakota, the nearest metropolitan city with a population of 22,309.



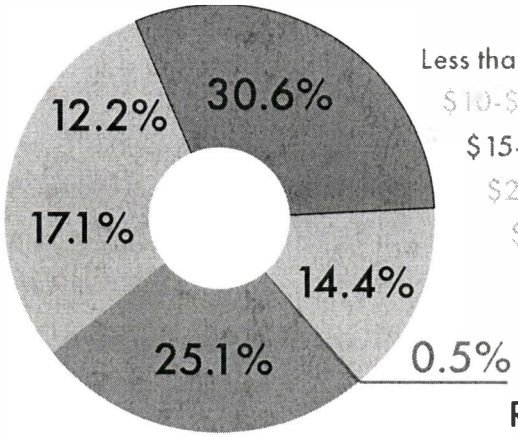
Sources: County statistics and commuting information obtained from the Labor Market Information Center, JSND, and the American Community Survey 2011-2015; City demographic information obtained from US Census Bureau (2013-2017).

DWCRC Positions*

APPROX #	JOB
34	Correctional Officers
3	Case Managers
5	Nurses
1	Warden
1	Physician's Assistant
3	Maintenance
1	Addiction Counselor
2	Non-Credentialed Counselors
2	Teachers
1	Chief of Security
2	Unit Managers

**The DWCRC has not provided specific information. These are estimates based on best practices for ND Department of Corrections.*

Region 8 Job Openings By Typical Average Wage

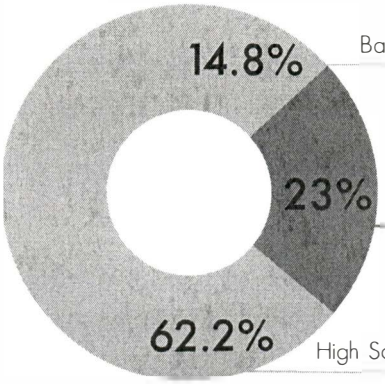


Less than $10 per hour
$10-$14.99 per hour
$15-$19.99 per hour
$20- $24.99 per hour
$25-$29.99 per hour
$30+ per hour

85.19% OF DWCRC POSITIONS ARE ESTIMATED TO BE PAID BETWEEN $20-$24.99 PER HOUR AS COMPARED TO THE STANDARD OCCUPATIONAL CLASSIFICATION POSITIONS

79.6 % OF DWCRC POSITIONS TYPICALLY REQUIRE A HIGH SCHOOL DIPLOMA OR EQUIVALENT PER THE US BUREAU OF LABOR STATISTICS EDUCATION AND TRAINING CLASSIFICATION SYSTEM

Region 8 Job Openings By Typical Entry-Level Education



Bachelor's Degree or Higher
Post-Secondary Non-Degree Award or Associate's Degree
High School Diploma or Equivilant OR no educational credential

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HETTINGER COUNTY TODAY

COMMUTING

into Hettinger County from

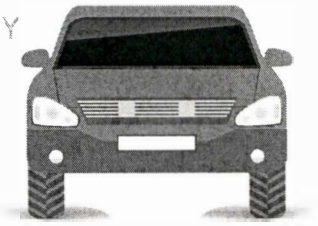
- 117 STARK COUNTY
- 42 BURLEIGH COUNTY
- 38 ADAMS COUNTY
- 35 GRANT COUNTY
- 15 SLOPE COUNTY
- 13 DUNN COUNTY
- 1 MORTON COUNTY
- + 3 OUT OF STATE

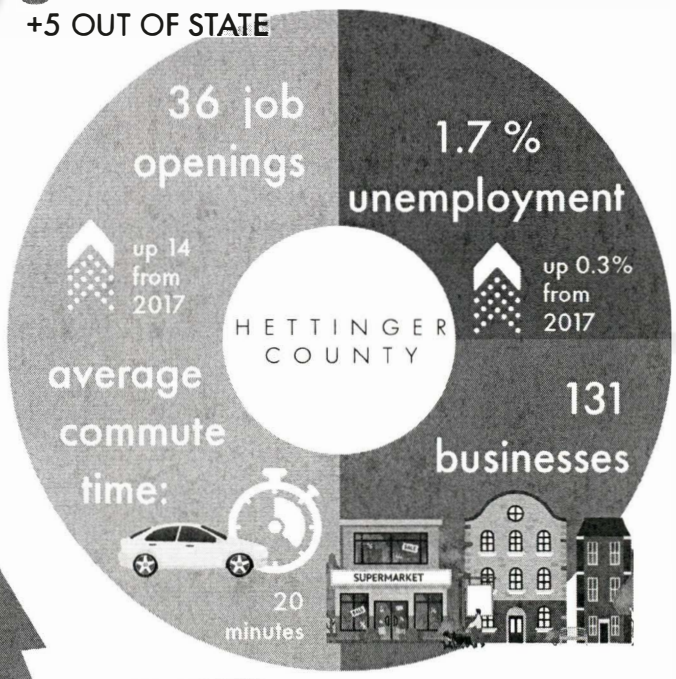
Living and Working in Hettinger County: **821**

from Hettinger County to

- 254 STARK COUNTY
- 22 ADAMS COUNTY
- 19 GRANT COUNTY
- 10 MCKENZIE COUNTY
- 10 SLOPE COUNTY
- 7 CASS COUNTY
- 6 MOUNTRAIL COUNTY
- 5 BURLEIGH COUNTY
- 4 WILLIAMS COUNTY
- 3 BOWMAN COUNTY
- 3 MORTON COUNTY
- 1 DUNN COUNTY
- 1 ROLETTE COUNTY
- +5 OUT OF STATE







JSND CAN HELP EASE THE TRANSITION

Facilitate

A knowledgeable team of dedicated professionals will come to the business to facilitate rapid response discussions

Educate

- Unemployment Insurance
- JOBSND.com
- Job Search and Tools
- Resume Builder
- WIOA

Support

- Staff available for 1:1 onsite support
- Follow up 30-45 days after initial sessions

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Department of Corrections and Rehabilitation - Budget No. 530
House Bill No. 1015
Base Level Funding Changes

	Executive Budget Recommendation				House Version				House Changes to Executive Budget Increase (Decrease) - Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Position	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2019-21 Biennium Base Level	845.29	$214,336,704	$37,161,253	$251,497,957	845.29	$214,336,704	$37,161,253	$251,497,957	0.00	$0	$0	$0
2019-21 Ongoing Funding Changes												
Base payroll changes		$1,634,020	($1,364,762)	$269,258				$0		($1,634,020)	$1,364,762	($269,258)
Salary increase		5,791,612	287,100	6,078,712		3,480,852	165,036	3,645,888		(2,310,760)	(122,064)	(2,432,824)
Health insurance increase		3,349,265	165,231	3,514,496		3,942,008	207,727	4,149,735		592,743	42,496	635,239
Retirement contribution increase		722,660	34,913	757,573				0		(722,660)	(34,913)	(757,573)
Increase funding for teacher salaries and wages		1,357,790		1,357,790				0		(1,357,790)		(1,357,790)
Convert 20 temporary correctional officer positions to FTE positions	20.00	326,435		326,435				0	(20.00)	(326,435)		(326,435)
Adjust funding and FTE positions to convert the Missouri River Correctional Center (MRCC) to a female correctional facility	8.60	3,055,911		3,055,911				0	(8.60)	(3,055,911)		(3,055,911)
Remove funding for the Dakota Women's Correctional and Rehabilitation Center (DWCRC) contract		(10,761,951)		(10,761,951)				0		10,761,951		10,761,951
Restore funding relating to the DWCRC contract		1,406,488		1,406,488				0		(1,406,488)		(1,406,488)
Add funding and FTE positions to establish a minimum security correctional facility at the James River Correctional Center	36.20	6,565,560		6,565,560				0	(36.20)	(6,565,560)		(6,565,560)
Add funding to rent man camp buildings for use as a JRCC minimum security facility		4,603,553		4,603,553				0		(4,603,553)		(4,603,553)
Add funding and FTE positions to assume control of the Tompkins Rehabilitation and Corrections Center (TRCC)	27.50	5,031,222		5,031,222				0	(27.50)	(5,031,222)		(5,031,222)
Remove funding for TRCC payments to the Department of Human Services		(8,607,462)		(8,607,462)				0		8,607,462		8,607,462
Add funding to contract with the State Hospital for up to 30 addiction treatment beds		3,873,750		3,873,750				0		(3,873,750)		(3,873,750)
Add funding and FTE positions for pretrial services	7.00	755,034		755,034				0	(7.00)	(755,034)		(755,034)
Add funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts		537,500		537,500				0		(537,500)		(537,500)

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Transfer FTE positions for the information technology (IT) unification initiative	(6.00)	(1,204,280)		(1,204,280)				0	6.00	1,204,280		1,204,280
Increase funding for operating expenses relating to the IT unification initiative		1,277,087		1,277,087				0		(1,277,087)		(1,277,087)
Adjust funding for miscellaneous expenses, including reductions in food and clothing, operating fees and services, and maintenance; and increases in equipment and IT contractual services		571,322	(2,980,285)	(2,408,963)				0		(571,322)	2,980,285	2,408,963
Adjust funding for crime victims federal grant award changes		20,000	6,822,251	6,842,251				0		(20,000)	(6,822,251)	(6,842,251)
Add funding for Microsoft Office 365 licensing		618,699	110,208	728,907				0		(618,699)	(110,208)	(728,907)
Adjust funding for capital bond payments		(469,380)	16,180	(453,200)				0		469,380	(16,180)	453,200
Remove ongoing funding used to purchase a man camp facility for the MRCC		(844,000)		(844,000)				0		844,000		844,000
Remove ongoing funding for extraordinary repairs		(866,000)	(80,000)	(946,000)				0		866,000	80,000	946,000
Miscellaneous funding source adjustment		270	(270)	0				0		(270)	270	0
Total ongoing funding changes	93.30	$18,745,105	$3,010,566	$21,755,671	0.00	$7,422,860	$372,763	$7,795,623	(93.30)	($11,322,245)	($2,637,803)	($13,960,048)
One-time funding items												
Add one-time funding to replace Elite servers		$40,000		$40,000				$0		($40,000)		($40,000)
Add one-time funding for Roughrider Industries equipment			$298,700	298,700				$0			(298,700)	(298,700)
Add one-time funding for construction of a Roughrider Industries building at JRCC			1,140,000	1,140,000				0			(1,140,000)	(1,140,000)
Add one-time funding for extraordinary repairs, including $141,000 from the strategic investment and improvements fund (SIIF)		876,250	456,000	1,332,250				0		(876,250)	(456,000)	(1,332,250)
Add one-time funding from SIIF for renovations of the MRCC to convert it to a female facility			2,443,077	2,443,077				0			(2,443,077)	(2,443,077)
Add one-time funding from SIIF for campus studies of the Youth Correctional Center, JRCC, and State Hospital			750,000	750,000				0			(750,000)	(750,000)
Add one-time funding from SIIF for inmate tracking systems and other IT upgrades			665,000	665,000				0			(665,000)	(665,000)
Add one-time funding from SIIF for security equipment and redundant fencing			412,000	412,000				0			(412,000)	(412,000)
Total one-time funding changes	0.00	$916,250	$6,164,777	$7,081,027	0.00	$0	$0	$0	0.00	($916,250)	($6,164,777)	($7,081,027)
Total Changes to Base Level Funding	93.30	$19,661,355	$9,175,343	$28,836,698	0.00	$7,422,860	$372,763	$7,795,623	(93.30)	($12,238,495)	($8,802,580)	($21,041,075)
2019-21 Total Funding	938.59	$233,998,059	$46,336,596	$280,334,655	845.29	$221,759,564	$37,534,016	$259,293,580	(93.30)	($12,238,495)	($8,802,580)	($21,041,075)

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Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

	Executive Budget Recommendation	House Version
Special funds transfer - SIIF	Section 3 would designate $4,411,077 from SIIF for campus studies, equipment, IT projects, and capital projects.	
Line item transfers	Section 4 would authorize the Department of Corrections and Rehabilitation (DOCR) to transfer up to 10 percent of its total appropriation between the adult services and youth services line items.	
Additional funds appropriation authority	Section 5 would appropriate any additional special funds received by DOCR.	
Exemption - Community behavioral health program	Section 6 would provide that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.	
Continuing appropriation authority	Section 7 would provide a continuing appropriation to DOCR for any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.	
Tompkins Rehabilitation and Corrections Center	Section 8 would convey ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.	
Legislative Management study		

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19.0203.01009
Title.

Fiscal No. 2

Prepared by the Legislative Council staff for
the House Appropriations - Human Resources
Division Committee
February 8, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, after "rehabilitation" insert "; and to authorize the conveyance of real property owned by the state of North Dakota"

Page 1, replace lines 10 through 17 with:

	Base Level	Adjustments or Enhancements	Appropriation
Adult services	$220,757,448	$21,957,447	$242,714,895
Youth services	30,740,509	1,530,436	32,270,945
Total all funds	$251,497,957	$23,487,883	$274,985,840
Less estimated income	37,161,253	7,332,356	44,493,609
Total general fund	$214,336,704	$16,155,527	$230,492,231
Full-time equivalent positions	845.29	99.30	944.59"

Page 1, line 19, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, remove lines 20 through 24

Page 2, replace lines 1 through 3 with:

One-Time Funding Description	2017-19	2019-21
Equipment	$167,000	$298,700
Elite servers replacement	0	40,000
Extraordinary repairs	0	1,332,250
Missouri River correctional center renovation	0	1,854,301
Youth Correctional Center campus infrastructure study	0	250,000
JRCC and State Hospital campus infrastructure study	0	500,000
Scan and screen device	0	230,000
Redundant fence	0	160,000
Portable x-ray	0	22,000
Oracle software upgrade	0	165,000
Contracts and payments processing system	0	100,000
Inmate tracking system	0	160,000
Intake and legal movement system	0	240,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$5,352,251
Less estimated income	2,102,907	4,436,001
Total general fund	$0	$916,250

SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $1,968,000 of funding from the strategic investment and improvements fund for campus infrastructure studies, extraordinary repairs, an inmate tracking system, information technology upgrades, security equipment, and other one-time funding items.

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SECTION 4. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM. The $7,000,000 from the general fund appropriated in the adult services line item relating to the community behavioral health program in section 1 of chapter 40 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND REVENUES. Any moneys received by the department of corrections and rehabilitation from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund, may be deposited in the department of corrections and rehabilitation operating fund and expended pursuant to legislative appropriation for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 6. CONVEYANCE OF LAND AND BUILDINGS - TOMPKINS BUILDING - EXEMPTION. The state of North Dakota, by and through the department of human services, shall convey ownership of building 2404, formerly known as the nursing residence building and Tompkins building, and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services for construction and renovation do not apply to this conveyance."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	House Changes	House Version
Adult services	$220,757,448	$21,957,447	$242,714,895
Youth services	30,740,509	1,530,436	32,270,945
Total all funds	$251,497,957	$23,487,883	$274,985,840
Less estimated income	37,161,253	7,332,356	44,493,609
General fund	$214,336,704	$16,155,527	$230,492,231
FTE	845.29	99.30	944.59

Department 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Increases Funding for Teachers[3]	Adds FTE Positions[4]	Adjusts Funding to Transfer Female Inmates to Bismarck[5]	Adds Funding to Transfer Male Inmates to Jamestown[6]
Adult services	$916,681	$6,734,485	$1,125,280	$1,053,697	($6,299,552)	$11,169,113
Youth services	(647,423)	1,118,805	232,510	27,772		
Total all funds	$269,258	$7,853,290	$1,357,790	$1,081,469	($6,299,552)	$11,169,113
Less estimated income	(1,364,762)	372,763	0	0	0	0
General fund	$1,634,020	$7,480,527	$1,357,790	$1,081,469	($6,299,552)	$11,169,113
FTE	0.00	0.00	0.00	27.00	8.60	36.20

	Transfers the Tompkins Rehabilitation and Corrections Center[7]	Increases Funding for Treatment[8]	Adjusts Ongoing Funding for Other Changes[9]	Adds One-Time Funding[10]	Total House Changes
Adult services	($3,576,240)	$3,873,750	$2,316,044	$4,644,189	$21,957,447
Youth services		537,500	(446,790)	708,062	1,530,436
Total all funds	($3,576,240)	$4,411,250	$1,869,254	$5,352,251	$23,487,883
Less estimated income	0	0	3,888,354	4,436,001	7,332,356
General fund	($3,576,240)	$4,411,250	($2,019,100)	$916,250	$16,155,527
FTE	27.50	0.00	0.00	0.00	99.30

[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from $1,241 to $1,427 per month:

	General Fund	Other Funds	Total
Salary increase	$3,511,747	$165,036	$3,676,783
Health insurance increase	3,968,780	207,727	4,176,507
Total	$7,480,527	$372,763	$7,853,290

[3] Funding of $1,357,790 from the general fund is added for teacher salaries and wages to comply with the Teacher Composite schedule.

[4] Funding of $1,081,469 from the general fund is added to convert 20 temporary correctional officer positions to FTE positions and to add 7 FTE positions for pretrial services.

[5] Funding is adjusted and 8.6 FTE positions are added to transfer female inmates from the Dakota Women's Correctional and Rehabilitation Center (DWCRC) in New England to the Missouri River Correctional Center (MRCC) in Bismarck. This includes an increase of $3,055,911 from the general fund for 8.6 FTE positions and related operating expenses, and a decrease of $9,355,463 from the general fund for the contract with DWCRC. The Department of Corrections and Rehabilitation budget would retain $1,406,488 for the DWCRC contract to allow for the transition of female inmates to the MRCC during the 2019-21 biennium.

[6] Funding of $11,169,113 from the general fund is added to establish a minimum security correctional facility at the James River Correctional Center in Jamestown. This includes the addition of 36.2 FTE positions and the installation and rental of 4 temporary housing units.

[7] Funding from the general fund is reduced and 27.5 FTE positions are added to reflect the transfer of the Tompkins Rehabilitation and Corrections Center (TRCC) from the Department of Human Services to the Department of Corrections and Rehabilitation. This includes an increase of $5,031,222 of funding for the FTE positions and to operate the TRCC and a reduction of $8,607,462 for contract payments to the Department of Human Services.

[8] Funding of $4,411,250 from the general fund is added, including $3,873,750 to contract with the State Hospital for up to 30 addiction treatment beds and $537,500 to expand juvenile day treatment to up to 5 additional school districts. Juvenile day treatment is currently provided in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

[9] Ongoing funding is adjusted for the following other changes:

	General Fund	Other Funds	Total
Miscellaneous expenses	$571,322	($2,980,285)	($2,408,963)
Crime victims grants	20,000	6,822,251	6,842,251
Microsoft Office 365 licensing expense	618,699	110,208	728,907
Capital bond payments	(469,380)	16,180	(453,200)
Other adjustments, including the removal of ongoing funding used for one-time items	(2,759,741)	(80,000)	(2,839,741)
Total	($2,019,100)	$3,888,354	$1,869,254

[10] One-time funding is added for the following:

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	General Fund	Strategic Investment and Improvements Fund	Roughrider Industries Fund	Total
Replace Elite servers	$40,000			$40,000
Roughrider Industries equipment			$298,700	$298,700
Extraordinary repairs	876,250	$141,000	315,000	1,332,250
MRCC conversion to female facility		1,854,301		1,854,301
Youth Correctional Center campus infrastructure study		250,000		250,000
James River Correctional Center and State Hospital campus infrastructure study		500,000		500,000
Scan/screen device		230,000		230,000
Redundant fence		160,000		160,000
Portable x-ray		22,000		22,000
Oracle software upgrade		165,000		165,000
Contracts and payments processing system		100,000		100,000
Inmate tracking system		160,000		160,000
Intake and legal movement system		240,000		240,000
Total	$916,250	$3,822,301	$613,700	$5,352,251

House Bill No. 1015 - Other Changes - House Action

This amendment also adds sections to:

- Identify the amount of funding from the strategic investment and improvements fund for various one-time items.
- Provide an exemption from North Dakota Century Code Section 54-44.1-11 to allow the Department of Corrections and Rehabilitation to continue any unspent funds relating to the community behavioral health program and expend the funds during the 2019-21 biennium.
- Authorize the Department of Corrections and Rehabilitation to deposit certain revenues in its operating fund.
- Transfer ownership of the TRCC from the Department of Human Services to the Department of Corrections and Rehabilitation.

HB1015 2/11/19 B

19.0203.01010
Title.

Fiscal No. 3

Prepared by the Legislative Council staff for
the House Appropriations - Human Resources
Division Committee
February 8, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, after "rehabilitation" insert "; to authorize the conveyance of real property owned by the state of North Dakota; and to provide for a study"

Page 1, replace lines 10 through 17 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Adult services	$220,757,448	$22,265,847	$243,023,295
Youth services	30,740,509	1,530,436	32,270,945
Total all funds	$251,497,957	$23,796,283	$275,294,240
Less estimated income	37,161,253	7,332,356	44,493,609
Total general fund	$214,336,704	$16,463,927	$230,800,631
Full-time equivalent positions	845.29	82.30	927.59"

Page 1, line 19, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, remove lines 20 through 24

Page 2, replace lines 1 through 3 with:

" One-Time Funding Description	2017-19	2019-21
Equipment	$167,000	$298,700
Elite servers replacement	0	40,000
Extraordinary repairs	0	1,332,250
Missouri River correctional center renovations	0	1,854,301
Youth Correctional Center campus infrastructure study	0	250,000
JRCC and State Hospital campus infrastructure study	0	500,000
Scan and screen device	0	230,000
Redundant fence	0	160,000
Portable x-ray	0	22,000
Oracle software upgrade	0	165,000
Contracts and payments processing system	0	100,000
Inmate tracking system	0	160,000
Intake and legal movement system	0	240,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$5,352,251
Less estimated income	2,102,907	4,436,001
Total general fund	$0	$916,250

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

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SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $3,822,301 of funding from the strategic investment and improvements fund for campus infrastructure studies, extraordinary repairs, an inmate tracking system, information technology upgrades, security equipment, and other one-time funding items.

SECTION 4. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM. The $7,000,000 from the general fund appropriated in the adult services line item relating to the community behavioral health program in section 1 of chapter 40 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND REVENUES. Any moneys received by the department of corrections and rehabilitation from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund, may be deposited in the department of corrections and rehabilitation operating fund and expended pursuant to legislative appropriation for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 6. CONVEYANCE OF LAND AND BUILDINGS - TOMPKINS BUILDING - EXEMPTION. The state of North Dakota, by and through the department of human services, shall convey ownership of building 2404, formerly known as the nursing residence building and Tompkins building, and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services for construction and renovation do not apply to this conveyance.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS AND REHABILITATION. During the 2019-20 interim, the legislative management shall study the department of corrections and rehabilitation. The study must address the feasibility and desirability of relocating female inmates from the Dakota women's correctional and rehabilitation center in New England to another location and the feasibility and desirability of relocating minimum security male inmates from the Missouri River correctional center in Bismarck to another location. The study must include a review of:

1. Service needs of female inmates;
2. Service needs of male inmates;
3. Services available to female inmates at the Dakota women's correctional and rehabilitation center;
4. Services available to male inmates at the Missouri River correctional center;

5. Facility needs, including changes needed to continue to serve male inmates and changes needed to serve female inmates, and associated costs;

6. The short-term and long-term costs and benefits of relocating female inmates to another location;

7. The short-term and long-term costs and benefits of relocating minimum security male inmates to another location;

8. Available services and work release opportunities for minimum security male inmates in other locations; and

9. The feasibility and desirability of increasing regional detention and transition facilities for female inmates across the state.

The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	House Changes	House Version
Adult services	$220,757,448	$22,265,847	$243,023,295
Youth services	30,740,509	1,530,436	32,270,945
Total all funds	$251,497,957	$23,796,283	$275,294,240
Less estimated income	37,161,253	7,332,356	44,493,609
General fund	$214,336,704	$16,463,927	$230,800,631
FTE	845.29	82.30	927.59

Department 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Increases Funding for Teachers[3]	Adds FTE Positions[4]	Adjusts Funding to Transfer Female Inmates to Bismarck[5]	Adds Funding to Relocate Male Inmates to New England[6]
Adult services	$916,681	$6,604,802	$1,125,280	$1,053,697	($7,706,040)	$6,789,000
Youth services	(647,423)	1,118,805	232,510	27,772		
Total all funds	$269,258	$7,723,607	$1,357,790	$1,081,469	($7,706,040)	$6,789,000
Less estimated income	(1,364,762)	372,763	0	0	0	0
General fund	$1,634,020	$7,350,844	$1,357,790	$1,081,469	($7,706,040)	$6,789,000
FTE	0.00	0.00	0.00	27.00	8.60	0.00

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	Adds Funding to Transfer Male Inmates to Jamestown[7]	Transfers the Tompkins Rehabilitation and Corrections Center[8]	Increases Funding for Treatment[9]	Adjusts Ongoing Funding for Other Changes[10]	Adds One-Time Funding[11]	Total House Changes
Adult services	$6,224,684	($3,576,240)	$3,873,750	$2,316,044	$4,644,189	$22,265,847
Youth services			537,500	(446,790)	708,062	1,530,436
Total all funds	$6,224,684	($3,576,240)	$4,411,250	$1,869,254	$5,352,251	$23,796,283
Less estimated income	0	0	0	3,888,354	4,436,001	7,332,356
General fund	$6,224,684	($3,576,240)	$4,411,250	($2,019,100)	$916,250	$16,463,927
FTE	19.20	27.50	0.00	0.00	0.00	82.30

[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from $1,241 to $1,427 per month:

	General Fund	Other Funds	Total
Salary increase	$3,457,918	$165,036	$3,622,954
Health insurance increase	3,892,926	207,727	4,100,653
Total	$7,350,844	$372,763	$7,723,607

[3] Funding of $1,357,790 from the general fund is added for teacher salaries and wages to comply with the Teacher Composite schedule.

[4] Funding of $1,081,469 from the general fund is added to convert 20 temporary correctional officer positions to FTE positions and to add 7 FTE positions for pretrial services.

[5] Funding is adjusted and 8.6 FTE positions are added to transfer female inmates from the Dakota Women's Correctional and Rehabilitation Center (DWCRC) in New England to the Missouri River Correctional Center (MRCC) in Bismarck. This includes an increase of $3,055,911 from the general fund for 8.6 FTE positions and related operating expenses, and a decrease of $10,761,951 from the general fund for the contract with DWCRC.

[6] Funding of $6,789,000 is added to convert the DWCRC to a minimum security male facility and to relocate 100 male inmates to the facility. The amount represents a contractual rate of $93 per day for 100 inmates for the biennium.

[7] Funding of $6,224,684 from the general fund is added to establish a minimum security correctional facility at the James River Correctional Center in Jamestown. This includes the addition of 19.2 FTE positions and the installation and rental of 2 temporary housing units.

[8] Funding from the general fund is reduced and 27.5 FTE positions are added to reflect the transfer of the Tompkins Rehabilitation and Corrections Center (TRCC) from the Department of Human Services to the Department of Corrections and Rehabilitation. This includes an increase of $5,031,222 of funding for the FTE positions and to operate the TRCC and a reduction of $8,607,462 for contract payments to the Department of Human Services.

[9] Funding of $4,411,250 from the general fund is added, including $3,873,750 to contract with the State Hospital for up to 30 addiction treatment beds and $537,500 to expand juvenile day treatment to up to 5 additional school districts. Juvenile day treatment is currently provided in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

[10] Ongoing funding is adjusted for the following other changes:

	General Fund	Other Funds	Total
Miscellaneous expenses	$571,322	($2,980,285)	($2,408,963)
Crime victims grants	20,000	6,822,251	6,842,251
Microsoft Office 365 licensing expense	618,699	110,208	728,907
Capital bond payments	(469,380)	16,180	(453,200)
Other adjustments, including the removal of ongoing funding used for one-time items	(2,759,741)	(80,000)	(2,839,741)
Total	($2,019,100)	$3,888,354	$1,869,254

[11] One-time funding is added for the following:

	General Fund	Strategic Investment and Improvements Fund	Roughrider Industries Fund	Total
Replace Elite servers	$40,000			$40,000
Roughrider Industries equipment			$298,700	298,700
Extraordinary repairs	876,250	$141,000	315,000	1,332,250
MRCC conversion to female facility		1,854,301		1,854,301
Youth Correctional Center campus infrastructure study		250,000		250,000
James River Correctional Center and State Hospital campus infrastructure study		500,000		500,000
Scan/screen device		230,000		230,000
Redundant fence		160,000		160,000
Portable x-ray		22,000		22,000
Oracle software upgrade		165,000		165,000
Contracts and payments processing system		100,000		100,000
Inmate tracking system		160,000		160,000
Intake and legal movement system		240,000		240,000
Total	$916,250	$3,822,301	$613,700	$5,352,251

House Bill No. 1015 - Other Changes - House Action

This amendment also adds sections to:

- Identify the amount of funding from the strategic investment and improvements fund for various one-time items.
- Provide an exemption from North Dakota Century Code Section 54-44.1-11 to allow the Department of Corrections and Rehabilitation to continue any unspent funds relating to the community behavioral health program and expend the funds during the 2019-21 biennium.
- Authorize the Department of Corrections and Rehabilitation to deposit certain revenues in its operating fund.
- Transfer ownership of the TRCC from the Department of Human Services to the Department of Corrections and Rehabilitation.
- Provide for a Legislative Management study of the Department of Corrections and Rehabilitation, including services and facilities for female inmates and minimum security male inmates.

HB1015 2/11/19 C

19.0203.01006
Title.

Fiscal No. 1

Prepared by the Legislative Council staff for
the House Appropriations - Human Resources
Division Committee
February 8, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, after "rehabilitation" insert "; to authorize the conveyance of real property owned by the state of North Dakota; and to provide for a study"

Page 1, replace lines 10 through 17 with:

	Base Level	Adjustments or Enhancements	Appropriation
Adult services	$220,757,448	$16,008,040	$236,765,488
Youth services	30,740,509	1,530,436	32,270,945
Total all funds	$251,497,957	$17,538,476	$269,036,433
Less estimated income	37,161,253	5,478,055	42,639,308
Total general fund	$214,336,704	$12,060,421	$226,397,125
Full-time equivalent positions	845.29	54.50	899.79"

Page 1, line 18, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SEVENTH LEGISLATIVE ASSEMBLY**"

Page 1, line 19, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, removes lines 21 through 24

Page 2, replace lines 1 through 3 with:

"Equipment	$167,000	$298,700
Elite servers replacement	0	40,000
Extraordinary repairs	0	1,332,250
Youth correctional center campus infrastructure study	0	250,000
James River correctional center and state hospital campus infrastructure study	0	500,000
Scan and screen device	0	230,000
Redundant fence	0	160,000
Portable x-ray equipment	0	22,000
Oracle software upgrade	0	165,000
Contracts and payments processing system	0	100,000
Inmate tracking system	0	160,000
Intake and legal movement system	0	240,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$3,497,950
Less estimated income	2,102,907	2,581,700
Total general fund	$0	$916,250

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

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C

SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $1,968,000 from the strategic investment and improvements fund for campus infrastructure studies, extraordinary repairs, an inmate tracking system, information technology upgrades, security equipment, and other one-time funding items.

SECTION 4. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM. The $7,000,000 from the general fund appropriated in the adult services line item relating to the community behavioral health program in section 1 of chapter 40 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND REVENUES. Any moneys received by the department of corrections and rehabilitation from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund, may be deposited in the department of corrections and rehabilitation operating fund and expended pursuant to legislative appropriation for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 6. CONVEYANCE OF LAND AND BUILDINGS - TOMPKINS BUILDING - EXEMPTION. The state of North Dakota, by and through the department of human services, shall convey ownership of building 2404, formerly known as the nursing residence building and Tompkins building, and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services for construction and renovation do not apply to this conveyance.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS AND REHABILITATION. During the 2019-20 interim, the legislative management shall study the department of corrections and rehabilitation. The study must address the feasibility and desirability of relocating female inmates from the Dakota women's correctional and rehabilitation center in New England to another location and the feasibility and desirability of relocating minimum security male inmates from the Missouri River correctional center in Bismarck to another location. The study must include a review of:

1. Service needs of female inmates;
2. Service needs of male inmates;
3. Services available to female inmates at the Dakota women's correctional and rehabilitation center;
4. Services available to male inmates at the Missouri River correctional center;
5. Facility needs, including changes needed to continue to serve male inmates and changes needed to serve female inmates, and associated costs;

6. The short-term and long-term costs and benefits of relocating female inmates to another location;

7. The short-term and long-term costs and benefits of relocating minimum security male inmates to another location;

8. Available services and work release opportunities for minimum security male inmates in other locations; and

9. The feasibility and desirability of increasing regional detention and transition facilities for female inmates across the state.

The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	House Changes	House Version
Adult services	$220,757,448	$16,008,040	$236,765,488
Youth services	30,740,509	1,530,436	32,270,945
Total all funds	$251,497,957	$17,538,476	$269,036,433
Less estimated income	37,161,253	5,478,055	42,639,308
General fund	$214,336,704	$12,060,421	$226,397,125
FTE	845.29	54.50	899.79

Department 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Increases Funding for Teachers[3]	Adds FTE Positions[4]	Transfers the Tompkins Rehabilitation and Corrections Center[5]	Increases Funding for Treatment[6]
Adult services	$916,681	$6,365,580	$1,125,280	$1,053,697	($3,576,240)	$3,873,750
Youth services	(647,423)	1,118,805	232,510	27,772		537,500
Total all funds	$269,258	$7,484,385	$1,357,790	$1,081,469	($3,576,240)	$4,411,250
Less estimated income	(1,364,762)	372,763	0	0	0	0
General fund	$1,634,020	$7,111,622	$1,357,790	$1,081,469	($3,576,240)	$4,411,250
FTE	0.00	0.00	0.00	27.00	27.50	0.00

	Increases Funding for DWCRC Contract[7]	Adjusts Ongoing Funding for Other Changes[8]	Adds One-Time Funding[9]	Total House Changes
Adult services	$1,143,360	$2,316,044	$2,789,888	$16,008,040
Youth services		(446,790)	708,062	1,530,436
Total all funds	$1,143,360	$1,869,254	$3,497,950	$17,538,476
Less estimated income	0	3,888,354	2,581,700	5,478,055
General fund	$1,143,360	($2,019,100)	$916,250	$12,060,421
FTE	0.00	0.00	0.00	54.50

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[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from $1,241 to $1,427 per month:

	General Fund	Other Funds	Total
Salary increase	$3,348,094	$165,036	$3,513,130
Health insurance increase	3,763,528	207,727	3,971,255
Total	$7,111,622	$372,763	$7,484,385

[3] Funding of $1,357,790 from the general fund is added for teacher salaries and wages to comply with the teacher composite schedule.

[4] Funding of $1,081,469 from the general fund is added to convert 20 temporary correctional officer positions to FTE positions and to add 7 FTE positions for pretrial services.

[5] Funding from the general fund is reduced and 27.5 FTE positions are added to reflect the transfer of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation. This includes an increase of $5,031,222 of funding for the FTE positions and to operate the Tompkins Rehabilitation and Corrections Center and a reduction of $8,607,462 for contract payments to the Department of Human Services.

[6] Funding of $4,411,250 from the general fund is added, including $3,873,750 to contract with the State Hospital for up to 30 addiction treatment beds and $537,500 to expand juvenile day treatment to up to five additional school districts. Juvenile day treatment is currently provided in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

[7] Funding for the Dakota Women's Correctional and Rehabilitation Center contract is increased by $1,143,360, to provide a total of $11,905,311 for the contract.

[8] Ongoing funding is adjusted for the following other changes:

	General Fund	Other Funds	Total
Miscellaneous expenses	$571,322	($2,980,285)	($2,408,963)
Crime victims grants	20,000	6,822,251	6,842,251
Microsoft Office 365 licensing expense	618,699	110,208	728,907
Capital bond payments	(469,380)	16,180	(453,200)
Other adjustments, including the removal of ongoing funding used for one-time items	(2,759,741)	(80,000)	(2,839,741)
Total	($2,019,100)	$3,888,354	$1,869,254

[9] One-time funding is added for the following:

	General Fund	Strategic Investment and Improvements Fund	Rough Rider Industries Fund	Total
Replace elite servers	$40,000	$0	$0	$40,000
Rough Rider Industries equipment	0	0	298,700	298,700
Extraordinary repairs	876,250	141,000	315,000	1,332,250
Youth Correctional Center campus infrastructure study	0	250,000	0	250,000
James River Correctional Center and State Hospital campus infrastructure study	0	500,000	0	500,000
Scan/screen device	0	230,000	0	230,000
Redundant fence	0	160,000	0	160,000
Portable x-ray equipment	0	22,000	0	22,000
Oracle software upgrade	0	165,000	0	165,000
Contracts and payments processing system	0	100,000	0	100,000
Inmate tracking system	0	160,000	0	160,000
Intake and legal movement system	0	240,000	0	240,000
Total	$916,250	$1,968,000	$613,700	$3,497,950

House Bill No. 1015 - Other Changes - House Action

This amendment also adds sections to:

- Identify the amount of funding from the strategic investment and improvements fund for various one-time items.
- Provide an exemption to North Dakota Century Code Section 54-44.1-11 to allow the Department of Corrections and Rehabilitation to continue any unspent funds relating to the community behavioral health program and to expend the funds during the 2019-21 biennium.
- Authorize the Department of Corrections and Rehabilitation to deposit certain revenues in its operating fund.
- Transfer ownership of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation.
- Provide for a Legislative Management study of the Department of Corrections and Rehabilitation, including services and facilities for female inmates and minimum security male inmates.

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Department of Corrections and Rehabilitation - Budget No. 530
House Bill No. 1015
Base Level Funding Changes

	Executive Budget Recommendation				House Version				House Changes to Executive Budget Increase (Decrease) - Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Position	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2019-21 Biennium Base Level	845.29	$214,336,704	$37,161,253	$251,497,957	845.29	$214,336,704	$37,161,253	$251,497,957	0.00	$0	$0	$0
2019-21 Ongoing Funding Changes												
Base payroll changes		$1,634,020	($1,364,762)	$269,258		$1,634,020	($1,364,762)	$269,258				$0
Salary increase		5,791,612	287,100	6,078,712		3,457,918	165,036	3,622,954		(2,333,694)	(122,064)	(2,455,758)
Health insurance increase		3,349,265	165,231	3,514,496		3,892,926	207,727	4,100,653		543,661	42,496	586,157
Retirement contribution increase		722,660	34,913	757,573				0		(722,660)	(34,913)	(757,573)
Increase funding for teacher salaries and wages		1,357,790		1,357,790		1,357,790		1,357,790				0
Convert 20 temporary correctional officer positions to FTE positions	20.00	326,435		326,435	20.00	326,435		326,435				0
Adjust funding and FTE positions to convert the Missouri River Correctional Center (MRCC) to a female correctional facility	8.60	3,055,911		3,055,911	8.60	3,055,911		3,055,911				0
Remove funding for the Dakota Women's Correctional and Rehabilitation Center (DWCRC) contract		(10,761,951)		(10,761,951)		(10,761,951)		(10,761,951)				0
Restore funding relating to the DWCRC contract		1,406,488		1,406,488		6,789,000		6,789,000		5,382,512		5,382,512
Add funding and FTE positions to establish a minimum security correctional facility at the James River Correctional Center	36.20	6,565,560		6,565,560	19.20	3,733,960		3,733,960	(17.00)	(2,831,600)		(2,831,600)
Add funding to rent man camp buildings for use as a JRCC minimum security facility		4,603,553		4,603,553		2,490,724		2,490,724		(2,112,829)		(2,112,829)
Add funding and FTE positions to assume control of the Tompkins Rehabilitation and Corrections Center (TRCC)	27.50	5,031,222		5,031,222	27.50	5,031,222		5,031,222				0
Remove funding for TRCC payments to the Department of Human Services		(8,607,462)		(8,607,462)		(8,607,462)		(8,607,462)				0
Add funding to contract with the State Hospital for up to 30 addiction treatment beds		3,873,750		3,873,750		3,873,750		3,873,750				0
Add funding and FTE positions for pretrial services	7.00	755,034		755,034	7.00	755,034		755,034				0
Add funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts		537,500		537,500		537,500		537,500				0

Transfer FTE positions for the information technology (IT) unification initiative	(6.00)	(1,204,280)		(1,204,280)				0	6.00	1,204,280		1,204,280
Increase funding for operating expenses relating to the IT unification initiative		1,277,087		1,277,087				0		(1,277,087)		(1,277,087)
Adjust funding for miscellaneous expenses, including reductions in food and clothing, operating fees and services, and maintenance; and increases in equipment and IT contractual services		571,322	(2,980,285)	(2,408,963)		571,322	(2,980,285)	(2,408,963)				0
Adjust funding for crime victims federal grant award changes		20,000	6,822,251	6,842,251		20,000	6,822,251	6,842,251				0
Add funding for Microsoft Office 365 licensing		618,699	110,208	728,907		618,699	110,208	728,907				0
Adjust funding for capital bond payments		(469,380)	16,180	(453,200)		(469,380)	16,180	(453,200)				0
Remove ongoing funding used to purchase a man camp facility for the MRCC		(844,000)		(844,000)		(844,000)		(844,000)				0
Remove ongoing funding for extraordinary repairs		(866,000)	(80,000)	(946,000)		(866,000)	(80,000)	(946,000)				0
Miscellaneous funding source adjustment		270	(270)	0				0		(270)	270	0
Reduce funding for transitional services				0		(1,049,741)		(1,049,741)		(1,049,741)		(1,049,741)
Total ongoing funding changes	93.30	$18,745,105	$3,010,566	$21,755,671	82.30	$15,547,677	$2,896,355	$18,444,032	(11.00)	($3,197,428)	($114,211)	($3,311,639)
One-time funding items												
Add one-time funding to replace Elite servers		$40,000		$40,000		$40,000		$40,000		$0		$0
Add one-time funding for Roughrider Industries equipment			$298,700	298,700			$298,700	$298,700			0	0
Add one-time funding for construction of a Roughrider Industries building at JRCC			1,140,000	1,140,000				0			(1,140,000)	(1,140,000)
Add one-time funding for extraordinary repairs, including $141,000 from the strategic investment and improvements fund (SIIF)		876,250	456,000	1,332,250		876,250	456,000	1,332,250		0	0	0
Add one-time funding from SIIF for renovations of the MRCC to convert it to a female facility			2,443,077	2,443,077			1,854,301	1,854,301				(588,776)
Add one-time funding from SIIF for campus studies of the Youth Correctional Center, JRCC, and State Hospital			750,000	750,000			750,000	750,000			0	0
Add one-time funding from SIIF for inmate tracking systems and other IT upgrades			665,000	665,000			665,000	665,000			0	0
Add one-time funding from SIIF for security equipment and redundant fencing			412,000	412,000			412,000	412,000			0	0
Total one-time funding changes	0.00	$916,250	$6,164,777	$7,081,027	0.00	$916,250	$4,436,001	$5,352,251	0.00	$0	($1,140,000)	($1,728,776)
Total Changes to Base Level Funding	93.30	$19,661,355	$9,175,343	$28,836,698	82.30	$16,463,927	$7,332,356	$23,796,283	(11.00)	($3,197,428)	($1,254,211)	($5,040,415)

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2019-21 Total Funding	938.59	$233,998,059	$46,336,596	$280,334,655	927.59	$230,800,631	$44,493,609	$275,294,240	(11.00)	($3,197,428)	($1,254,211)	($5,040,415)

Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

	Executive Budget Recommendation	House Version
Special funds transfer - SIIF	Section 3 would designate $4,411,077 from SIIF for campus studies, equipment, IT projects, and capital projects.	Section 3 designates $1,968,000 from SIIF for campus studies, equipment, IT projects, and extraordinary repairs.
Line item transfers	Section 4 would authorize the Department of Corrections and Rehabilitation (DOCR) to transfer up to 10 percent of its total appropriation between the adult services and youth services line items.	
Additional funds appropriation authority	Section 5 would appropriate any additional special funds received by DOCR.	
Exemption - Community behavioral health program	Section 6 would provide that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.	Section 4 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.
Continuing appropriation authority	Section 7 would provide a continuing appropriation to DOCR for any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.	Section 5 authorizes DOCR to deposit in and spend from it operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.
Tompkins Rehabilitation and Corrections Center	Section 8 would convey ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.	Section 6 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.
Legislative Management study		Section 7 provides for a legislative management study of the Department of Corrections and Rehabilitation.

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Department of Corrections and Rehabilitation - Budget No. 530
House Bill No. 1015
Base Level Funding Changes

	Executive Budget Recommendation				House Version				House Changes to Executive Budget Increase (Decrease) - Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Position	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2019-21 Biennium Base Level	845.29	$214,336,704	$37,161,253	$251,497,957	845.29	$214,336,704	$37,161,253	$251,497,957	0.00	$0	$0	$0
2019-21 Ongoing Funding Changes												
Base payroll changes		$1,634,020	($1,364,762)	$269,258		$1,634,020	($1,364,762)	$269,258				$0
Salary increase		5,791,612	287,100	6,078,712		3,511,747	165,036	3,676,783		(2,279,865)	(122,064)	(2,401,929)
Health insurance increase		3,349,265	165,231	3,514,496		3,968,780	207,727	4,176,507		619,515	42,496	662,011
Retirement contribution increase		722,660	34,913	757,573				0		(722,660)	(34,913)	(757,573)
Increase funding for teacher salaries and wages		1,357,790		1,357,790		1,357,790		1,357,790				0
Convert 20 temporary correctional officer positions to FTE positions	20.00	326,435		326,435	20.00	326,435		326,435				0
Adjust funding and FTE positions to convert the Missouri River Correctional Center (MRCC) to a female correctional facility	8.60	3,055,911		3,055,911	8.60	3,055,911		3,055,911				0
Remove funding for the Dakota Women's Correctional and Rehabilitation Center (DWCRC) contract		(10,761,951)		(10,761,951)		(10,761,951)		(10,761,951)				0
Restore funding relating to the DWCRC contract		1,406,488		1,406,488		1,406,488		1,406,488				0
Add funding and FTE positions to establish a minimum security correctional facility at the James River Correctional Center	36.20	6,565,560		6,565,560	36.20	6,565,560		6,565,560				0
Add funding to rent man camp buildings for use as a JRCC minimum security facility		4,603,553		4,603,553		4,603,553		4,603,553				0
Add funding and FTE positions to assume control of the Tompkins Rehabilitation and Corrections Center (TRCC)	27.50	5,031,222		5,031,222	27.50	5,031,222		5,031,222				0
Remove funding for TRCC payments to the Department of Human Services		(8,607,462)		(8,607,462)		(8,607,462)		(8,607,462)				0
Add funding to contract with the State Hospital for up to 30 addiction treatment beds		3,873,750		3,873,750		3,873,750		3,873,750				0
Add funding and FTE positions for pretrial services	7.00	755,034		755,034	7.00	755,034		755,034				0
Add funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts		537,500		537,500		537,500		537,500				0

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Transfer FTE positions for the information technology (IT) unification initiative	(6.00)	(1,204,280)		(1,204,280)				0	6.00	1,204,280		1,204,280
Increase funding for operating expenses relating to the IT unification initiative		1,277,087		1,277,087				0		(1,277,087)		(1,277,087)
Adjust funding for miscellaneous expenses, including reductions in food and clothing, operating fees and services, and maintenance; and increases in equipment and IT contractual services		571,322	(2,980,285)	(2,408,963)		571,322	(2,980,285)	(2,408,963)				0
Adjust funding for crime victims federal grant award changes		20,000	6,822,251	6,842,251		20,000	6,822,251	6,842,251				0
Add funding for Microsoft Office 365 licensing		618,699	110,208	728,907		618,699	110,208	728,907				0
Adjust funding for capital bond payments		(469,380)	16,180	(453,200)		(469,380)	16,180	(453,200)				0
Remove ongoing funding used to purchase a man camp facility for the MRCC		(844,000)		(844,000)		(844,000)		(844,000)				0
Remove ongoing funding for extraordinary repairs		(866,000)	(80,000)	(946,000)		(866,000)	(80,000)	(946,000)				0
Miscellaneous funding source adjustment		270	(270)	0				0		(270)	270	0
Reduce funding for transitional services				0		(1,049,741)		(1,049,741)		(1,049,741)		(1,049,741)
Total ongoing funding changes	93.30	$18,745,105	$3,010,566	$21,755,671	99.30	$15,239,277	$2,896,355	$18,135,632	6.00	($3,505,828)	($114,211)	($3,620,039)
One-time funding items												
Add one-time funding to replace Elite servers		$40,000		$40,000		$40,000		$40,000		$0		$0
Add one-time funding for Roughrider Industries equipment			$298,700	298,700			$298,700	$298,700			0	0
Add one-time funding for construction of a Roughrider Industries building at JRCC			1,140,000	1,140,000				0			(1,140,000)	(1,140,000)
Add one-time funding for extraordinary repairs, including $141,000 from the strategic investment and improvements fund (SIIF)		876,250	456,000	1,332,250		876,250	456,000	1,332,250		0	0	0
Add one-time funding from SIIF for renovations of the MRCC to convert it to a female facility			2,443,077	2,443,077			1,854,301	1,854,301				(588,776)
Add one-time funding from SIIF for campus studies of the Youth Correctional Center, JRCC, and State Hospital			750,000	750,000			750,000	750,000			0	0
Add one-time funding from SIIF for inmate tracking systems and other IT upgrades			665,000	665,000			665,000	665,000			0	0
Add one-time funding from SIIF for security equipment and redundant fencing			412,000	412,000			412,000	412,000			0	0
Total one-time funding changes	0.00	$916,250	$6,164,777	$7,081,027	0.00	$916,250	$4,436,001	$5,352,251	0.00	$0	($1,140,000)	($1,728,776)
Total Changes to Base Level Funding	93.30	$19,661,355	$9,175,343	$28,836,698	99.30	$16,155,527	$7,332,356	$23,487,883	6.00	($3,505,828)	($1,254,211)	($5,348,815)

2019-21 Total Funding	938.59	$233,998,059	$46,336,596	$280,334,655	944.59	$230,492,231	$44,493,609	$274,985,840	6.00	($3,505,828)	($1,254,211)	($5,348,815)

Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

	Executive Budget Recommendation	House Version
Special funds transfer - SIIF	Section 3 would designate $4,411,077 from SIIF for campus studies, equipment, IT projects, and capital projects.	Section 3 designates $3,822,301 from SIIF for campus studies, equipment, IT projects, and capital projects.
Line item transfers	Section 4 would authorize the Department of Corrections and Rehabilitation (DOCR) to transfer up to 10 percent of its total appropriation between the adult services and youth services line items.	
Additional funds appropriation authority	Section 5 would appropriate any additional special funds received by DOCR.	
Exemption - Community behavioral health program	Section 6 would provide that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.	Section 4 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.
Continuing appropriation authority	Section 7 would provide a continuing appropriation to DOCR for any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.	Section 5 authorizes DOCR to deposit in and spend from it operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.
Tompkins Rehabilitation and Corrections Center	Section 8 would convey ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.	Section 6 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.
Legislative Management study		

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Department of Corrections and Rehabilitation - Budget No. 530
House Bill No. 1015
Base Level Funding Changes

	Executive Budget Recommendation				House Version				House Changes to Executive Budget Increase (Decrease) - Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Position	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2019-21 Biennium Base Level	845.29	$214,336,704	$37,161,253	$251,497,957	845.29	$214,336,704	$37,161,253	$251,497,957	0.00	$0	$0	$0
2019-21 Ongoing Funding Changes												
Base payroll changes		$1,634,020	($1,364,762)	$269,258		$1,634,020	($1,364,762)	$269,258				$0
Salary increase		5,791,612	287,100	6,078,712		3,348,094	165,036	3,513,130		(2,443,518)	(122,064)	(2,565,582)
Health insurance increase		3,349,265	165,231	3,514,496		3,763,528	207,727	3,971,255		414,263	42,496	456,759
Retirement contribution increase		722,660	34,913	757,573				0		(722,660)	(34,913)	(757,573)
Increase funding for teacher salaries and wages		1,357,790		1,357,790		1,357,790		1,357,790				0
Convert 20 temporary correctional officer positions to FTE positions	20.00	326,435		326,435	20.00	326,435		326,435				0
Adjust funding and FTE positions to convert the Missouri River Correctional Center (MRCC) to a female correctional facility	8.60	3,055,911		3,055,911				0	(8.60)	(3,055,911)		(3,055,911)
Remove funding for the Dakota Women's Correctional and Rehabilitation Center (DWCRC) contract		(10,761,951)		(10,761,951)				0		10,761,951		10,761,951
Adjust funding relating to the DWCRC contract		1,406,488		1,406,488		1,143,360		1,143,360		(263,128)		(263,128)
Add funding and FTE positions to establish a minimum security correctional facility at the James River Correctional Center	36.20	6,565,560		6,565,560				0	(36.20)	(6,565,560)		(6,565,560)
Add funding to rent man camp buildings for use as a JRCC minimum security facility		4,603,553		4,603,553				0		(4,603,553)		(4,603,553)
Add funding and FTE positions to assume control of the Tompkins Rehabilitation and Corrections Center (TRCC)	27.50	5,031,222		5,031,222	27.50	5,031,222		5,031,222				0
Remove funding for TRCC payments to the Department of Human Services		(8,607,462)		(8,607,462)		(8,607,462)		(8,607,462)				0
Add funding to contract with the State Hospital for up to 30 addiction treatment beds		3,873,750		3,873,750		3,873,750		3,873,750				0
Add funding and FTE positions for pretrial services	7.00	755,034		755,034	7.00	755,034		755,034				0
Add funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts		537,500		537,500		537,500		537,500				0

Transfer FTE positions for the information technology (IT) unification initiative	(6.00)	(1,204,280)		(1,204,280)				0	6.00	1,204,280		1,204,280
Increase funding for operating expenses relating to the IT unification initiative		1,277,087		1,277,087				0		(1,277,087)		(1,277,087)
Adjust funding for miscellaneous expenses, including reductions in food and clothing, operating fees and services, and maintenance; and increases in equipment and IT contractual services		571,322	(2,980,285)	(2,408,963)		571,322	(2,980,285)	(2,408,963)				0
Adjust funding for crime victims federal grant award changes		20,000	6,822,251	6,842,251		20,000	6,822,251	6,842,251				0
Add funding for Microsoft Office 365 licensing		618,699	110,208	728,907		618,699	110,208	728,907				0
Adjust funding for capital bond payments		(469,380)	16,180	(453,200)		(469,380)	16,180	(453,200)				0
Remove ongoing funding used to purchase a man camp facility for the MRCC		(844,000)		(844,000)		(844,000)		(844,000)				0
Remove ongoing funding for extraordinary repairs		(866,000)	(80,000)	(946,000)		(866,000)	(80,000)	(946,000)				0
Miscellaneous funding source adjustment		270	(270)	0				0		(270)	270	0
Reduce funding for transitional services				0		(1,049,741)		(1,049,741)		(1,049,741)		(1,049,741)
Total ongoing funding changes	93.30	$18,745,105	$3,010,566	$21,755,671	54.50	$11,144,171	$2,896,355	$14,040,526	(38.80)	($7,600,934)	($114,211)	($7,715,145)
One-time funding items												
Add one-time funding to replace Elite servers		$40,000		$40,000		$40,000		$40,000		$0		$0
Add one-time funding for Roughrider Industries equipment			$298,700	298,700			$298,700	$298,700			0	0
Add one-time funding for construction of a Roughrider Industries building at JRCC			1,140,000	1,140,000				0			(1,140,000)	(1,140,000)
Add one-time funding for extraordinary repairs, including $141,000 from the strategic investment and improvements fund (SIIF)		876,250	456,000	1,332,250		876,250	456,000	1,332,250		0	0	0
Add one-time funding from SIIF for renovations of the MRCC to convert it to a female facility			2,443,077	2,443,077				0			(2,443,077)	(2,443,077)
Add one-time funding from SIIF for campus studies of the Youth Correctional Center, JRCC, and State Hospital			750,000	750,000			750,000	750,000			0	0
Add one-time funding from SIIF for inmate tracking systems and other IT upgrades			665,000	665,000			665,000	665,000			0	0
Add one-time funding from SIIF for security equipment and redundant fencing			412,000	412,000			412,000	412,000			0	0
Total one-time funding changes	0.00	$916,250	$6,164,777	$7,081,027	0.00	$916,250	$2,581,700	$3,497,950	0.00	$0	($3,583,077)	($3,583,077)
Total Changes to Base Level Funding	93.30	$19,661,355	$9,175,343	$28,836,698	54.50	$12,060,421	$5,478,055	$17,538,476	(38.80)	($7,600,934)	($3,697,288)	($11,298,222)

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2019-21 Total Funding	938.59	$233,998,059	$46,336,596	$280,334,655	899.79	$226,397,125	$42,639,308	$269,036,433	(38.80)	($7,600,934)	($3,697,288)	($11,298,222)

Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

	Executive Budget Recommendation	House Version
Special funds transfer - SIIF	Section 3 would designate $4,411,077 from SIIF for campus studies, equipment, IT projects, and capital projects.	Section 3 designates $1,968,000 from SIIF for campus studies, equipment, IT projects, and extraordinary repairs.
Line item transfers	Section 4 would authorize the Department of Corrections and Rehabilitation (DOCR) to transfer up to 10 percent of its total appropriation between the adult services and youth services line items.	
Additional funds appropriation authority	Section 5 would appropriate any additional special funds received by DOCR.	
Exemption - Community behavioral health program	Section 6 would provide that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.	Section 4 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.
Continuing appropriation authority	Section 7 would provide a continuing appropriation to DOCR for any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.	Section 5 authorizes DOCR to deposit in and spend from it operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.
Tompkins Rehabilitation and Corrections Center	Section 8 would convey ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.	Section 6 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.
Legislative Management study		Section 7 provides for a legislative management study of the Department of Corrections and Rehabilitation.

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19.0203.01011
Title.

Fiscal No. 4

Prepared by the Legislative Council staff for
the House Appropriations - Human Resources
Division Committee
February 11, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, after "rehabilitation" insert "; to authorize the conveyance of real property owned by the state of North Dakota; and to provide for a legislative management study"

Page 1, replace lines 10 through 17 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Adult services	$220,757,448	$15,683,040	$236,440,488
Youth services	30,740,509	1,355,436	32,095,945
Total all funds	$251,497,957	$17,038,476	$268,536,433
Less estimated income	37,161,253	4,978,055	42,139,308
Total general fund	$214,336,704	$12,060,421	$226,397,125
Full-time equivalent positions	845.29	54.50	899.79"

Page 1, line 18, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SEVENTH LEGISLATIVE ASSEMBLY**"

Page 1, line 19, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 3 with:

"Equipment	$167,000	$298,700
Elite servers replacement	0	40,000
Extraordinary repairs	0	1,332,250
Youth correctional center, James River correctional center, and state hospital campus infrastructure studies	0	250,000
Scan and screen device	0	230,000
Redundant fence	0	160,000
Portable x-ray equipment	0	22,000
Oracle software upgrade	0	165,000
Contracts and payments processing system	0	100,000
Inmate tracking system	0	160,000
Intake and legal movement system	0	240,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$2,997,950
Less estimated income	2,102,907	2,081,700
Total general fund	$0	$916,250

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

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SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes $1,468,000 from the strategic investment and improvements fund for campus infrastructure studies, extraordinary repairs, an inmate tracking system, information technology upgrades, security equipment, and other one-time funding items.

SECTION 4. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM. The $7,000,000 from the general fund appropriated in the adult services line item relating to the community behavioral health program in section 1 of chapter 40 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND REVENUES. Any moneys received by the department of corrections and rehabilitation from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund, may be deposited in the department of corrections and rehabilitation operating fund and expended pursuant to legislative appropriation for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 6. CONVEYANCE OF LAND AND BUILDINGS - TOMPKINS BUILDING - EXEMPTION. The state of North Dakota, by and through the department of human services, shall convey ownership of building 2404, formerly known as the nursing residence building and Tompkins building, and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services for construction and renovation do not apply to this conveyance.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS AND REHABILITATION. During the 2019-20 interim, the legislative management shall study the department of corrections and rehabilitation. The study must address the feasibility and desirability of relocating female inmates from the Dakota women's correctional and rehabilitation center in New England to another location and the feasibility and desirability of relocating minimum security male inmates from the Missouri River correctional center in Bismarck to New England or another location. The study must include a review of:

1. Service needs of female inmates;
2. Service needs of male inmates;
3. Services available to female inmates at the Dakota women's correctional and rehabilitation center;
4. Services available to male inmates at the Missouri River correctional center;
5. Facility needs, including changes needed to continue to serve male inmates and changes needed to serve female inmates, and associated costs;

6. The short-term and long-term costs and benefits of relocating female inmates to another location;

7. The short-term and long-term costs and benefits of relocating minimum security male inmates to New England or another location;

8. Available services and work release opportunities for minimum security male inmates in New England and other locations; and

9. The feasibility and desirability of increasing regional detention and transition facilities for female inmates across the state.

The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	House Changes	House Version
Adult services	$220,757,448	$15,683,040	$236,440,488
Youth services	30,740,509	1,355,436	32,095,945
Total all funds	$251,497,957	$17,038,476	$268,536,433
Less estimated income	37,161,253	4,978,055	42,139,308
General fund	$214,336,704	$12,060,421	$226,397,125
FTE	845.29	54.50	899.79

Department 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Increases Funding for Teachers[3]	Adds FTE Positions[4]	Transfers the Tompkins Rehabilitation and Corrections Center[5]	Increases Funding for Treatment[6]
Adult services	$916,681	$6,365,580	$1,125,280	$1,053,697	($3,576,240)	$3,873,750
Youth services	(647,423)	1,118,805	232,510	27,772		537,500
Total all funds	$269,258	$7,484,385	$1,357,790	$1,081,469	($3,576,240)	$4,411,250
Less estimated income	(1,364,762)	372,763	0	0	0	0
General fund	$1,634,020	$7,111,622	$1,357,790	$1,081,469	($3,576,240)	$4,411,250
FTE	0.00	0.00	0.00	27.00	27.50	0.00

	Increases Funding for DWCRC Contract[7]	Adjusts Ongoing Funding for Other Changes[8]	Adds One-Time Funding[9]	Total House Changes
Adult services	$1,143,360	$2,316,044	$2,464,888	$15,683,040
Youth services		(446,790)	533,062	1,355,436
Total all funds	$1,143,360	$1,869,254	$2,997,950	$17,038,476
Less estimated income	0	3,888,354	2,081,700	4,978,055
General fund	$1,143,360	($2,019,100)	$916,250	$12,060,421
FTE	0.00	0.00	0.00	54.50

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[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from $1,241 to $1,427 per month:

	General Fund	Other Funds	Total
Salary increase	$3,348,094	$165,036	$3,513,130
Health insurance increase	3,763,528	207,727	3,971,255
Total	$7,111,622	$372,763	$7,484,385

[3] Funding of $1,357,790 from the general fund is added for teacher salaries and wages to comply with the teacher composite schedule.

[4] Funding of $1,081,469 from the general fund is added to convert 20 temporary correctional officer positions to FTE positions and to add 7 FTE positions for pretrial services.

[5] Funding from the general fund is reduced and 27.5 FTE positions are added to reflect the transfer of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation. This includes an increase of $5,031,222 of funding for the FTE positions and to operate the Tompkins Rehabilitation and Corrections Center and a reduction of $8,607,462 for contract payments to the Department of Human Services.

[6] Funding of $4,411,250 from the general fund is added, including $3,873,750 to contract with the State Hospital for up to 30 addiction treatment beds and $537,500 to expand juvenile day treatment to up to five additional school districts. Juvenile day treatment is currently provided in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

[7] Funding for the Dakota Women's Correctional and Rehabilitation Center contract is increased by $1,143,360, to provide a total of $11,905,311 for the contract.

[8] Ongoing funding is adjusted for the following other changes:

	General Fund	Other Funds	Total
Miscellaneous expenses	$571,322	($2,980,285)	($2,408,963)
Crime victims grants	20,000	6,822,251	6,842,251
Microsoft Office 365 licensing expense	618,699	110,208	728,907
Capital bond payments	(469,380)	16,180	(453,200)
Other adjustments, including the removal of ongoing funding used for one-time items	(2,759,741)	(80,000)	(2,839,741)
Total	($2,019,100)	$3,888,354	$1,869,254

[9] One-time funding is added for the following:

	General Fund	Strategic Investment and Improvements Fund	Roughrider Industries Fund	Total
Replace Elite servers	$40,000	$0	$0	$40,000
Roughrider Industries equipment	0	0	298,700	$298,700
Extraordinary repairs	876,250	141,000	315,000	1,332,250
Youth Correctional Center, James River Correctional Center, and State Hospital campus infrastructure studies	0	250,000	0	250,000
Scan/screen device	0	230,000	0	230,000
Redundant fence	0	160,000	0	160,000
Portable x-ray equipment	0	22,000	0	22,000
Oracle software upgrade	0	165,000	0	165,000
Contracts and payments processing system	0	100,000	0	100,000
Inmate tracking system	0	160,000	0	160,000
Intake and legal movement system	0	240,000	0	240,000
Total	$916,250	$1,468,000	$613,700	$2,997,950

House Bill No. 1015 - Other Changes - House Action

This amendment also adds sections to:

- Identify the amount of funding from the strategic investment and improvements fund for various one-time items.
- Provide an exemption to North Dakota Century Code Section 54-44.1-11 to allow the Department of Corrections and Rehabilitation to continue any unspent funds relating to the community behavioral health program and to expend the funds during the 2019-21 biennium.
- Authorize the Department of Corrections and Rehabilitation to deposit certain revenues in its operating fund.
- Transfer ownership of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation.
- Provide for a Legislative Management study of the Department of Corrections and Rehabilitation, including services and facilities for female inmates and minimum security male inmates.

Department 530 - Department of Corrections and Rehabilitation
House Bill No. 1015

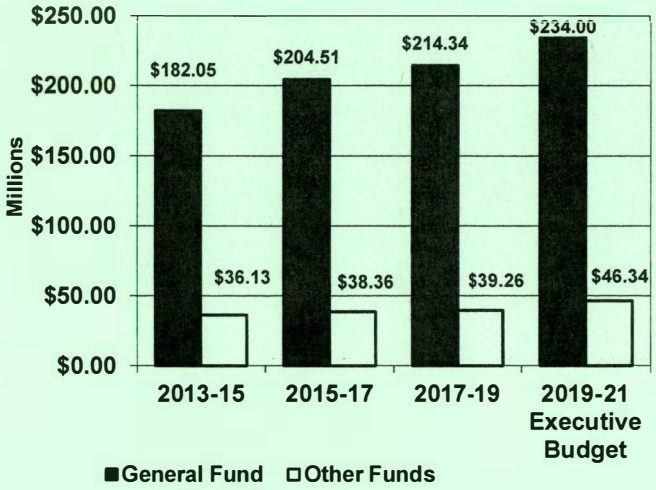
Executive Budget Comparison to Prior Biennium Appropriations

	FTE Positions	General Fund	Other Funds	Total
2019-21 Executive Budget	938.59	$233,998,059	$46,336,596	$280,334,655
2017-19 Legislative Appropriations	845.29	214,336,704	39,264,160	253,600,864
Increase (Decrease)	93.30	$19,661,355	$7,072,436	$26,733,791

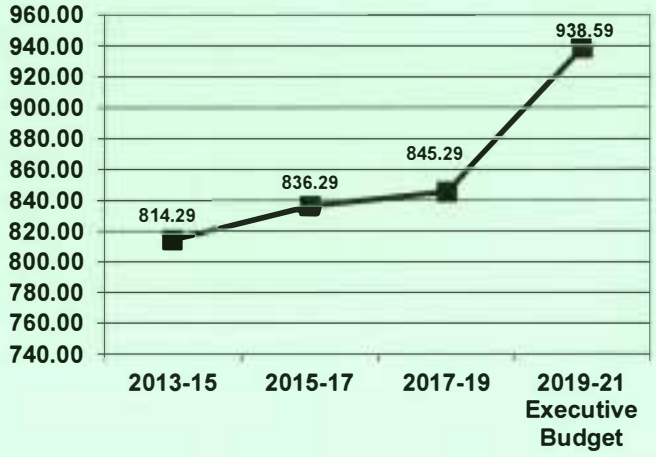
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2019-21 Executive Budget	$233,081,809	$916,250	$233,998,059
2017-19 Legislative Appropriations	214,336,704	0	214,336,704
Increase (Decrease)	$18,745,105	$916,250	$19,661,355

Agency Funding



FTE Positions



Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2019-21 Executive Budget	$233,998,059	$46,336,596	$280,334,655
2019-21 Base Level	214,336,704	37,161,253	251,497,957
Increase (Decrease)	$19,661,355	$9,175,343	$28,836,698

First House Action

Attached is a comparison worksheet detailing first house changes to base level funding and the executive budget.

Executive Budget Highlights
(With First House Changes in Bold)

	General Fund	Other Funds	Total
Agencywide			
1. Provides funding for state employee salary and benefit increases, of which $6,078,712 is for salary increases, $3,514,496 is for health insurance increases, and $757,573 is for retirement contribution increases. **The House added funding for salary adjustments of 2 percent per year and increases in health insurance premiums from $1,241 to $1,427 per month. The House did not add funding for retirement contribution increases.**	$9,863,537	$487,244	$10,350,781
Juvenile Services			
2. Increases funding for teacher salaries and wages to comply with the Teacher Composite Schedule	$232,510	$0	$232,510

3. Converts 2 temporary correctional officer positions to FTE positions	$27,772	$0	$27,772
4. Adds funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts	$537,500	$0	$537,500
5. Transfers 1.12 FTE positions to the Information Technology Department for the information technology unification initiative and adjusts related operating costs. **The House did not transfer FTE positions for the information technology unification initiative.**	$11,993	$0	$11,993
6. Adjusts funding for miscellaneous expenses, including reductions in food and clothing and information technology supplies and increases in information technology contract services and professional services	($727,147)	$612,125	($115,022)
7. Adds funding for Microsoft Office 365 licensing	$74,244	$13,225	$87,469
8. Reduces funding for capital bond payments	($419,237)	$0	($419,237)
9. Adds one-time funding for extraordinary repairs, including $54,262 from the strategic investment and improvements fund	$372,000	$54,262	$426,262
10. Adds one-time funding from the strategic investment and improvements fund for a campus study of the Youth Correctional Center. **The House provided $75,000 from the strategic investment and improvements fund for a campus study of the Youth Correctional Center.**	$0	$250,000	$250,000
11. Adds one-time funding from the strategic investment and improvements fund for inmate tracking systems and other information technology upgrades	$0	$31,800	$31,800
Adult Services			
12. Increases funding for teacher salaries and wages to comply with the Teacher Composite Schedule	$1,125,280	$0	$1,125,280
13. Converts 18 temporary correctional officer positions to FTE positions	$298,663	$0	$298,663
14. Adjusts funding and adds 8.6 FTE positions to convert the Missouri River Correctional Center to a female correctional facility. **The House did not add funding or FTE positions to convert the Missouri River Correctional Center to a female facility.**	$3,055,911	$0	$3,055,911
15. Removes funding for the Dakota Women's Correctional and Rehabilitation Center contract. **The House did not remove funding for the Dakota Women's Correctional and Rehabilitation Center contract.**	($9,355,463)	$0	($9,355,463)
16. Adds funding and 36.2 FTE positions to establish a minimum security correctional facility at the James River Correctional Center, including $4.6 million to rent "man camp" structures. **The House did not add funding or FTE positions to establish a minimum security correctional facility at the James River Correctional Center.**	$11,169,113	$0	$11,169,113
17. Adjusts funding and adds 27.5 FTE positions to assume administrative control of the Tompkins Rehabilitation and Corrections Center, including removing $8.6 million for contract payments to the Department of Human Services	($3,576,240)	$0	($3,576,240)
18. Adds funding to contract with the State Hospital for up to 30 addiction treatment beds	$3,873,750	$0	$3,873,750
19. Adds funding and 7 FTE positions for pretrial services	$755,034	$0	$755,034
20. Transfers 4.88 FTE positions to the Information Technology Department for the information technology unification initiative and adjusts related operating costs. **The House did not transfer FTE positions for the information technology unification initiative.**	$60,814	$0	$60,814
21. Adjusts funding for miscellaneous expenses, including reductions in food and clothing, maintenance, and operating fees and services and increases in equipment and information technology contract services	$1,298,469	($3,592,410)	($2,293,941)

22. Increases funding for federal grant changes relating to crime victims	$20,000	$6,822,251	$6,842,251
23. Adds funding for Microsoft Office 365 licensing	$544,455	$96,983	$641,438
24. Adjusts funding for capital bond payments	($50,143)	$16,180	($33,963)
25. Removes ongoing funding used to purchase a "man camp" structure during the 2017-19 biennium for use at the Missouri River Correctional Center	($844,000)	$0	($844,000)
26. Removes ongoing funding for extraordinary repairs	($866,000)	($80,000)	($946,000)
27. Adds one-time funding for extraordinary repairs, including $86,738 from the strategic investment and improvements fund	$504,250	$401,738	$905,988
28. Adds one-time funding for replacement of Elite servers	$40,000	$0	$40,000
29. Adds one-time funding from Roughrider Industries for equipment	$0	$298,700	$298,700
30. Adds one-time funding from Roughrider Industries for construction of a Roughrider Industries building at the James River Correctional Center	$0	$1,140,000	$1,140,000
31. Adds one-time funding from the strategic investment and improvements fund for renovations of the Missouri River Correctional Center to convert it to a female correctional facility. **The House did not add funding for renovations of the Missouri River Correctional Center to convert it to a female correctional facility.**	$0	$2,443,077	$2,443,077
32. Adds one-time funding from the strategic investment and improvements fund for a campus study of the James River Correctional Center and the State Hospital. **The House added $175,000 for a campus study of the James River Correctional Center and the State Hospital.**	$0	$500,000	$500,000
33. Adds one-time funding from the strategic investment and improvements fund for inmate tracking systems and other information technology upgrades	$0	$633,200	$633,200
34. Adds one-time funding from the strategic investment and improvements fund for security equipment and redundant fencing	$0	$412,000	$412,000

Other Sections in House Bill No. 1015

Special funds - Strategic investment and improvements fund - Section 3 designates $1,468,000 from the strategic investment and improvements fund for campus studies, equipment, information technology projects, and extraordinary repairs.

Exemption - Community Behavioral Health Program - Section 4 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.

Operating fund authority - Section 5 provides authority to the Department of Corrections and Rehabilitation (DOCR) to deposit in and spend from its operating fund pursuant to legislative appropriation any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common school trust fund.

Tompkins Rehabilitation and Corrections Center - Section 6 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.

Legislative Management study - Section 7 provides for a legislative management study of DOCR.

Continuing Appropriations

There are no continuing appropriations for this agency.

Significant Audit Findings

The State Auditor's office reported DOCR does not have proper authority to deposit certain revenues into the DOCR operating fund.

Major Related Legislation

House Bill No. 1013 - Provides for a distribution of $1,864,000 to the Youth Correctional Center from permanent funds established for the benefit of the institution.

House Bill No. 1039 - Raises the age of culpability of a juvenile from 7 to 10 years old.

House Bill No. 1050 - Provides DOCR may place certain sentenced individuals in a drug and alcohol treatment program and upon completion of the program the individual will be placed on probation.

House Bill No. 1051 - Provides a minimum sentence exemption for sentences imposed upon revocation of probation.

House Bill No. 1076 - Removes the authority of DOCR to transfer an offender between 16 and 18 years old from the Youth Correctional Center to an adult correctional facility.

House Bill No. 1183 - Removes certain mandatory sentences for offenses relating to controlled substances.

House Bill No. 1393 - Creates law relating to domestic violence.

House Bill No. 1396 - Provides for a mandatory sentence for the abuse of a child.

House Bill No. 1520 - Raises the age of culpability of a juvenile from 7 to 10 years old and provides for assessments of delinquent children.

Senate Bill No. 2044 - Amends and clarifies Section 12.1-21-06 relating to tampering with or damaging a critical infrastructure facility or a public service.

Senate Bill No. 2087 - Reduces the record retention period for adult and juvenile case files and court records from 50 years to 25 years.

Senate Bill No. 2273 - Creates and amends law relating to sexual extortion and other sexual offenses.

Department of Corrections and Rehabilitation - Budget No. 530
House Bill No. 1015
Base Level Funding Changes

	Executive Budget Recommendation				House Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Position	General Fund	Other Funds	Total
2019-21 Biennium Base Level	845.29	$214,336,704	$37,161,253	$251,497,957	845.29	$214,336,704	$37,161,253	$251,497,957
2019-21 Ongoing Funding Changes								
Base payroll changes		$1,634,020	($1,364,762)	$269,258		$1,634,020	($1,364,762)	$269,258
Salary increase		5,791,612	287,100	6,078,712		3,348,094	165,036	3,513,130
Health insurance increase		3,349,265	165,231	3,514,496		3,763,528	207,727	3,971,255
Retirement contribution increase		722,660	34,913	757,573				0
Increase funding for teacher salaries and wages		1,357,790		1,357,790		1,357,790		1,357,790
Convert 20 temporary correctional officer positions to FTE positions	20.00	326,435		326,435	20.00	326,435		326,435
Adjust funding and FTE positions to convert the Missouri River Correctional Center (MRCC) to a female correctional facility	8.60	3,055,911		3,055,911				0
Remove funding for the Dakota Women's Correctional and Rehabilitation Center (DWCRC) contract		(10,761,951)		(10,761,951)				0
Adjust funding relating to the DWCRC contract		1,406,488		1,406,488		1,143,360		1,143,360
Add funding and FTE positions to establish a minimum security correctional facility at the James River Correctional Center (JRCC)	36.20	6,565,560		6,565,560				0
Add funding to rent man camp buildings for use as a JRCC minimum security facility		4,603,553		4,603,553				0
Add funding and FTE positions to assume control of the Tompkins Rehabilitation and Corrections Center (TRCC)	27.50	5,031,222		5,031,222	27.50	5,031,222		5,031,222
Remove funding for TRCC payments to the Department of Human Services		(8,607,462)		(8,607,462)		(8,607,462)		(8,607,462)
Add funding to contract with the State Hospital for up to 30 addiction treatment beds		3,873,750		3,873,750		3,873,750		3,873,750
Add funding and FTE positions for pretrial services	7.00	755,034		755,034	7.00	755,034		755,034

Add funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts		537,500		537,500		537,500		537,500
Transfer FTE positions for the information technology (IT) unification initiative	(6.00)	(1,204,280)		(1,204,280)				0
Increase funding for operating expenses relating to the IT unification initiative		1,277,087		1,277,087				0
Adjust funding for miscellaneous expenses, including reductions in food and clothing, operating fees and services, and maintenance; and increases in equipment and IT contractual services		571,322	(2,980,285)	(2,408,963)		571,322	(2,980,285)	(2,408,963)
Adjust funding for crime victims federal grant award changes		20,000	6,822,251	6,842,251		20,000	6,822,251	6,842,251
Add funding for Microsoft Office 365 licensing		618,699	110,208	728,907		618,699	110,208	728,907
Adjust funding for capital bond payments		(469,380)	16,180	(453,200)		(469,380)	16,180	(453,200)
Remove ongoing funding used to purchase a man camp facility for the MRCC		(844,000)		(844,000)		(844,000)		(844,000)
Remove ongoing funding for extraordinary repairs		(866,000)	(80,000)	(946,000)		(866,000)	(80,000)	(946,000)
Miscellaneous funding source adjustment		270	(270)	0				0
Reduce funding for transitional services				0		(1,049,741)		(1,049,741)
Total ongoing funding changes	93.30	$18,745,105	$3,010,566	$21,755,671	54.50	$11,144,171	$2,896,355	$14,040,526
One-time funding items								
Add one-time funding to replace Elite servers		$40,000		$40,000		$40,000		$40,000
Add one-time funding for Roughrider Industries equipment			$298,700	298,700			$298,700	$298,700
Add one-time funding for construction of a Roughrider Industries building at JRCC			1,140,000	1,140,000				0
Add one-time funding for extraordinary repairs, including $141,000 from SIIF		876,250	456,000	1,332,250		876,250	456,000	1,332,250
Add one-time funding from SIIF for renovations of the MRCC to convert it to a female facility			2,443,077	2,443,077				0
Add one-time funding from SIIF for campus studies of the Youth Correctional Center, JRCC, and State Hospital			750,000	750,000			250,000	250,000
Add one-time funding from SIIF for inmate tracking systems and other IT upgrades			665,000	665,000			665,000	665,000
Add one-time funding from SIIF for security equipment and redundant fencing			412,000	412,000			412,000	412,000

Total one-time funding changes	0.00	$916,250	$6,164,777	$7,081,027	0.00	$916,250	$2,081,700	$2,997,950
Total Changes to Base Level Funding	93.30	$19,661,355	$9,175,343	$28,836,698	54.50	$12,060,421	$4,978,055	$17,038,476
2019-21 Total Funding	938.59	$233,998,059	$46,336,596	$280,334,655	899.79	$226,397,125	$42,139,308	$268,536,433

Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

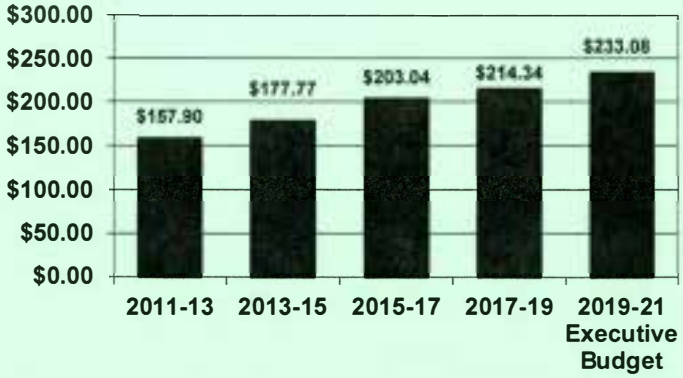
	Executive Budget Recommendation	House Version
Special funds transfer - SIIF	Section 3 would designate $4,411,077 from SIIF for campus studies, equipment, IT projects, and capital projects.	Section 3 designates $1,468,000 from SIIF for campus studies, equipment, IT projects, and extraordinary repairs.
Line item transfers	Section 4 would authorize the Department of Corrections and Rehabilitation (DOCR) to transfer up to 10 percent of its total appropriation between the adult services and youth services line items.	
Additional funds appropriation authority	Section 5 would appropriate any additional special funds received by DOCR.	
Exemption - Community behavioral health program	Section 6 would provide that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.	Section 4 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.
Continuing appropriation authority	Section 7 would provide a continuing appropriation to DOCR for any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.	Section 5 authorizes DOCR to deposit in and spend from its operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.
Tompkins Rehabilitation and Corrections Center	Section 8 would convey ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.	Section 6 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.
Legislative Management study		Section 7 provides for a legislative management study of DOCR.

Department 530 - Department of Corrections and Rehabilitation

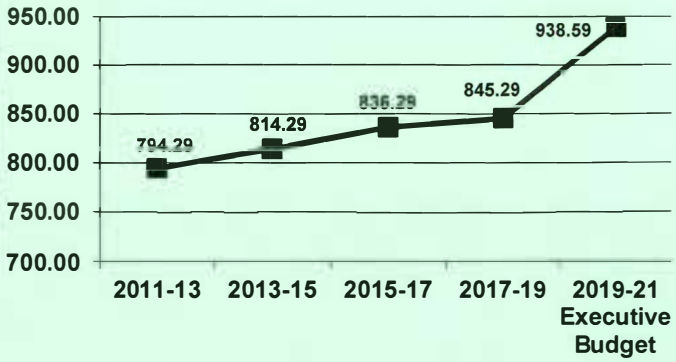
Historical Appropriations Information

Ongoing General Fund Appropriations Since 2011-13

Ongoing General Fund Appropriations (in Millions)



FTE Positions



Ongoing General Fund Appropriations					
	2011-13	2013-15	2015-17	2017-19	2019-21 Executive Budget
Ongoing general fund appropriations	$157,901,861	$177,774,343	$203,044,020	$214,336,704	$233,081,809
Increase (decrease) from previous biennium	N/A	$19,872,482	$25,269,677	$11,292,684	$18,745,105
Percentage increase (decrease) from previous biennium	N/A	12.6%	14.2%	5.6%	8.7%
Cumulative percentage increase (decrease) from 2011-13 biennium	N/A	12.6%	28.6%	35.7%	47.6%

Major Increases (Decreases) in Ongoing General Fund Appropriations

2013-15 Biennium

1. Added 11 FTE correctional officer positions and 3 FTE correctional caseworker positions	$1,537,144
2. Added funding for increased probation and incarceration requirements due to provisions of House Bill No. 1302 (2013) relating to driving under the influence laws	$3,000,000
3. Increased funding for transitional housing and programs	$1,106,678

2015-17 Biennium

1. Added funding for targeted equity salary increases for correctional officer positions	$2,126,442
2. Added funding for 22 new FTE positions, including 16 parole and probation officers, 1 juvenile corrections specialist, 1 Youth Correctional Center position, 2 adult services treatment positions, and 2 James River Correctional Center central receiving positions	$3,624,413
3. Added funding to transfer community sex offender treatment from the Department of Human Services	$1,865,810
4. Added funding for contract housing and programming	$9,243,102
5. Increased funding for the Dakota Women's Correctional and Rehabilitation Center contract	$2,250,000

2017-19 Biennium

1. Added 8 FTE Youth Correctional Center positions to maintain compliance with the federal Prison Rape Elimination Act	$1,006,461
2. Added funding for a community behavioral health program, including 1 FTE position	$7,000,000
3. Reduced funding for salaries and wages and contract housing and programming	($7,000,000)
4. Restored funding for contract housing and programming	$4,715,073
5. Adjusted funding for various operating expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services	$2,364,585

2019-21 Biennium (Executive Budget Recommendation)

1.	Converts 20 temporary correctional officer positions to FTE positions	$326,435
2.	Adjusts funding and adds 8.6 FTE positions to convert the Missouri River Correctional Center to a female correctional facility. **The House did not add funding or FTE positions to convert the Missouri River Correctional Center to a female facility.**	$3,055,911
3.	Removes funding for the Dakota Women's Correctional and Rehabilitation Center contract. **The House did not remove funding for the Dakota Women's Correctional and Rehabilitation Center contract.**	($9,355,463)
4.	Adds funding and 36.2 FTE positions to establish a minimum security correctional facility at the James River Correctional Center, including $4.6 million to rent man camp structures. **The House did not add funding or FTE positions to establish a minimum security correctional facility at the James River Correctional Center.**	$11,169,113
5.	Adjusts funding and adds 27.5 FTE positions to assume administrative control of the Tompkins Rehabilitation and Corrections Center, including removing $8.6 million for contract payments to the Department of Human Services	($3,576,240)
6.	Adds funding to contract with the State Hospital for up to 30 addiction treatment beds	$3,873,750
7.	Adds funding and 7 FTE positions for pretrial services	$755,034
8.	Adds funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts	$537,500
9.	Transfers 6 FTE positions to the Information Technology Department for the information technology unification initiative and adjusts related operating costs. **The House did not transfer FTE positions for the information technology unification initiative.**	$72,807
10.	Adds funding for Microsoft Office 365 licensing	$618,699

GOVERNOR'S RECOMMENDATION FOR THE DEPARTMENT OF CORRECTIONS AND REHABILITATION AS SUBMITTED BY THE OFFICE OF MANAGEMENT AND BUDGET

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the department of corrections and rehabilitation for the purpose of defraying the expenses of the department of corrections and rehabilitation, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	Base level	Adjustments or Enhancements	Appropriation
Adult services	$220,757,448	$26,947,121	$247,704,569
Youth services	30,740,509	1,889,577	32,630,086
Total all funds	$251,497,957	$28,836,698	$280,334,655
Less estimated income	37,161,253	9,175,343	46,336,596
Total general fund	$214,336,704	$19,661,355	$233,998,059
Full-time equivalent positions	845.29	93.30	938.59

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-fourth legislative assembly for the 2017-19 biennium and the 2019-21 one-time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	2015-17	2017-19
RRI equipment	$167,000	$298,700
Electronic medical records	935,907	0
Justice reinvestment	500,000	0
DAPL	500,000	0
Extraordinary repairs	0	1,332,250
Detection equipment	0	252,000
NDSP redundant fence	0	160,000
Industries building - JRCC	0	1,140,000
Campus studies	0	750,000
MRCC renovation	0	2,443,077
IT projects	0	705,000
Total all funds	$2,102,907	$7,081,027
Less estimated income	2,102,907	6,164,777
Total general fund	$0	$916,250

The 2019-21 one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 3. SPECIAL FUNDS TRANSFER – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes the sum of $4,411,077, or so much of the sum as may be necessary, from the strategic investment and improvements fund which may be transferred at the direction of the director of the department of corrections and rehabilitation for campus studies, equipment, information technology projects and capital projects during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 4. FUNDING TRANSFERS – EXEMPTION – AUTHORIZATION. Notwithstanding section 54-16-04, the department of corrections and rehabilitation may transfer between line items within section 1 of this Act up to ten percent of the total appropriation contained in section 1 during the biennium beginning July 1, 2019, and ending June 30, 2021. The agency shall notify the office of management and budget and the legislative council of any transfer made pursuant to this section

SECTION 5. APPROPRIATION - In addition to the amounts appropriated to the department of corrections and rehabilitation in section 1 of this Act, there is appropriated any additional income from federal or other funds which may become available to the agency for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 6. EXEMPTION – COMMUNITY BEHAVIORAL HEALTH PROGRAM. Section 54-44.1-11 does not apply to $7,000,000 provided for the community behavioral health program included in section 1 of chapter 40 of the 2017 Session Laws. Any unexpended funds from this appropriation are available to the department of corrections and rehabilitation for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 7. CONTINUING APPROPRIATION AUTHORITY – DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND. Any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical co-payments; and from the common school trust fund; are appropriated to the department of corrections and rehabilitation as a continuing appropriation to defray operating expenses in addition to any moneys otherwise appropriated under this Act.

SECTION 8. CONVEYANCE OF LAND AND BUILDINGS – EXEMPTION FROM CHAPTERS 48-01.1 AND 54-44.7 OF THE NORTH DAKOTA CENTURY CODE. The state of North Dakota, by and through the department of human services, shall convey ownership of building 2404, formerly known as the nursing residence building and tompkins building, and surrounding real property on the grounds of the state hospital to the department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services for construction and renovation do not apply to this conveyance.

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SENATE APPROPRIATIONS COMMITTEE
Senator Ray Holmberg, Chairperson
March 15, 2019

North Dakota Department of Corrections and Rehabilitation
Leann K. Bertsch, Director

Presenting Testimony concerning House Bill 1015

The Department of Corrections and Rehabilitation's mission is to enhance public safety, to reduce the risk of future criminal behavior by holding adult and juvenile offenders accountable, and to provide opportunities for change. The Department of Corrections and Rehabilitation (DOCR) accomplishes this mission through the hard work and dedication of its staff. Meeting this mission is a challenge, requiring the DOCR to find a balance between our immediate need of managing the increased our incarcerated and probation and parole populations and maintaining outcomes through evidence-based programs while managing correctional costs.

I will highlight some of the key components of the executive budget with an emphasis on Adult Services. Our Director of Administration, Dave Krabbenhoft, will address budget specific information relating to the 2017-2019 appropriations and expenditures, and the significant items in our budget request for the 2019-2021 biennium that are critical for the DOCR to continue to meet its mission. Lisa Bjergaard, Director of the Division of Juvenile Services will provide an overview of Juvenile Services.

Assuming Control over the Tompkins Rehabilitation program located in the Nurses Building on the grounds of the State Hospital

TRCC grew out of a program that was started by the DOCR in January 1999. Originally called the revocation center, the program was located in the Stutsman County Correctional Center. It started as a 60 day, in-patient alcohol and drug treatment program designed for first time

probation violators and parolees, and was also utilized for intermediate measures. During the 1999 legislative session, $2 million was appropriated to the Field Services Division of the DOCR to expand and implement alternatives to incarceration. The revocation center turned into the Tompkins Rehabilitation and Corrections Unit (TRCU) and became a new 100- day program to provide an alternative to incarceration for individuals incarcerated at the DOCR as well as for individuals at risk of having their probation revoked. Until 2003, TRCU continued to be located at the Stutsman County Correctional Center. Evaluations of TRCU indicated the effectiveness of the treatment program was limited due to a lack of therapeutic environment in a jail setting.

TRCC was established in 2003 by combining resources and programs to create a 90-bed treatment center on the grounds of the North Dakota State Hospital. At the time the partnership was formed, significant downsizing of the State Hospital was occurring and taking on TRCC was a way to continue to utilize State Hospital staff that would have otherwise lost their jobs. TRCC has been a very beneficial program and partnership between the State Hospital and DOCR serving both men and women under the custody or supervision of the DOCR. The facility houses residents separately on three wards delivering 100 days of cognitive behavioral treatment in a structured social learning correctional model. The program consisted of 60 beds for men and 30 beds for women. During the 2015-2017 biennium, the program was expanded to provide an additional 16 beds for men. The current capacity is 106 beds.

Although the partnership between the DOCR and the State Hospital has been a very good one and operates more collaboratively now than ever, the program has evolved over the years to where it makes sense that DOCR take over the remaining pieces of the program. The DOCR already provides case management and program management with DOCR staff.

The DOCR provides and directly pays the cost of food and laundry services provided to TRCC. The DOCR also provides security support for the program. The DOCR also provides educational and GED services for the TRCC. Transferring the remaining portions of the program to the DOCR eliminates the need for a contract and the costs associated with it; eliminates the need to negotiate changes and services; Improves the flexibility of use of staff by being able to move Licensed Addiction Counselors (LACs) when necessary based on DOCR needs; Keeps the DOCR from being overly regulated by joint commission standards; Unifies our records and streamlines operations. (Clinical staffing, entrance/exit of residents, etc); Allows for the potential replacement some of the LACs with Human Relations Counselors (HRCs) to conduct Thinking for a Change and other programming to save money instead of two LACs co-facilitating; TRCC and James River Correctional Center (JRCC) which is also located on the grounds of the State Hospital will continue to share resources and expand to sharing human resources; Ensures DOCR's best practices for re-entry are applied to those individuals discharging from TRCC. (e.g. Thirty-day supply of prescription medications). The proposal in the Executive Recommended budget, transfers the 60 beds that are located in the Nurses Building. The DOCR will contract for services for any additional treatment beds from the State Hospital. We were not able to assume responsibility over the portions of the program that are run out of buildings that the State Hospital is currently using for patient services. The DOCR will eventually request to take over the remaining treatment beds when and if the State Hospital locates to a new facility. TRCC is the DOCR's program. The DOCR determines and approves the programming to be delivered. The DOCR determines placement into the program, however the State Hospital can and does restrict who they will accept, such as those with chronic medical needs, pregnancy or registered sex offenders. TRCC customers are 100% DOCR customers. TRCC is exclusive to those under DOCR custody or supervision. The TRCC has

become an integral part of the operations of the DOCR and it makes sense that the DOCR assume control over the program that is being delivered in building separate from State Hospital core functions.

Investment in Community Behavioral Health

During the last session, the legislature, with the support of both the executive and judicial branch, made some wise and effective criminal justice reforms that have resulted in the first time in over a decade, a decrease in the number of people incarcerated both in the state prison system and our county and regional jails. That occurred in spite of an increase in the population of our state and without negatively impacting crime rates. One of the most controversial aspects of the reform included the Prison Prioritization Plan (the Plan). The Plan recognized that correctional resources are finite and that expensive, back-end, resources need to be reserved for those that our dangerous, not those we are just mad at. You also gave that same authority to the counties with the charge that they develop alternatives to incarceration at the local level. I believe the Plan raised the awareness of all criminal justice practitioners the need to do things differently in order to get a different outcome. As a result of the Plan and other aspects of the reforms, we have seen an 8% decrease in the number of people incarcerated with the DOCR. You took a chance on enacting this legislation and the counties lamented that the state would be dumping on them. This did not happen. The Plan was never invoked, and the county jails have several hundred fewer incarcerated individuals than last biennium.

By enacting the Plan and thereby creating a mechanism to control correctional growth, you were able to move $7 million upstream to reinvest in services to help people under probation or parole supervision that are struggling with the chronic disease of addiction. You wisely invested that money in community behavioral health services or Free Through Recovery (FTR), recognizing that without such services, many of these individuals would likely end up in jail or prison. FTR was launched in February of 2018 and has served over 620 individuals. Your support for these services will continue to show results in the form of more individuals in

recovery, and fewer people cycling through the criminal justice system. There is still a lot of work to do to disrupt this pernicious cycle and that work includes making sure that when individuals are incarcerated, that the DOCR is doing everything possible to provide people with the services, skills and resources to help them succeed in desisting from crime. The DOCR has been nationally recognized as a leader in prison reform for its efforts to reduce the use solitary confinement, create a more normal environment to reduce the institutionalization of incarcerated people, and use dynamic security which is a method by which prison staff interact closely with prisoners, and through the interaction seek to better understand the needs of the prisoners, assess the risk they may pose to staff and other prisoners, and improve safety and security while contributing to the prisoner's rehabilitation and preparation for release.

However, when it comes to how our state is providing services for incarcerated women, we are failing. Over the last 20 years, the number of people sentenced to the DOCR grew by 250% even though the state only grew by 18%. However, the number of women sentenced to the DOCR increased by almost 500%. Because the number of women has always been relatively small, the state has never provided services tailored to the risks and needs that justice involved women require. We must do better. "Good enough" is not acceptable.

Relocating the Prison for Women

The history of how we have provided incarcerative services to women is not one of which to be proud. The state has never developed or funded a gender responsive solution for women, but rather pigeon-holed the women into housing units at prison facilities designed for men. Women sentenced to the DOCR were housed in the North Unit at the State Penitentiary until 1998, when they were relocated to the newly opened James River Correctional Center, a medium custody prison for men. The DOCR recognized that this was not an ideal situation and requested that the women be moved to a separate facility on the grounds of the State Hospital. However, the legislature decided to prioritize economic development and decided to locate the women in a contract facility in a

remote location without adequate services and far from where most of the women come from. Over the last 15 years, the DOCR has tried to make this arrangement work. It is no longer a viable arrangement. Even though it would be much easier for myself and the department to continue the status quo and avoid a debate that is fraught with emotion, the taxpayers deserve correctional practices that enhance public safety and utilize tax dollars in the most fiscally prudent manner.

Decisions on where to build a prison, or whether to relocate an existing prison shape and impact the lives of incarcerated people, families, staff, volunteers, politicians and communities. Communities in which prisons are already located have stakes in keeping employment in their area. However, incarceration is not an employment program. If people need jobs, let's get people jobs. Don't put people in prison to give some people jobs and don't locate prisons in locations that inhibit the mission of the DOCR. That's not what this state is about and that has to end this session.

It is important to locate prisons in communities that are close to where the people come from that are locked up. The evidence and research show that when prisoners are able to maintain ties with their family, they cope better with their prison experience and they have a much lower recidivism rate.

Women make up about 12% of North Dakota's prison population. Unlike their male counterparts, women offenders tend to have a history of physical and/or sexual abuse, and they are the primary caretakers of young children at the time of arrest. Their involvement in the criminal activity is often motivated by poverty and/or substance abuse, and they are less likely than men to have been convicted of a violent crime. The characteristics of women involved in the North Dakota criminal justice system are disproportionately women of color; in their early-to-mid-thirties; most likely to have been convicted of a drug or drug-related offense; fragmented family histories, with other family members also involved with the criminal justice system; survivors of physical and/or sexual abuse as children and adults; significant substance abuse problems;, multiple physical and mental health problems; unmarried mothers of minor children; in need of a high

school degree/GED, and limited vocational training and sporadic work histories; The women incarcerated in the DOCR are 34% Native American and over 75% are mothers with children. Support services for incarcerated women should focus on healthy relationships. Healthy family relationships should be nurtured and supported throughout women's incarceration, with special attention to relationships to their children and their children's caretakers. Family reunification should occur as frequently as possible. Incarceration has an impact that extends far beyond the men and women who are incarcerated. You need to be concerned about the intergenerational crime and children at risk as a result of an incarcerated parent. Parental incarceration is a strong risk factor for a number of adverse outcomes for children, including antisocial and violent behavior, mental health problems, failure to graduate from school, and unemployment. Research supports that maintaining and supporting contact between the incarcerated parent and child can prevent intergenerational crime. Incarcerated mothers cite separation from their children as one of the most difficult aspects of imprisonment. Frequent and regular visitation between prisoners and their families provides the most concrete strategy to manage separation and maintain connections. These visits help the incarcerated adult and children to share family experiences and participate in family rituals, e.g., birthday celebrations, religious observances, etc. and help them to remain emotionally attached. They help assure incarcerated parents that their children have not forgotten them and children that their parents love and care about them. They allow the incarcerated parent to see themselves, and to function, in socially acceptable roles rather than as prison numbers and institutionalized dependents.

Although incarcerated women represent a small number of the total DOCR daily census, the unique needs of the women are unable to be adequately satisfied for a number of reasons. First among those is the location. The majority of women are held in a county-owned facility in New England approximately 125 miles from Bismarck, the residence of over 30% of the women sentenced to the DOCR. Over 90% of the women sentenced to the DOCR are from central and eastern North Dakota. Second, while the conditions of confinement satisfy basic life

safety codes, the existing facility was not designed to house women. Third, the ability to offer a full range of programs and services that address the unique needs of women is very limited due to location, configuration, and design.

On average, 325 women are admitted to the care and custody of the DOCR and 16.5% of these are returning after a previous sentence to the DOCR. Parole and probation violators represent 40% of the annual admissions which in conjunction with those returning with an additional criminal charge, makes the reoffending rate among women greater than 50%. The average daily population is 210. The average length of stay is approximately 235 days, although a small percentage are serving multi-year sentences.

Due to the lack of programs and opportunities for a variety of wellness activities, the women are generally unmotivated. The rate of diabetes is higher than the general population and 50% of the women are Hepatitis C positive. Largely due to the remote location, the number of community advocates for the incarcerated women is fewer than that of most state systems. This is particularly evident in the lack of volunteers to assist Native American women with their unique family, cultural, and criminogenic needs.

With this as a profile background for women, the DOCR believes the best solution to address the needs of the women in our custody is to convert MRCC from a minimum custody men's facility to a multi-custody, treatment-focused women's facility. A proposed plan has been developed that would accomplish a level of improvements to transform the MRCC to a more appropriate environment for women.

In addition to focusing on healthy relationships, programs for incarcerated women should address the areas that served as pathways to incarceration while offering opportunities for success in the community. The primary and basic needs of justice-involved women include drug treatment, employment, financial aid, money management/budgeting, cultural support, education/vocational skills, support groups, housing and legal help.

Women require health services more than men. The location of our women in New England has presented significant challenges in delivering appropriate

services. The community of New England has not embraced the prison in their community. The Hettinger Clinic, located on Main Street in New England, has refused to provide services to the women incarcerated at DWCRC. Even though they would benefit from the increases in income, they refuse to provide services to this disadvantaged and vulnerable population. Dental services at DWCRC are non-existent. No dentist in Dickinson is willing to provide dental services to the women incarcerated at DWCRC. DWCRC does not have a dental operatory and must rely on transporting women to see a dentist for assessment, evaluation and treatment. Only one dentist, located in Bowman is willing to provide services to the women incarcerated at DWCRC. DWCRC is unable to meet the standard for dental assessment as they load up a van twice a month to transport women for dental treatment. I have received numerous complaints about the dental services for women. This is unacceptable.

When the state incarcerates a person, that person is constitutionally entitled to a community standard of care. As an opioid epidemic as swept the nation, Medication Assisted Treatment (MAT) to treat individuals with opioid addictions as become a standard of care. Once Medication Assisted Treatment became available in this state, we knew that we would have people already on MAT enter into our prison system. Currently, men coming into our system are able to continue that treatment at both NDSP and MRCC. MAT is not currently being provided at DWCRC. However, after our most recent audit of DWCRC, they are seeking to obtain that service. We recently had a pregnant woman sentenced to the DOCR that was on MAT. Our physician intervened when he learned that she was to be transported to DWCRC and they planned to wean her off MAT. That would have been fatal to the fetus. The DOCR had to keep the woman at the Cass County jail where she could continue on MAT. At any given time, up to 10% of the women incarcerated at DWCRC are pregnant. These are high-risk pregnancies and it is risky for the state to have these women so far away from necessary medical care. We recently had a woman who was seven months pregnant and leaking amniotic fluid. She was required to be hospitalized in a Bismarck hospital until the baby was born, and then the mother was 125 miles

from a fragile premature baby where it was critical to maintain the bond between the mother and the baby. These are just a couple examples of the why the state should not willingly place a high-risk, high-need population in a location where services are difficult to access or non-existent.

Women with trauma histories have low self-esteem, and they need to be recognized when they succeed. Positive self-images can be developed through spaces for women to create, such as photo, art, or writing programs - and to display their work. Many incarcerated women have not had a positive experience with the traditional classroom setting because of low self-esteem and other factors. Women benefit from programs such as life skills, parenting, and independent living. Vocational programs are needed to teach marketable skills that are of an adequate pay scale and applicable in the community to which they are returning – empowering women to live independently rather than return to unhealthy environments and relationships. The location of incarcerated women in New England makes it difficult to offer similar programming that is offered to incarcerated men due to the people resource. Often the DOCR offers to bring in volunteers and contract services such as a technology training, Toastmasters, art programs, etc. with a negative response from DWCRC to start them due to an inability to supervise the contractor or volunteer. The quality of education and personnel have caused the efficiency and success rate of the GED program to not be comparable to that of all other such facilities such that the DOCR has had to directly supervise their education services. DOCR Education has taken on a more active role of offering what should be the supervision feedback directly to the facility's administrator to try to fix this. The 2018 GED State Audit's recommendation was to close the site and let go of some of the education personnel due their lack of compliance. The DOCR has created compliance measures for DWCRC to attempt to avoid the negative impact to our women students. A recent resident of DWCRC, now at Tompkins, shared, "I spend 5 months as a GED student at DWCRC, and all I had to show for it was one completed test. The hoops I had to jump through for one test was ridiculously frustrating…" This student arrived and Tompkins and graduated through DOCR

Education in three weeks. She went on to add, "I personally know a girl at the prison… that has been in the GED program for her entire 4 years there, and had only one test left to take. There has to be something someone can do so that the women do not have to continue to go through all this frustration." It is critical for this disparity to be addressed. Adult correctional education improves post release outcomes. Incarcerated adults who participate in correctional education programs have a 43 percent lower chance of recidivating than those who do not – a reduction in the risk of recidivating of 13 percentage points. The odds of obtaining employment post release among incarcerated adults who participate in correctional education is 13 percent higher than for those who do not. The state must provide the same opportunities for the women to succeed as are afforded to the men.

There are many reasons for the growing number of women in the criminal justice system, but the primary one is the increase in drug-related convictions. In spite of this, the issues of addicted women, are for the most part, invisible in the criminal justice system. Historically, treatment, research and recovery have been based on the male experience, often neglecting women's needs. While this neglect has serious impact on women and treatment programs in the free world, the problem is magnified for women in the criminal justice population. Statistics indicate that for women there is a high correlation between drug abuse and incarceration and parole/probation violations and yet our state does not provide a comprehensive continuum of care for these women. The behavioral health services at DWCRC are very limited, requiring the DOCR to move them to a different location to access services, fragmenting the comprehensive approach to the rehabilitation process. This constant movement of the women sentenced to the DOCR creates much instability and leads to higher failures. In attachments 1 and 2 you will see the expanded behavioral health resources that would be provided to women when relocated to MRCC in Bismarck. The attachment which displays the FTR providers by region shows that Bismarck has more than four times the capacity to provide care coordination and peer support services as compared to the Dickinson region.

The state needs to create a system that delivers better outcomes and safer communities by providing the necessary services to the women in our corrections system. In caring about small towns, you need to care about all of our North Dakota communities, both large and small where these women are returning. Citizens deserve an effective corrections system that releases a good neighbor, not a good prisoner that continues to churn through the criminal justice system at great expense to taxpayers.

The House Appropriations Subcommittee considered three options. Adopt the Executive Budget recommendation and relocate the women to MRCC and the minimum custody men to the campus of JRCC; Relocate the women to MRCC but move some of the minimum custody men to New England to allow them to maintain a correctional mission; and finally, maintain the status quo and study the issue. They chose to study the proposed move. In 2003, this body did not study whether incarcerating women in a former catholic boarding school in rural Southwest North Dakota was a good idea. The DOCR came forward with a plan that would have remodeled an existing building on the campus of the State Hospital for incarcerated women. During that session, an administrator for SWMCC came forward and proposed the existing situation, stating that they could house women in New England for $35.00 per day and the facility needed minimal renovations or in his words a "lick of paint". The DOCR is extremely concerned that the already limited services at DWCRC will continue to decrease as employees of that facility seek other employment, particularly the professional positions that they already have a difficult time filling. A solution, not a study, is needed now.

Pretrial Services

Pretrial Services programs provide crucial information to judicial officers to assist with the bail decisions and to provide supervision and services to pretrial defendants that will promote public safety and court appearance. The role of a high functioning pretrial services agency can have many positive impacts on local

justice systems. By identifying risk factors through validated risk instruments and providing release options and strategies to manage the defendant's risk pending trial, judicial officers can make informed decisions that balance the Constitutional presumption of innocence while providing protections for the community. Our criminal justice system stands on tow bedrock principles: that individuals accused of a crime are presumed innocent until proven guilty, and that they are entitled to a speedy trial. Yet many defendants are detained in jail before and during trial – while they are presumed innocent – because they cannot post bail, and, all too often, have to wait an extended number of months to see their day in court. This can impair their access to justice as a result of a reduced ability to actively participate in planning their defense with counsel, contacting witnesses, and collecting evidence. Some low-level offenders may plead guilty, not because of their culpability, but because of their need or desire to get out of jail, particularly individuals with fragile employment which would be lost if they miss work, or single parents who need to care for their children. Research also shows that low-risk defendants who are detained pretrial are more likely to commit new crimes, not only while their cases are pending, but also years later. The impact of unnecessary pretrial detention also is reflected in bloated jail populations and the accompanying expenses of providing health care, meals and other costs of incarceration. Two sessions ago, you enacted legislation that allows for the DOCR's Parole and Probation Division to provide pretrial services. However, no resources were appropriated to allow for the services to be provided. Included in the Executive recommended budget, are 7 FTE's to support a pretrial services pilot in three regions. One of the 7 FTE's would be hired in the first year of the biennium to coordinate and collaborate with all the required stakeholders to designed and build the program. The other 6 FTE's would be hired in the second year of the biennium to provide services in the three regions selected to participate in the pilot.

Education

Providing education and vocational skills to incarcerated individuals is one of the best investments you can make to reduce recidivism. Our education department, under the direction of Dr. Penny Veit-Hetletved, leads the nation in passing success rate as calculate by the GED Testing Services. Our education staff do some amazing work with challenging students. However, the higher turnover rates for those educators serving adult population is alarming. Of the twenty educators necessary for serving the adult populations, half of these faculty are FTEs and the other half are full time temps with limited benefits. Pay equity in comparison with the educators at the North Dakota Youth Correctional Center (NDYCC) is deficient by $10,00-$14,000 for Division of Adult Services (DAS) instructors who work twelve months versus nine months; are required to hold the same licensures, credentials, and trainings; are governed by the same teacher handbook; and are supervised by the same administrator. In the past three years, we have turned over 81% of our DAS faculty. Through exit surveys, we have learned that 98% of those DAS faculty left for a public school position that paid them in nine months what the DOCR DAS position pays in twelve. The DAS educators do not need to go to the contracted system that NDYCC follows, but a pay comparison equity raise would allow DAS education to continue to operate on the same level. The executive budget in its current form includes funding to put the DAS educators on the same composite scheduled as our NDYCC educators. We would appreciate your consideration of this request.

The 2019-2021 biennium will be a biennium of many challenges and changes for the DOCR. Difficult social issues require bold solutions and difficult decisions to be made. I look forward to working with you as you craft a budget for the DOCR that ensures that the DOCR is able to meet its goals of protecting the public, protecting staff, and maintaining safe, secure and humane supervision of offenders, both in the facilities and the community.

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NORTH Dakota
Be Legendary.™

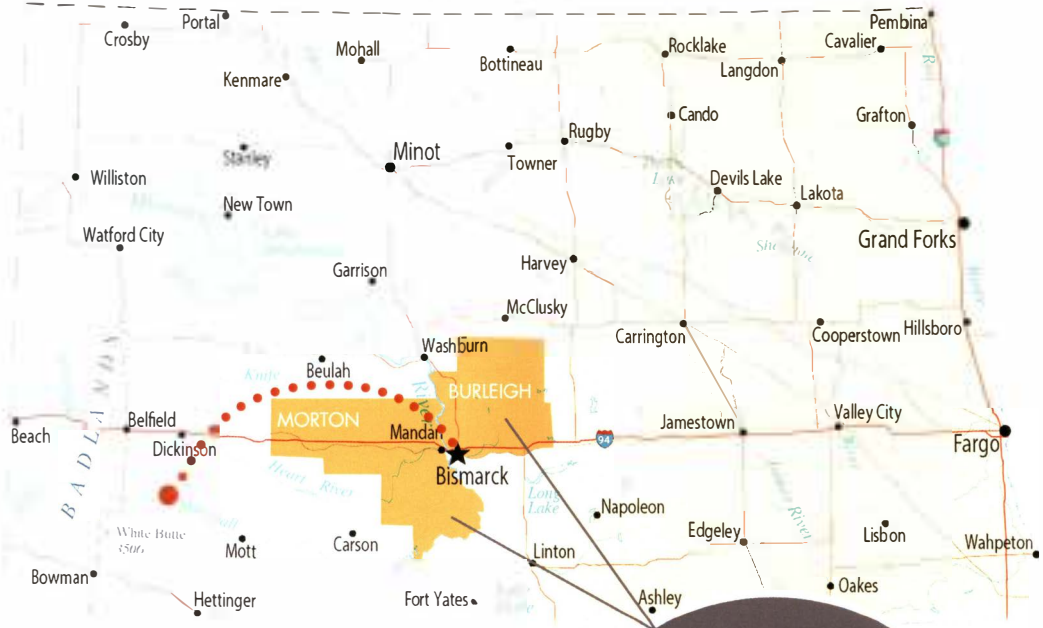
Justice Reinvestment

CREATING BETTER OUTCOMES AND SAFER COMMUNITIES

WHY RELOCATION?

Right for Residents –
Better for Taxpayers

90%
of women residents in ND are from central and eastern ND



1/3
of these Women are from Morton and Burleigh Counties

RECOMMENDATION:
Relocate women's prison services from New England to the Missouri River Correctional Center.

Family Matters

IT'S TIME TO BREAK THE INTERGENERATIONAL CYCLE OF INCARCERATION.

- Research shows preserving a child's relationship with a parent during incarceration benefits both parties*
- 80% of ND incarcerated women have children under age 18
- Access to family visits at DWCRC is difficult
- Separating children from their mothers causes significant distress
- Children particularly susceptible to the domino effect of burdens placed on incarcerated women

** The Annie E. Casey Foundation. "A Shared Sentence: The devastating toll of parental incarceration on kids, families and communities." April 2016, www.aecf.org/m/resourcedoc/aecf-asharedsentence-2016.pdf.*

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NORTH Dakota
Be Legendary.™

Women Residents Deserve Equal Opportunity to be Productive Citizens

Lack of Parity Puts State at Risk

Location of DWCRC significantly limits women residents' access to:

- Physical and behavioral healthcare (residents have a constitutional right to adequate healthcare*)
- Opiate treatment programs (women have the highest rate of substance use disorder and opiate use disorder)
- Equal educational opportunities and vocational training

*See Estelle v. Gamble, 429 U.S. 97 (1976)

7% US Incarceration Population that are Women

12% ND Incarceration Population that are Women

500% Increase in Women Residents in Past 20 Years.

Comparison of Training Programs

NEW ENGLAND

- No community access to medical or dental services
- Level 2.1 Chemical Dependency Programming
- Programs:
  - Parenting Class
  - Conflict Resolution
  - Domestic Violence
- Industries and Trade Programs:
  - Sewing
- 12 Education Offerings:
  - DOCR assists with 5 that are mandatory interventions: Read Right, GED
- Variable resident-led groups



BISMARCK

- Local emergency medical services for high-risk pregnancies and other serious medical conditions
- Medication Assisted Treatment providers
- Dental Services
- Level 2.1 and 3.5 chemical dependency programming
- Programs:
  - Domestic Violence
  - Thinking for Change
  - Children of Incarcerated Parents: support groups for children and loved ones
  - Parenting Inside Out: Visitation room enhancements and community support structures
- Industries and Trade Programs:
  - Sewing
  - Welding
  - Building Trades
  - Carpentry
  - Commissary
- 40 different educational and enrichment classes and programming
- Charitable Giving and Garden Partnerships with U of Mary, BSC, Ministry on the Margins, Team Kaizen, and Mindfulness programs
- Volunteer programs of Toastmasters, choir, art enrichment programs
- Regularly supervised resident-led groups

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Senate Appropriations
Senator Holmberg, Chairman
March 15, 2019

North Dakota Department of Corrections and Rehabilitation
Division of Juvenile Services
Lisa Bjergaard, Director

TESTIMONY pursuant to House Bill 1015

For the record, I am Lisa Bjergaard, Director of the Division of Juvenile Services. I present this testimony in support of House Bill 1015.

The Division of Juvenile Services is a public safety and rehabilitative services agency. Service is delivered via a high intensity case management system which operates eight regional community-based offices and the North Dakota Youth Correctional Center.

The public policy goals of the Division, most simply put, are to ***identify, manage,*** and ***minimize risk.*** This is "what" DJS does. However, in order to accurately direct resources, asking "who, where, when, how and why" is also essential. Today, we will examine the population served, discuss risk management, look at capacity, review current research, and analyze system effectiveness in order to answer those questions.

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YOUTH PROFILE: IDENTIFYING RISK

74% have issues with **mental health**	•60% of youth have a serious emotional disorder •46% of the youth that have a mental health issue require a medication managed by psychiatry
82% have issues with **substance abuse**	•65% used alcohol before age 15 •80% have family w/criminality or substance abuse •55% used marijuana on a weekly basis
85% have **family instability**	•65% have a family that struggles economically •68% have had multiple caretakers •60% witnessed parental conflict and/or violence
73% have **academic problems**	•58% have failed 3 or more classes •43% have usual grades that are a "D" or "F" •36% have had to repeat a grade
99% have **criminogenic risk factors**	•96% are impulsive and take risks •90% have opportunity for criminal activities •93% have been rebellious over past two years •89% associate w/criminal friends or other deliquents
99% have issues with **cognitive reasoning**	•92% appear manipulative and dominate others •86% easily lie and get away with it •77% blame others or situation •72% demonstrate a lack of remorse or guilt
75% lack adequate **social skills**	•72% exhibit negative social perceptions •37% are isolated and lacking social support

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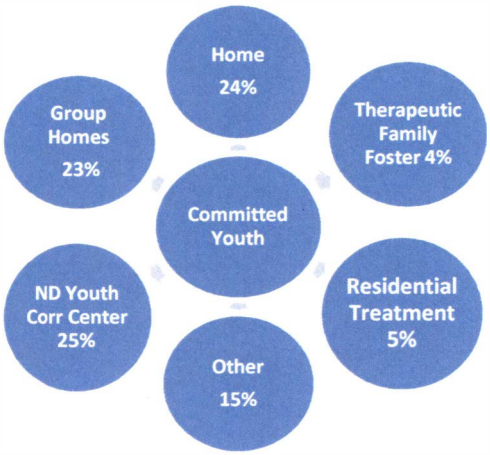
The Youth Profile shown on page 2 is a composite created from information collected during the intake and assessment phase of case planning. An analysis of risk and need guides distribution of resources and services. Following a thorough assessment, the appropriate placement setting is determined.



Currently, 75% of youth are served in a level of care other than the Youth Correctional Center. During the first year of this biennium, over 900 individual youth received supervision and services.

927 Youth Supported Annually (unduplicated count 7/1/17-6/30/18)		
AGENCY CUSTODIAL SERVICES	**NON-CUSTODIAL SERVICES (YCC)**	**COMMUNITY THERAPEUTIC SERVICES**
Committed Youth = 239	Detention Placements = 97 BOP/Triabl Placements = 9	Day Treatment = 160 Intensive In-Home = 122* *463 family members

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MANAGING RISK

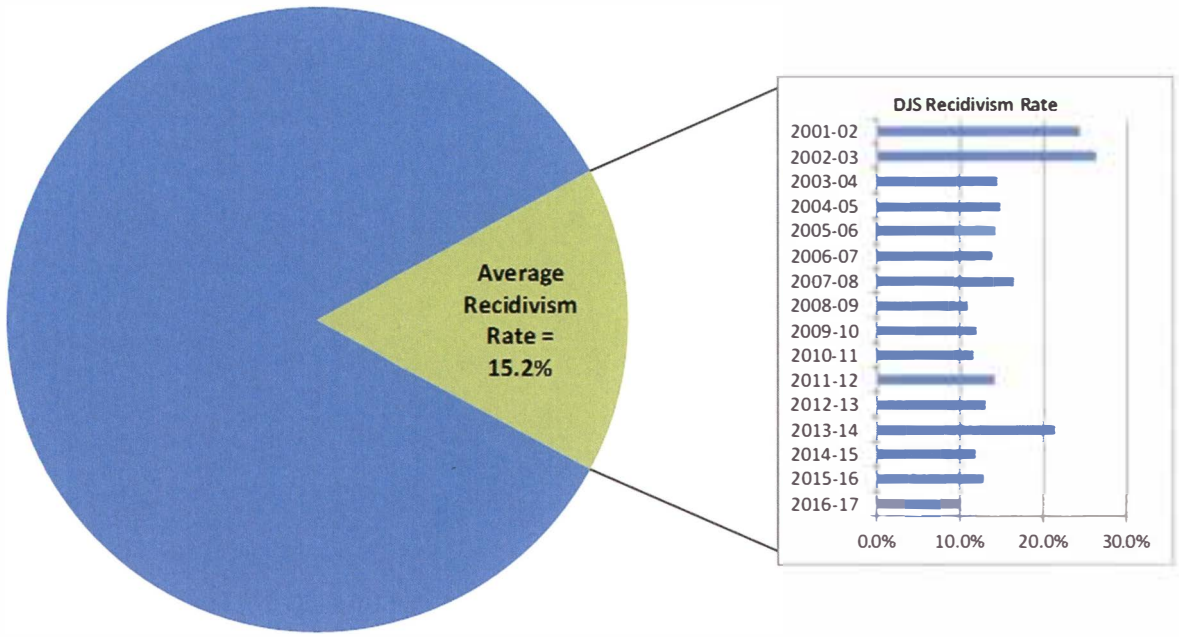
These youth have significant needs which left unaddressed can create an unacceptable level of risk to themselves and the community. As discussed previously, identifying and managing risk are key functions of the youth corrections system. Most jurisdictions have historically relied heavily on incarceration as the primary mechanism for managing risk.

We have long understood that incarceration may manage risk but it does little to reduce it. In fact, a growing body of research now concludes that particularly where youth are concerned, incarceration may in fact ***increase*** future risk.

Over use of confinement serves two purposes; risk management and punishment. However, neither confinement nor punishment help to minimize risk, and we also must produce good outcomes. North Dakota has traditionally relied heavily on out-of-home care throughout the child serving systems, and juvenile corrections has been no exception.

DJS has worked hard to reduce the use of confinement. In 2014, the daily count at the Youth Correctional Center, averaged over one year, was 71. In 2018, that number was 50.

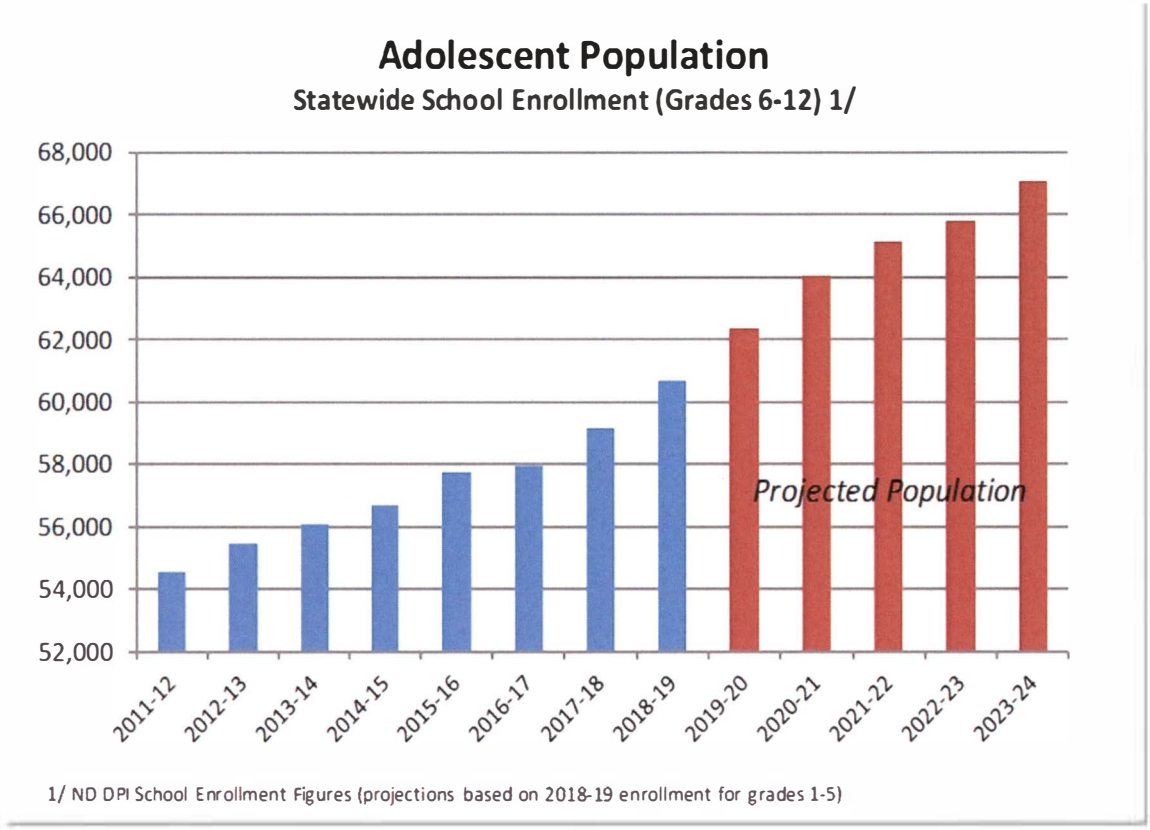
However, we must be as effective at risk reduction as we are at identifying and managing risk. We should expect great outcomes. Recidivism analysis indicates that even as the number of youth served outside of the secure facility has been reduced, negative outcomes (recidivism) have not increased and positive outcomes (education engagement, treatment plan completion rates, family engagement measures) have improved.



PROJECTING CAPACITY

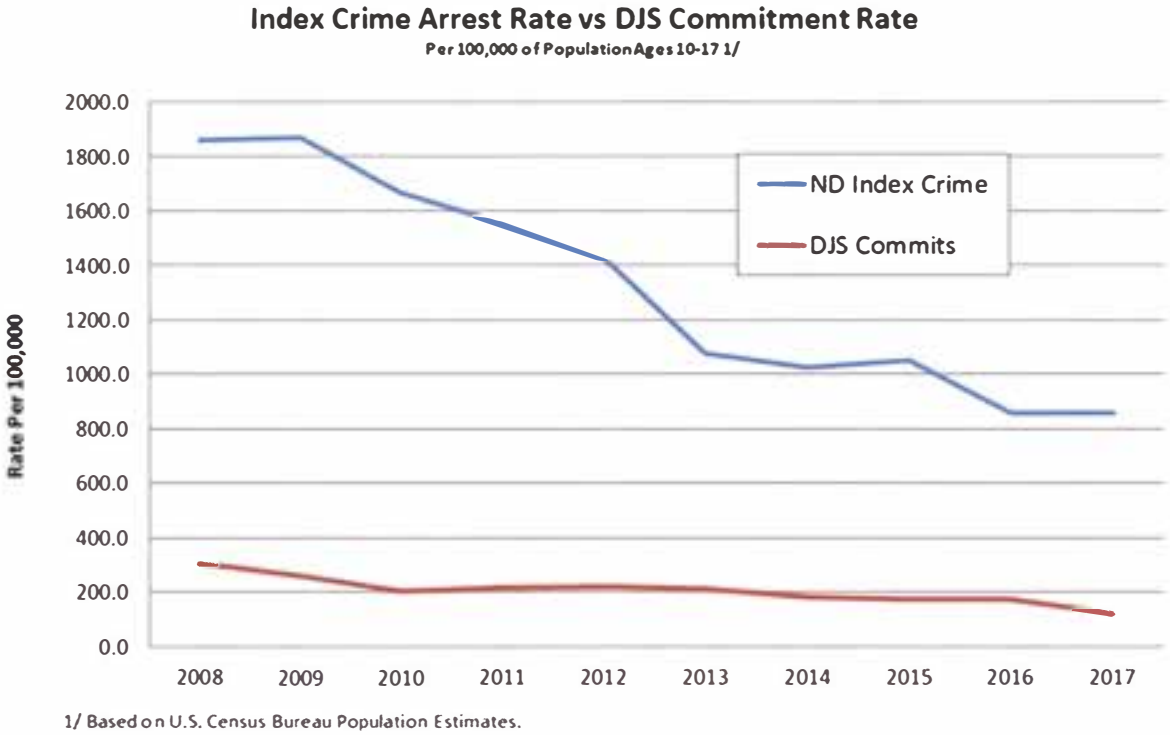
Effective resource management demands that the agency have a plan for forecasting capacity. Predicting the number of youth who will be committed to the custody of the Division of Juvenile Services (DJS) is dependent upon a number of factors. The two most reliable indicators include the number of youth in the age range and the rate at which they commit delinquent offenses.

On page 6, you will find a current data snapshot that illustrates a good way to capture the number of youth who will be in an age range. It shows the statewide school enrollment for youth in grades 6-12. The blue bars are actual numbers, and the red bars are projected numbers based on the statewide school enrollment data for youth who are moving up and into the higher grades. This data gives us a projection of the possible "universe" of delinquent youth.



The data snapshot shows the numbers of youth who will be passing through the at-risk adolescent years of their lives climbs steadily over the next few years, and so it is important to think about what the infrastructure needs might be for the state's juvenile justice involved population.

The next indicator is the juvenile crime rates. This data snapshot shows arrest rates for serious juvenile crimes (the blue line) and also rates of commitment to DJS (the red line).



The availability of data lags by almost two years, and when 2017 testimony was prepared, 2015 was the most recent year for which data was available. At that time, youth index crime arrests had taken a slight uptick, and the rate of commitment stayed relatively even. Now, the data shows that juvenile arrests for serious crimes fell between 2015 and 2016, and between 2016 and 2017 the rate of commitment to DJS began to decline as well.

These two data trend lines, taken together with the population snapshot, help us conclude that although the number of adolescents is increasing, the amount of serious crime committed by youth is down, and the rate at which youth are being committed to state custody is also showing a decline.

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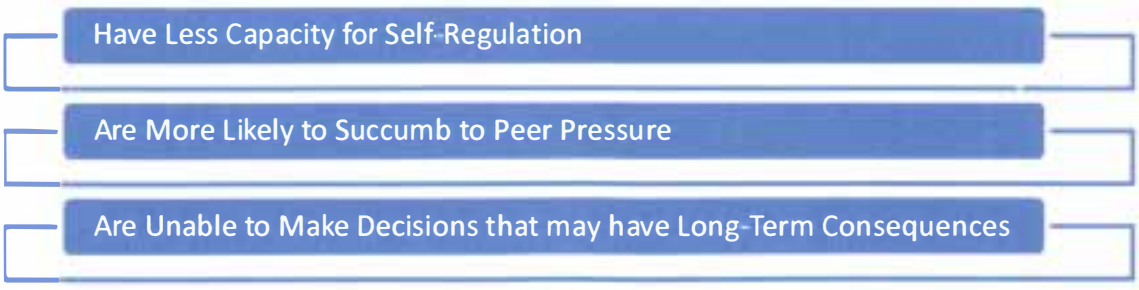
RESEARCH

Like so many other disciplines, research and technology have transformed practice within juvenile justice. The invention of Magnetic Resonance Imaging, the MRI, was a particularly powerful influence. For the first time, researchers were able to physically see the development of adolescent brains over time. Every parent who has lived with a teen in their home knows that this period of development is earmarked by erratic behavior and sometimes questionable judgement, but the MRI allowed scientists to actually visualize how the brain changes during this critical period of development.

The brain MRI research was published in 1999. Insights into brain development sparked a wave of social science research, aimed at answering the question, "if the brain develops in predictable stages and at predictable times, then what does that mean for social and emotional learning and youth development?" After almost 20 years, we now know enough to be able to align practice with research-based strategies and practices. The aspects of development that demand critical consideration when developing public policy and directing funding strategies are now settled science.

Research shows that major changes in brain structure continue to occur until youth are in their mid-20s. Science now confirms what parents of teens already know, that youth are not little adults, they:



The role of the juvenile corrections system is make sure the public is safe while providing the structure and accountability necessary in the appropriate proportion for each individual youth to help them develop through this stage and emerge into adulthood prepared and fully functioning.

All of this might lead to two more questions: First, why do some youth become delinquent and then persist in delinquent behaviors? Second, what should the juvenile corrections system provide in the effort to prepare troubled youth for adulthood?

The brain plays a big role in behavior but development is affected strongly by interplay between the brain and environment. Research indicates there are three environmental conditions that are very important to healthy psychological development for youth:

- Involvement with adults that are genuinely concerned about the youth and their development
- Exposure to a peer group that models pro-social behavior and academic success
- Activities that contribute to autonomous decision-making and critical thinking

In summary, the likelihood and seriousness of youth offending is strongly affected by interactions with parents, peers and schools. Anytime a youth is removed from their community environment, they are deprived of one or more of those conditions.

Therefore, the juvenile corrections should strive to provide these conditions to the extent possible, in order to most effectively meet youth's needs. When programming and placement are aligned with the principles of healthy

psychological development, risk reduction strategies are most effective and better long-term outcomes are achieved.

ANALYSIS AND PLANNING

Population estimates predict a likelihood that caseload will increase in the coming months and years. However, based on the steady to lower rates of serious and violent crimes, it may be possible to continue to reduce reliance on secure placement. Research is clear: adolescents with high risk behaviors need structure and accountability. Certainly, the Youth Correctional Center meets these needs. However, youth have other developmental needs as well, which must also be addressed in order to produce good long-term outcomes. Many of these developmental needs are best met in community environments.

Therefore, finding ways to increase the amount of structure and the degree of accountability in community-based settings is the next logical step. Currently, 75% of DJS youth are served in non-secure settings, somewhere along a continuum of care. North Dakota should plan to continue to reduce reliance on secure care at the Youth Correctional Center and begin to shift resources into community-based services that are proven to be effective.

Day Treatment and Intensive-In-Home family-based services have been DJS programs for nearly 30 years. Now, research analyses of family-based programs and family strengthening initiatives demonstrate consistently that these programs produce positive outcomes, consistent with risk reduction.

Intensive-In-Home is used as a mechanism to strengthen families whose youth are exhibiting behaviors that put them at high risk for being placed outside of their

home. During the last year of the current biennium, our Intensive-In-Home model has resulted in 78% of the youth successfully remaining with their families.

Day Treatment, our school-based intervention, is currently in its 26th year. In the last full school year, 152 students were served in five sites. The Day Treatment programs successfully prevented 95% of the students served from being removed from their home school. Day Treatment programs operated in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

Youth Served in Day Treatment (2017-18 School Year)

DEMOGRAPHICS	RISK FACTORS	OUTCOMES
⇒ 67% Male; 33% Female	• History of Drug and/or Alcohol Abuse (Family/Youth) = 56%	* Academic Improvement = 42%
⇒ 18% in elementary school; and 82% in middle school	• Previous Truancy = 37%	* Family Involvement = 55%
⇒ 45% White; 38% Native; 8% Hispanic; and 9% Black	• History of Abuse/Neglect = 37%	* Maintained in Community (avoided out-of-home placement) = 95%

They address the developmental needs described in the research, and they will allow us to continue to shrink the footprint at the Youth Correctional Center.

Youth will be assessed and readied for community-based placement at the Youth Correctional Center, as is current practice. Expanding Day Treatment sites will allow youth to return to their home communities sooner, shorten lengths of stay and mitigating the deleterious outcomes associated with prolonged stays in a correctional facility. The daily count will continue to fall.

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CONCLUSION

Last session, the Division of Juvenile Services was directed to work with its system partners to figure out how to better serve youth in their home communities. In addition, DJS was asked to make a determination regarding the needs and use of the physical plant at the North Dakota Youth Correctional Center.

It is premature to make a recommendation at this time. That the facility is aging and is inadequate for the needs of a modern youth population is certain, but the footprint needed in the future is likely much different than what currently exists. Also, if you support Day Treatment expansion, capacity needs will be better defined in two more years. This will allow the legislative body to make an informed decision on the size and type of facility that will best suit North Dakota's needs going forward.

In conclusion, it is worth imagining a juvenile corrections system where misbehavior does not require confinement in order for youth to get the help they need. Identified risks should be managed at a level of care sufficient to meet the youth's needs, but not forced to rely on out of home placement. And, risk should certainly be managed, but all youth, even those requiring intensive services, can receive risk reduction services in a trauma informed, developmentally appropriate environment.

#4

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3-15-19
pg 1

Department of Correctio[illegible]nd Rehabilitation
Actual Average Male Inmate Population by Facility / Program
2017 - 2019

Month	NDSP \1	JRCC \2	MRCC \3	Interstate Compact \4	Contract Treatment	Transition	CPP \5	Holds \6	(a) Total Population	(b) 17-19 Est. Population	(a) - (b)
July 2017 ADP	792	438	189	21	68	83	1	12	1,603	1,616	(13)
Aug 2017 ADP	779	438	187	21	67	84	1	14	1,593	1,623	(30)
Sept 2017 ADP	778	440	189	21	69	86	1	15	1,600	1,631	(31)
Oct 2017 ADP	766	440	188	19	72	98	1	6	1,591	1,639	(48)
Nov 2017 ADP	754	439	183	20	75	94	1	1	1,566	1,648	(82)
Dec 2017 ADP	723	440	187	21	75	92	1	1	1,541	1,657	(116)
Jan 2018 ADP	715	438	185	21	75	83	1	1	1,521	1,668	(147)
Feb 2018 ADP	723	436	184	21	74	90	1	0	1,530	1,678	(148)
March 2018 ADP	722	438	179	22	76	104	1	1	1,541	1,689	(148)
April 2018 ADP	714	439	183	22	75	101	1	1	1,535	1,701	(166)
May 2018 ADP	730	438	182	21	68	95	1	0	1,536	1,714	(178)
June 2018 ADP	724	440	187	21	62	77	1	2	1,515	1,727	(212)
July 2018 ADP	715	436	184	21	69	69	1	1	1,495	1,737	(242)
Aug 2018 ADP	701	440	176	21	68	70	1	1	1,478	1,743	(265)
Sept 2018 ADP	729	438	173	21	57	65	1	0	1,484	1,750	(266)
Oct 2018 ADP	732	437	182	22	54	73	1	0	1,501	1,757	(256)
Nov 2018 ADP	715	437	183	22	60	77	1	0	1,495	1,765	(270)
Dec 2018 ADP	719	438	186	22	58	79	1	0	1,503	1,774	(271)
Jan 2019 ADP	703	435	182	22	59	88	1	0	1,489	1,784	(295)
Feb 2019 ADP	707	439	186	22	59	77	1	-	1,491	1,793	(302)
March 2019 ADP										1,803	
April 2019 ADP										1,814	
May 2019 ADP										1,826	
June 2019 ADP										1,839	
17-19 Bien Ave.	**732**	**438**	**184**	**21**	**67**	**84**	**1**	**3**	**1,530**	**1,724**	**(174)**

\1 - North Dakota State Penitentiary (count includes inmates on temporary leave status and juveniles sentenced as adults being held at YCC)
\2 - James River Correctional Center (count includes inmates on temporary leave status)
\3 - Missouri River Correctional Center
\4 - Inmates housed out-of-state with either Bureau of Prison or other States
\5 - Community Placement Program
\6 - Inmates housed in county / regional jail facilities

1

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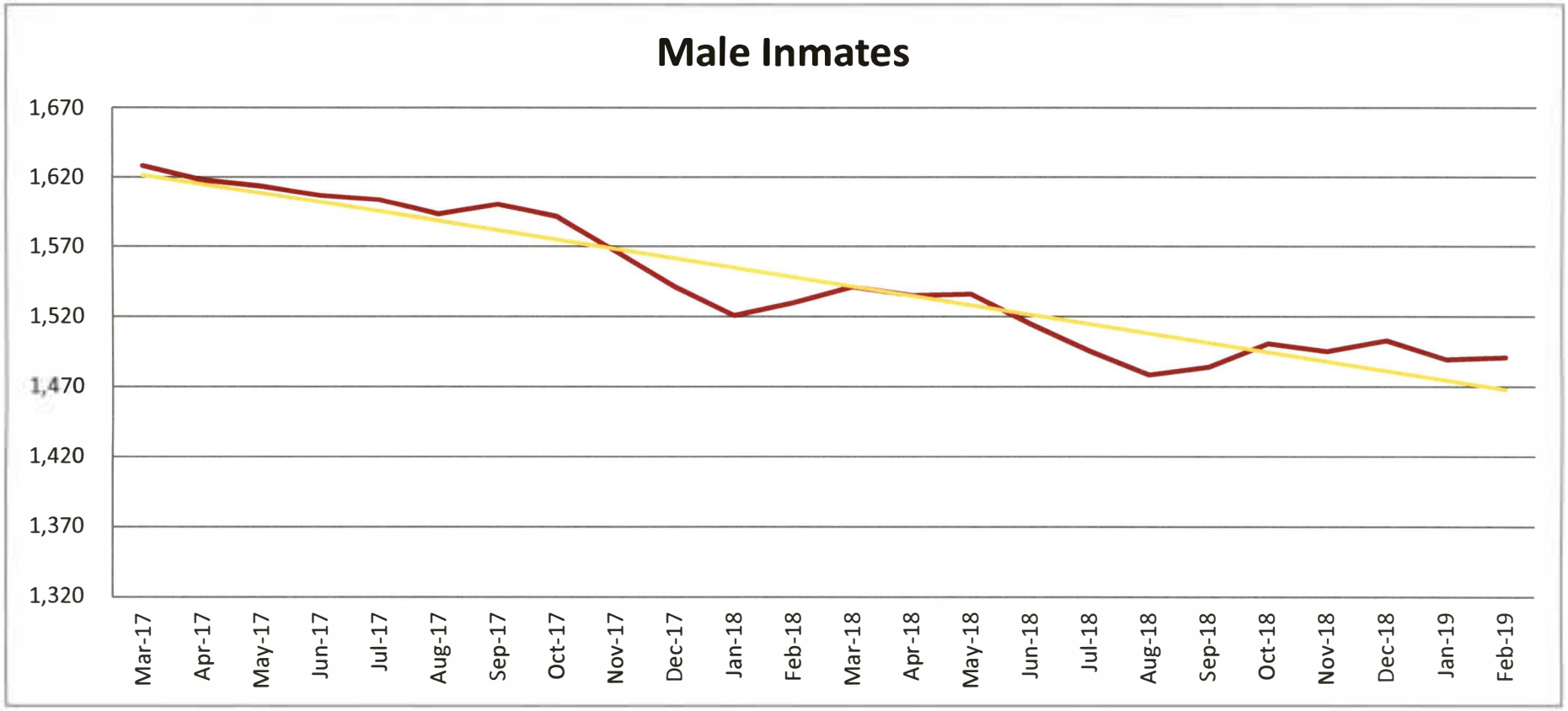
Pg 2



2

Department of Corrections and Rehabilitation
Actual Average Female Inmate Population by Facility / Program
July 2017 - June 2019

#4 HB 1015 3-15-2019 Pg 3

Month	DWCRC \1	Contract Treatment	BTC Secure	Transition	CPP \2	Holds \3	Interstate Compact \4	(a) Total Population	(b) 17-19 Est. Population	(a) - (b)
July 2017 ADP	123	30	25	36	-	6	-	220	224	(4)
Aug 2017 ADP	122	29	25	39	-	7	-	223	226	(3)
Sept 2017 ADP	123	30	22	40	0	8	-	223	227	(4)
Oct 2017 ADP	120	30	18	34	1	3	-	207	229	(22)
Nov 2017 ADP	119	31	20	30	1	1	-	201	232	(31)
Dec 2017 ADP	114	30	24	30	1	0	-	199	234	(35)
Jan 2018 ADP	116	29	18	28	1	1	-	193	236	(43)
Feb 2018 ADP	113	29	18	32	1	1	-	195	239	(44)
March 2018 ADP	116	30	17	32	1	1	-	197	242	(45)
April 2018 ADP	115	30	17	33	1	1	-	197	245	(48)
May 2018 ADP	118	30	18	33	1	2	-	201	248	(47)
June 2018 ADP	117	30	23	35	1	0	-	206	252	(47)
July 2018 ADP	116	30	25	40	1	1	-	213	254	(41)
Aug 2018 ADP	119	30	27	31	1	1	-	209	255	(46)
Sept 2018 ADP	119	30	30	23	-	1	-	202	256	(54)
Oct 2018 ADP	118	30	18	23	-	-	-	189	258	(69)
Nov 2018 ADP	119	30	11	26	-	0	-	186	259	(73)
Dec 2018 ADP	121	30	15	26	1	-	-	193	261	(68)
Jan 2019 ADP	125	30	17	30	1	0	-	203	263	(60)
Feb 2019 ADP	123	30	26	28	1	0	-	207	265	(58)
March 2019 ADP									267	
April 2019 ADP									270	
May 2019 ADP									272	
June 2019 ADP									275	
17-19 Bien Ave.	**119**	**30**	**21**	**31**	**1**	**2**	**-**	**203**	**250**	**(42)**

\1 - Dakota Womens Correctional Rehabilitation Center
\2 - Community Placement Program
\3 - Inmates housed in county / regional jail facilities
\4 - Inmates housed out-of-state with either Bureau of Prison or other States

3

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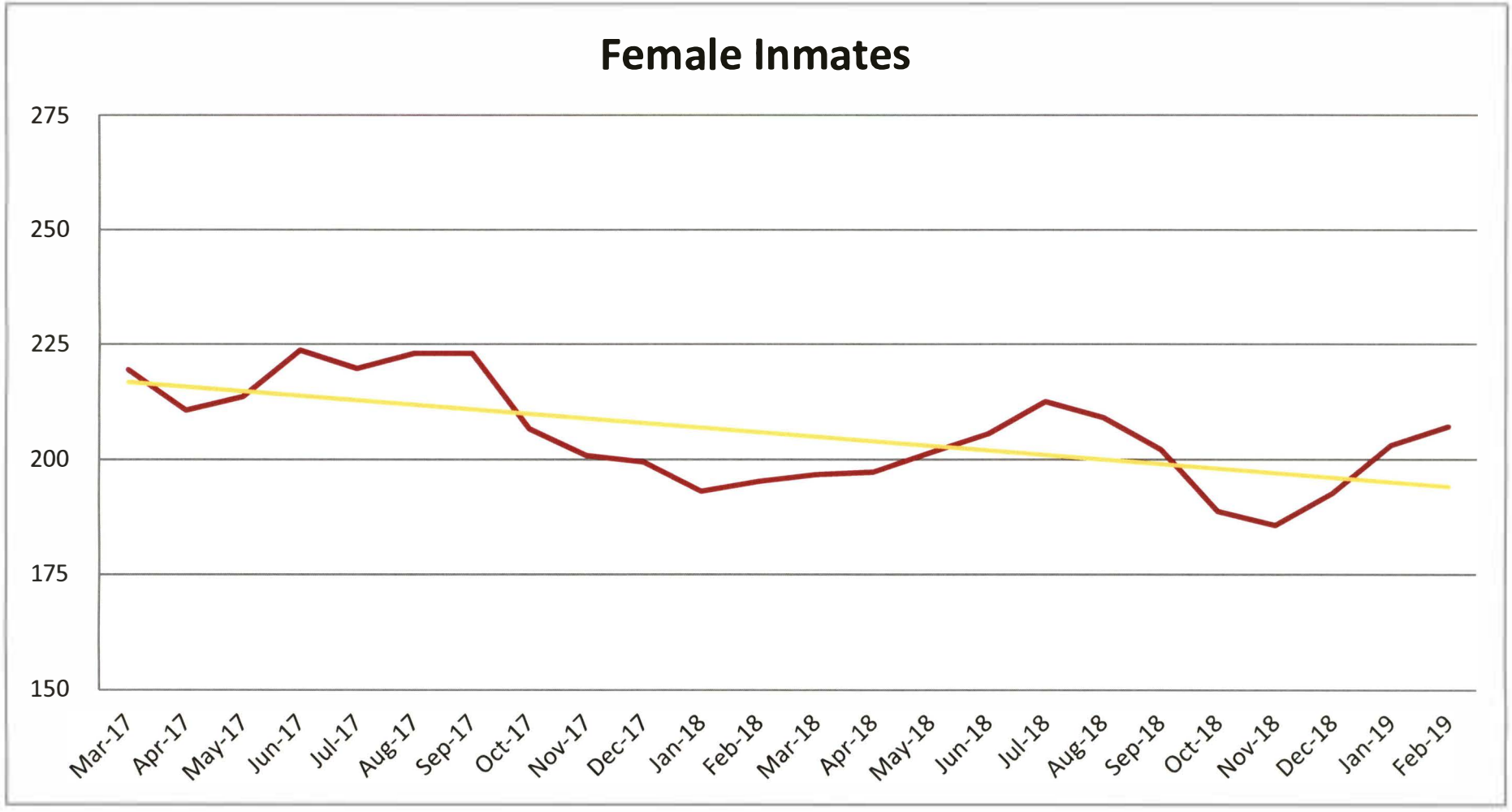
3-15-2019
pg 4



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pg 5

North Dakota Department of Corrections and Rehabilitation
2019 - 2021 Est. Male Inmate Population

Date	Estimated Average Inmate Population	Deferred Admission Status	Estimated Ave DOCR Inmate Population	Traditional Prison Beds: DOCR Facilities	Traditional Prison Beds: Interstate Compact	Nontraditional Prison Beds: DOCR Treatment	Nontraditional Prison Beds: DOCR Transition	Holds	Total
July-19	1,482	-	1,482	1,296	21	60	104	2	1,482
August-19	1,486	-	1,486	1,300	21	60	104	2	1,486
September-19	1,490	-	1,490	1,304	21	60	104	2	1,490
October-19	1,495	-	1,495	1,308	21	60	104	2	1,495
November-19	1,499	-	1,499	1,312	21	60	104	2	1,499
December-19	1,503	-	1,503	1,316	21	60	104	2	1,503
January-20	1,507	-	1,507	1,321	21	60	104	2	1,507
February-20	1,511	-	1,511	1,325	21	60	104	2	1,511
March-20	1,515	-	1,515	1,329	21	60	104	2	1,515
April-20	1,519	-	1,519	1,333	21	60	104	2	1,519
May-20	1,524	-	1,524	1,337	21	60	104	2	1,524
June-20	1,528	-	1,528	1,341	21	60	104	2	1,528
July-20	1,532	-	1,532	1,345	21	60	104	2	1,532
August-20	1,536	-	1,536	1,350	21	60	104	2	1,536
September-20	1,541	-	1,541	1,354	21	60	104	2	1,541
October-20	1,545	-	1,545	1,358	21	60	104	2	1,545
November-20	1,549	-	1,549	1,360	21	60	107	2	1,549
December-20	1,554	-	1,554	1,359	21	60	112	2	1,554
January-21	1,558	-	1,558	1,360	21	60	116	2	1,558
February-21	1,562	-	1,562	1,360	21	60	119	2	1,562
March-21	1,566	1	1,565	1,360	21	60	122	2	1,565
April-21	1,571	6	1,565	1,360	21	60	122	2	1,565
May-21	1,575	10	1,565	1,360	21	60	122	2	1,565
June-21	1,579	14	1,565	1,360	21	60	122	2	1,565

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North Dakota Department of Corrections and Rehabilitation
2019 - 2021 Est. Female Inmate Population

Date	Estimated Average Inmate Population	Deferred Admission Status	Estimated Ave DOCR Inmate Population	Traditional Beds: Interstate Compact	Traditional Beds: MRCC	Nontraditional Beds: Contract Treatment	Nontraditional Beds: Transition	Holds	Total
July-19	203	-	203	-	131	30	38	4	203
August-19	205	-	205	-	133	30	38	4	205
September-19	207	-	207	-	135	30	38	4	207
October-19	209	-	209	-	137	30	38	4	209
November-19	211	-	211	-	139	30	38	4	211
December-19	213	-	213	-	141	30	38	4	213
January-20	215	-	215	-	143	30	38	4	215
February-20	217	-	217	-	145	30	38	4	217
March-20	219	-	219	-	145	30	40	4	219
April-20	221	-	221	-	145	30	42	4	221
May-20	223	-	223	-	145	30	44	4	223
June-20	225	-	225	-	145	30	46	4	225
July-20	227	-	227	-	144	30	48	4	227
August-20	228	-	228	-	144	30	49	4	228
September-20	229	-	229	-	144	30	50	4	229
October-20	230	1	229	-	145	30	50	4	229
November-20	231	2	229	-	145	30	50	4	229
December-20	232	3	229	-	145	30	50	4	229
January-21	233	4	229	-	145	30	50	4	229
February-21	234	5	229	-	145	30	50	4	229
March-21	235	6	229	-	145	30	50	4	229
April-21	236	7	229	-	145	30	50	4	229
May-21	237	8	229	-	145	30	50	4	229
June-21	238	9	229	-	145	30	50	4	229

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ND Department of Corrections and Rehabilitation

2019 – 2021 Budget Overview

Prepared for Senate Appropriations
Senator Ray Holmberg, Chairman
March 15, 2019

Dave Krabbenhoft
Director of Administration

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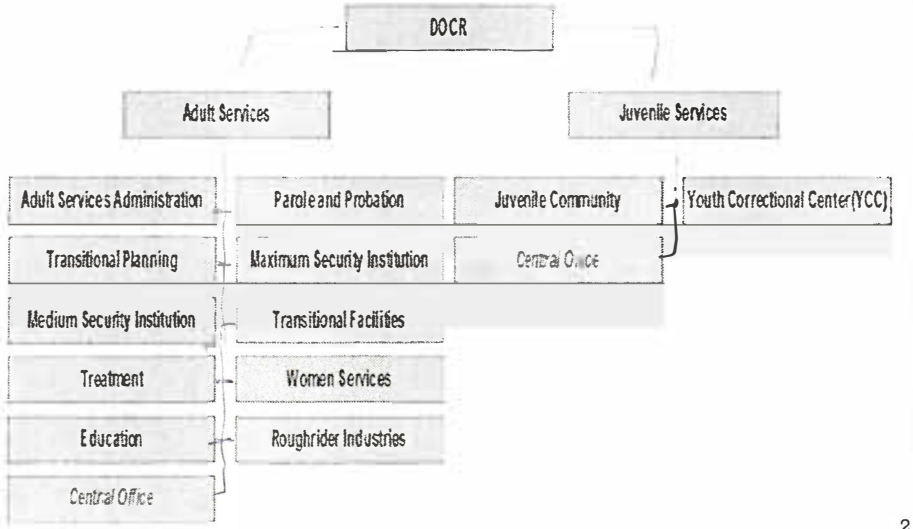
DOCR

Budget Structure



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DOCR

Budget Information

Line Item	2017-19 Base Level	2019-21 Change	2019-21 House Version	2019-21 Exec Rec
Adult Services	$220,757,448	$15,683,040	$236,440,488	$247,704,569
Juvenile Services	30,740,509	1,355,436	32,095,945	32,630,086
Total	$251,497,957	$17,038,476	$268,536,433	$280,334,655
General Fund	$214,336,704	$12,060,421	$226,397,125	$233,998,059
Other Fund	$37,161,253	$4,978,055	$42,139,308	$46,336,596
FTE	845.29	54.50	899.79	938.59

3

DOCR

Adult Services

- Responsible for the care, custody, and supervision of adult offenders committed to the DOCR by the State's district courts or accepted under the interstate compact.
  - December 31 One Day Counts:

Status	2018	2016	2014
Inmate	1,695	1,791	1,716
Community	7,002	7,334	6,492

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DOCR
Adult Services

- Prison Facilities
  - DOCR Operated
    - ND State Penitentiary (NDSP) – Bismarck
      - Men's Facility
        - Maximum Security Prison
        - Men's Orientation Facility
        - Budgeted Bed Capacity - 779

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DOCR
Adult Services

- Prison Facilities
  - DOCR Operated
    - James River Correctional Center (JRCC) – Jamestown
      - Men's Medium Security Facility
        - Special Assistance Unit (SAU)
        - Budgeted Bed Capacity – 437

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DOCR
Adult Services

- Prison Facilities
  - DOCR Operated
    - Missouri River Correctional Center (MRCC) - Bismarck
      - Men's Facility

        Minimum Security Prison / Transition Facility

        Budgeted Bed Capacity - 187

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DOCR
Adult Services

- Prison Facilities
  - Contract Operated
    - Dakota Women's Correctional and Rehabilitation Center (DWCRC) – New England
      - Women's Facility

        All Custody Levels

        Women's Orientation Facility

        Budgeted Bed Capacity - 126

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DOCR

Adult Services

- Community Supervision of Adult Offenders
  - Provide supervision of adult offenders that are sentenced to probation by the district court, that are released on parole by the ND Parole Board, or accepted under the interstate compact
  - Sixteen regional offices located throughout the State
    - Beulah, Bismarck, Bottineau, Devils Lake, Dickinson, Fargo, Grafton, Grand Forks, Jamestown, Mandan, Minot, Oakes, Rolla, Wahpeton, Washburn, Williston

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DOCR

Adult Services

- Community Based Programs
  - Divert offenders from prison
  - Assist offenders after release from incarceration
  - Contract Operated - Housing / Transition / Treatment
    - Bismarck, Mandan, Jamestown, Fargo, Grand Forks, and Devils Lake
- Administrative Support to the ND Parole Board and the ND Pardon Advisory Board

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DOCR

Adult Services

- Victim Programs and Victim Compensation
  - Crime Victim Compensation (CVC)
  - Victims of Crime Act (VOCA)
- Roughrider Industries
  - Metal and Wood Fabrication, Cut and Sew, Commissary, and DOCR Land Management
    - NDSP
    - JRCC
    - MRCC

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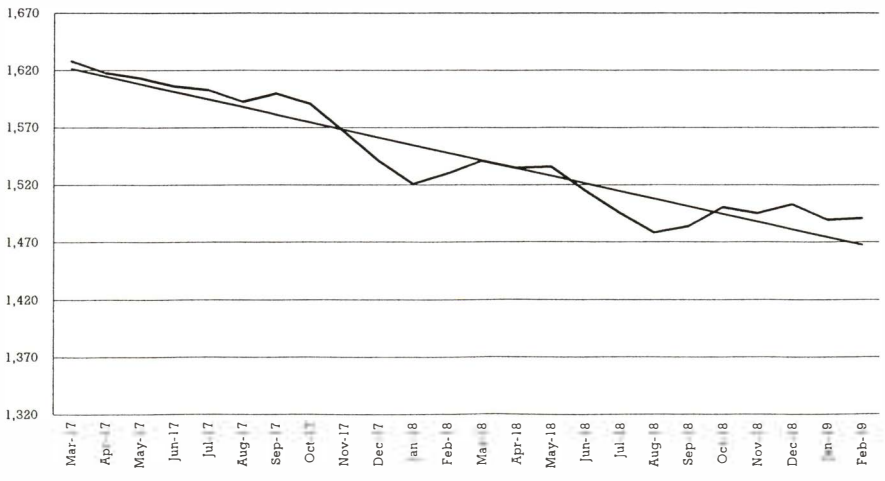
DOCR

Adult Services

Male Inmates



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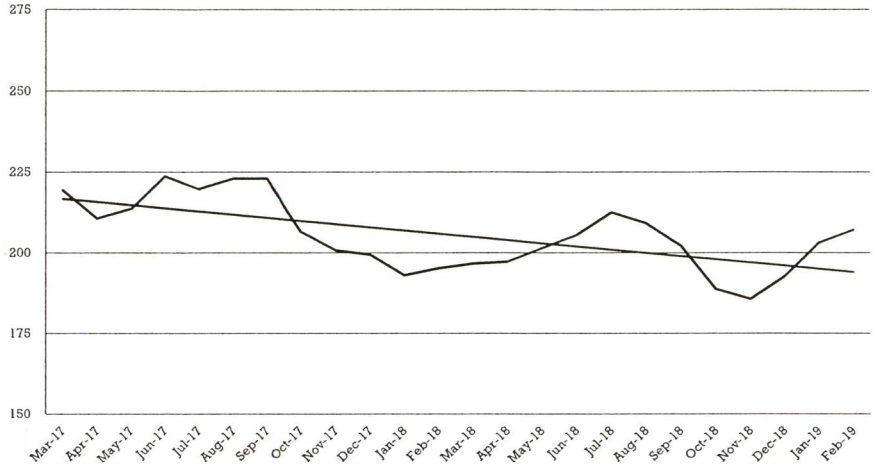
DOCR
Adult Services

Female Inmates



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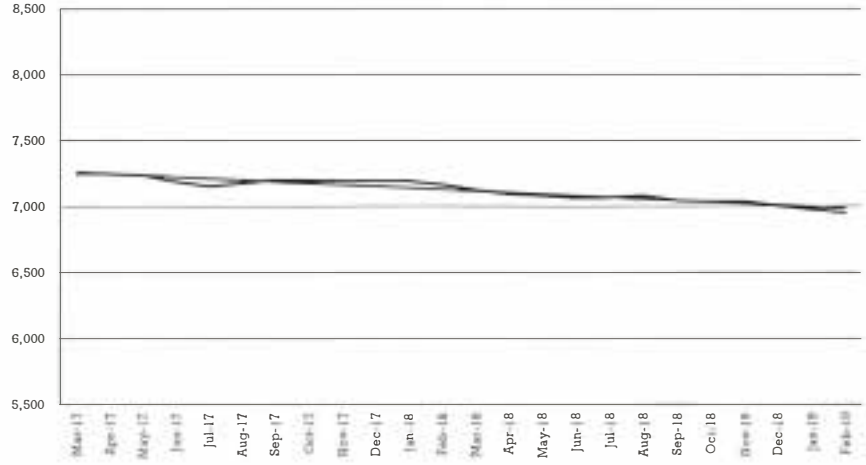
DOCR
Adult Services

Community Supervision - Non-Inmates



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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Adult Services Administration - $15,746,376
    - Federal interstate compact
      - Management of parole and probationers that cross state lines (to and from North Dakota)
    - Crime victim programs
      - Victims of Crime Act (VOCA)
      - Crime Victims Compensation (CVC)
    - 4.0 FTE
  - *House Version - $15,735,431 – 4.0 FTE*
    - *Difference from Executive Recommendation - $(10,925)*
      - *House employee compensation and benefit package*

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Parole and Probation - $22,558,812
    - Provide for the supervision of adult offenders on parole and/or probation status
      - Needs based
      - Risk reduction
    - 16 regional offices
    - Specialized caseloads
      - Drug Court: Fargo(2), Bismarck, Minot
      - Re-entry
      - Transition
      - Sex offender

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Parole and Probation
    - Pre-Trial Services Pilot – 3 Judicial Districts
      - Collect and provide relevant information to be used by judicial officers in making pre-trial release and detention decisions
      - Monitoring and supervision of individuals released with conditions pending trial
    - 117.35 FTE (7.0 new FTE)
  - *House Version - $15,735,431 – 117.35 FTE*
    - *Difference from Executive Recommendation - $(306,592)*
      - *House employee compensation and benefit package*

17

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Transitional Planning - $3,337,342
    - Plan, coordinate and implement strategies that best utilize resources to manage offender movement throughout the DOCR
    - Inmate classification
    - Transition from prison to community (TPC)
      - Victim notification
      - Offender reporting instructions
      - Legal documentation
      - Transportation
    - Inmate legal records

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Transitional Planning
    - Inmate / offender transportation (DOCR and contract facilities, parole revocation)
    - Administrative support to the ND Parole Board and the ND Pardon Advisory Board
    - 12.0 FTE
  - *House Version - $3,306,362 – 12.0 FTE*
    - *Difference from Executive Recommendation - $(30,980)*
      - *House employee compensation and benefit package*

19

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - ND State Penitentiary (NDSP) - $39,296,263
    - Maximum security institution responsible for the management and housing of adult male offenders with the greatest risk (highest custody level) within the DOCR.
    - Reception and orientation for all male admissions into the prison system
    - Behavioral Intervention Unit (BIU)
    - 743 – FY2018 average daily population
    - 713 – 12/31/16 one day count
    - 779 – 2019-21 budgeted bed capacity

20

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - ND State Penitentiary (NDSP)
    - Facility administration
    - Food services – Prepare and serve three nutritious well-balanced meals daily
      - $1.55 – average budgeted food cost per meal
      - 1.75 million – 2019-21 estimated number of prepared meals
    - Security / Supervision – Provide for a safe and secure environment for public, staff and residents
    - Work programs – reduce prison idleness by providing work opportunities and by teaching job skills and work ethic

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - ND State Penitentiary (NDSP)
    - Inmate canine assistance program (ICAP)
    - 219.95 FTE (10.0 new – convert temp to FTE)
  - *House Version - $38,868,355 – 219.95 FTE*
    - *Difference from Executive Recommendation - $(427,908)*
      - *House employee compensation and benefit package*

22

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - James River Correctional Center (JRCC) - $32,570,636
    - Medium security institution responsible for the management and housing of medium security adult male offenders within the DOCR.
    - Special assistance unit (SAU)
    - Inmate canine assistance program (ICAP)
    - Provide food and laundry service to ND State Hospital
    - 439 – FY2018 average daily population
    - 439 – 12/31/18 one day count
    - 437 – 2019-21 budgeted bed capacity

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DOCR
Adult Services

- 2017 – 2019 Executive Recommendation:
  - James River Correctional Center - (JRCC)
    - Facility administration
    - Food services – Prepare and serve three nutritious well-balanced meals daily
      - $1.40 – JRCC / TRCC average budgeted food cost per meal
      - 1.18 million – 2019-21 JRCC / TRCC estimated number of prepared meals
      - $1.02 million – 2019-21 NDSH budgeted food cost
    - Security / Supervision – Provide for a safe and secure environment for public, staff and residents

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - James River Correctional Center - (JRCC)
    - Work programs – reduce prison idleness by providing work opportunities and by teaching job skills and work ethic
    - *Assume security operation TRCC treatment program from NDSH (60 bed nurse's building)*
    - 176.75 FTE (24.0 new – 6.0 temp to FTE; 18.0 assume TRCC)
  - *House Version - $32,203,329 – 176.75 FTE*
    - *Difference from Executive Recommendation -$(367,307)*
      - *House employee compensation and benefit package*

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Transitional Facilities - $30,062,278
    - Encompasses the management and operation of the proposed JRCC Minimum Security Unit and the management of contract treatment and community beds
    - *JRCC Minimum Security Unit is a proposed minimum security housing unit to be responsible for the management and housing of minimum security adult male offenders within the DOCR*
      - *Four 36 bed temporary housing units (man-camp units)*
    - 185 - FY2018 average daily population (MRCC Men's)
    - 184 – 12/31/18 one day count (MRCC Men's)
    - 144 – 2019-21 budgeted bed capacity (JRCC Minimum)

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Transitional Facilities
    - Contract facilities include:
      - 30 Bed Tompkins Rehabilitation and Corrections Center (TRCC) – NDSH / Jamestown
      - Bismarck Transition Center (BTC)
      - Centre, Inc. – Mandan, Fargo, Grand Forks
      - Teen Challenge – Mandan
      - Lake Region Transition – Devils Lake
      - Redemption Road – Fargo, Jamestown

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Transitional Facilities
    - Facility administration
    - Food service – Prepare and serve three nutritious well-balanced meals daily
      - $1.40 – average budgeted food cost per meal
      - 308,000 – 2019-21 JRCC Minimum estimated number of prepared meals
    - Security / Supervision - Provide for a safe and secure environment for public, staff and inmates
    - Work programs – reduce prison idleness by providing work opportunities and by teaching job skills and work ethic

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Transitional Facilities
    - Contract community / treatment beds – provide housing, transition and treatment services to adult offenders
    - 43.00 FTE (37.0 new – 2 temp to FTE; 35.0 JRCC Minimum)
  - *House Version - $27,393,223 – 41.05 FTE*
    - *Difference from Executive Recommendation - $(2,336,054)*
      - *House employee compensation and benefit package*
      - *Does not fund JRCC Minimum Security Unit - 35.0 new FTE (MRCC remains men's minimum security facility)*
      - *Underfunds MRCC operating costs (reconciliation error)*
      - *Does not fund BTC Secure women's contract housing (necessary with DWCRC remaining a women's facility)*

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Treatment and Programming - $18,108,914
    - Development, coordination, oversight and delivery of treatment and programs to adult offenders
    - Individualized assessment, treatment programming and case management services
    - Services and programs:
      - Administering and managing offender assessments
      - Variety of curriculums targeting criminal thinking
      - Free Through Recovery (FTR)
      - Substance abuse treatment
        - *Assume clinical operation TRCC treatment program from NDSH (60 bed nurse's building)*
      - Sex offender treatment – institutional and community

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Treatment and Programming
    - Services and programs:
      - Mental health and crisis intervention programs
      - Conflict resolution / anger management
      - Pastoral services
    - 47.0 FTE (10.0 new FTE - 8.0 assume TRCC; 2.0 MRCC women's facility)
  - *House Version - $17,533,996 – 45.0 FTE*
    - *Difference from Executive Recommendation - $(574,918)*
      - *House employee compensation and benefit package*
      - *Does not fund MRCC Women's Facility – 2.0 new FTE*

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Education - $5,205,157
    - Academic and career and technical education – course work in academic core content, elective and CTE areas that lead to certifications and prepare offenders for employment once released
      - Educational assessment
      - Special education
      - Basic skills (YCC collaboration)
        - Read Right
        - GED / high school diploma
        - Career counseling
        - Library services

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Education
    - Career and technical education
      - Welding
      - Trade Industry and Construction
    - 10.1 FTE
  - *House Version - $5,183,824 – 10.1 FTE*
    - *Difference from Executive Recommendation - $(21,333)*
      - *House employee compensation and benefit package*

33

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Women Services (MRCC) - $8,306,471
    - *Renovate existing minimum custody men's facility to a multi-custody treatment focused women's facility*
    - Facility administration
    - Food services – Prepare and serve three nutritious well-balanced meals daily
      - $1.69 average budgeted food cost per meal
      - 332,985 – 2019-21 estimated number of prepared meals
    - Security / Supervision – Provide for a safe and secure environment for public, staff and residents
    - Work Programs – reduce prison idleness by providing work opportunities and by teaching job skills and work ethic

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Women Services (MRCC) -
    - Inmate canine assistance program (ICAP)
    - 34.05 FTE
  - *House Version - $12,142,087 – 1.0 FTE*
    - *Difference from Executive Recommendation - $3,835,616*
      - *House employee compensation and benefit package*
      - *Does not fund MRCC Women's Facility – 33.05 FTE (MRCC remains male minimum facility)*
      - *Provides funding to continue contract housing of women (DWCRC)*

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Roughrider Industries - $15,246,883
    - Employment of approximately 170 residents
    - Manufactured products include:
      - Furniture
      - Upholstered products
      - Signage
      - License plates
      - Metal fabricated products
      - Inmate clothing
      - Military garments
      - Plastic bags
      - Cattle Panels

36

DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Roughrider Industries
    - Prison commissary operations
      - 100% of profits support educational programming
    - No general funds
    - 32.44 FTE
  - *House Version - $14,040,501 – 32.44 FTE*
    - *Difference from Executive Recommendation - $(1,206,382)*
      - *House employee compensation and benefit package*
      - *Does not fund JRCC Minimum Security Unit industries building*

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Central Office – Adult (DOCR Administration) - $54,265,437
    - Administration
    - Human resources
    - Information technology
    - Fiscal operations
    - Training and Inspections
    - Medical Services
      - Medical, dental, and mental health care services provided at a constitutional standard of health care (on-site and off-site services)
      - Pharmacy

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Central Office – Adult (DOCR Administration)
    - Plant Services
      - Daily operation and maintenance of all DOCR facilities, grounds and equipment.
      - Manages to completion all capital and extraordinary repair projects
    - 104.28 FTE
      - 9.30 new FTE
        - 1.2 FTE – JRCC Minimum (1.0 FTE nurse, 0.2 FTE medical provider)
        - 1.5 FTE – Assume TRCC (1.0 FTE nurse, 0.5 FTE medical provider)
        - 6.6 FTE – MRCC Women's Facility (6.0 FTE 24/7 nursing, 0.6 FTE medical provider)
      - (4.88) FTE - IT Unification

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Central Office – Adult (DOCR Administration)
  - *House Version - $44,781,142 – 101.36 FTE*
    - *Difference from Executive Recommendation - $(9,484,295)*
      - *House employee compensation and benefit package*
      - *Does not fund JRCC Minimum Security Unit - 1.2 FTE*
      - *Does not fund costs to lease man-camp units for JRCC Minimum Security Unit*
      - *Reduces funding for JRCC / NDSH campus evaluation / master plan*
      - *Does not fund MRCC Women's Facility – 6.6 FTE*
      - *Does not fund costs to renovate MRCC to a women's facility*
      - *Does not fund IT Unification – 4.88 FTE (positions remain with DOCR)*

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DOCR
Adult Services

- 2019 – 2021 Executive Recommendation:
  - Total Adult Services recommendation - $247,704,569
    - Total general fund - $207.1 million
    - Total FTE – 800.92
      - 92.42 increase
  - *Total House Version - $236,440,488*
    - *Total general fund - $200.0 million*
    - *Total FTE – 761.00*
      - *52.50 increase*

41

DOCR
Adult Services

- *2019 – 2021 Significant Budget Changes – House Version*
  - *Employee Compensation - $7.5 million*
    - *Salary increase - $2,400,402*
    - *Benefits increase – $3,965,178*
    - *Teacher Composite – Adult - $1,125,280*
  - *Pre-Trial Services Pilot - $750,517 - 7.0 FTE*
    - *3 Judicial Districts*
    - *1.0 FTE full biennium*
    - *6.0 FTE 2nd year of biennium*

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DOCR

Adult Services

- *2019 – 2021 Significant Budget Changes – House Version*
  - *Transfer management and operation of TRCC 60 bed unit from NDSH to DOCR - $5 million - 27.5 FTE*
    - *Operations - $2,911,826*
    - *Treatment and programming - $1,625,840*
    - *Medical services - $382,556*
    - *Plant services - $111,000*
  - *IT Projects - $633,200*
    - *Oracle upgrade - $145,200*
    - *Contract / payment process system - $88,000*
    - *Inmate tracking management system - $160,000*
    - *Intake / legal / movement system - $240,000*

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DOCR

Adult Services

- *2019 – 2021 Significant Budget Changes – House Version*
  - *Convert long-term temporary positions to FTE status - $298,663*
    - *18.0 FTE*
  - *Carryover authority to continue and expend unspent 2017-19 Free Through Recovery (FTR) appropriation in the 2019-21 biennium*
    - *$2.15 million (est.)*
  - *Increase funding for women's contract housing (DWCRC) - $1.2 million*

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#5

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DOCR

Juvenile Services

- Responsible for the care, custody, and supervision of juvenile offenders committed to the DOCR by the State's juvenile courts.
  - December 31 One Day Counts:

Status	2018	2016	2014
YCC	41	51	60
Community	109	111	129

45

DOCR

Juvenile Services

- Youth Correctional Center (YCC)
  - Secure residential coed correctional facility located in Mandan
  - Provide appropriate educational, treatment, and comprehensive assessment programing to address specific needs of each youth in residence

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DOCR
Juvenile Services

- Community Services
  - Eight regional offices located throughout the State
    - Bismarck, Devils Lake, Dickinson, Fargo, Grand Forks, Jamestown, Minot, Williston
  - Provide comprehensive assessment, treatment planning and case management for youth committed to its care, custody and control by state district court.

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DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Juvenile Community - $9,679,464
    - Supervision and treatment programming
      - Develop and implement individualized treatment and rehabilitation plans, based on comprehensive needs / risk assessments
    - Administration and management of community based treatment programs
      - Day Treatment
      - Intensive In-home

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DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Juvenile Community
    - Sheriff transportation fees (juvenile transports)
    - Administration of interstate compact for juveniles
    - 31.47 FTE
  - *House Version - $9,592,168 – 31.47 FTE*
    - *Difference from Executive Recommendation - $(87,296)*
      - *House employee compensation and benefit package*

49

DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Youth Correctional Center (YCC) - $17,716,563
    - Facility administration
    - Food services
      - Serve and prepare three nutritious meals and an evening snack to YCC residents and on-duty staff on a daily basis
    - Treatment services
      - Assessment, individualized treatment programming and case management services
        - Cognitive-behavioral counseling
        - Drug and alcohol programming
        - Family day sessions

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DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Youth Correctional Center (YCC)
    - Treatment services
      - Effective communication motivational strategies (ECMS)
      - Mental health services
      - Victim impact programming
    - Education services
      - Fully accredited junior / senior high school – Marmot Schools and adult education program
        - Academic education – course work towards eighth grade and high school diploma
        - Career and technical education – entry level vocational skills

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DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Youth Correctional Center (YCC)
    - Education services
      - Adult education – alternative education for those 16 years of age or older
      - Special education
      - Assessment and counseling
      - Adult services collaboration
    - Security / Supervision
      - Public safety
      - Quality care and supervision of juveniles in residence
        - Brown, Hickory, Maple, and Pine cottages

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DOCR
Juvenile Services

- 2017 – 2019 Executive Recommendation:
  - Youth Correctional Center (YCC)
    - 95.12 FTE (2.0 new – temp to FTE)
  - *House Version - $17,232,610 – 95.12 FTE*
    - *Difference from Executive Recommendation - $(408,953)*
      - *House employee compensation and benefit package*
      - *Reduces funding for YCC campus evaluation / master plan*

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DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Central Office – Juvenile (DOCR Administration) - $5,234,059
    - Administration
    - Human resources
    - Information technology
    - Fiscal operations
    - Training and Inspections

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DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Central Office – Juvenile (DOCR Administration)
    - Medical Services
      - Medical, dental, and mental health care services provided at a constitutional standard of health care (on-site and off-site services)
      - Pharmacy
    - Plant Services
      - Daily operation and maintenance of all DOCR facilities, grounds and equipment.
      - Manages to completion all capital and extraordinary repair projects

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DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Central Office – Juvenile (DOCR Administration)
    - 11.08 FTE
  - *House Version - $5,196,168 – 12.20 FTE*
    - *Difference from Executive Recommendation - $(37,891)*
      - *House employee compensation and benefit package*
      - *Does not fund IT Unification – 1.12 FTE (positions remain with DOCR)*

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#5
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DOCR
Juvenile Services

- 2019 – 2021 Executive Recommendation:
  - Total Juvenile Services recommendation - $32,630,086
    - Total general fund - $26.9 million
    - Total FTE – 137.67
      - 0.88 increase
  - *Total House Version - $32,095,945*
    - *Total general fund - $26.4 million*
    - *Total FTE – 138.79*
      - *2.0 increase*

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DOCR
Juvenile Services

- *2019 – 2021 Significant Budget Changes – House Version*
  - *Employee Compensation - $1.4 million*
    - *Salary increase - $441,557*
    - *Benefits increase – $677,248*
    - *Teacher Composite – Juvenile - $232,510*
  - *Day Treatment Expansion - $537,500*
  - *YCC Campus Evaluation / Master Plan - $75,000*
  - *Convert long-term temporary positions to FTE status - $27,772*
    - *2.0 FTE*

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#1 HB 1015 Sub
3-28-2019
Pg 1

Department of Corrections and Rehabilitation - Budget No. 530
House Bill No. 1015
Base Level Funding Changes

	Executive Budget Recommendation				House Version				House Changes to Executive Budget Increase (Decrease) - Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Position	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2019-21 Biennium Base Level	845.29	$214,336,704	$37,161,253	$251,497,957	845.29	$214,336,704	$37,161,253	$251,497,957	0.00	$0	$0	$0
2019-21 Ongoing Funding Changes												
Base payroll changes		$1,634,020	($1,364,762)	$269,258		$1,634,020	($1,364,762)	$269,258				$0
Salary increase		5,791,612	287,100	6,078,712		3,348,094	165,036	3,513,130		(2,443,518)	(122,064)	(2,565,582)
Health insurance increase		3,349,265	165,231	3,514,496		3,763,528	207,727	3,971,255		414,263	42,496	456,759
Retirement contribution increase		722,660	34,913	757,573				0		(722,660)	(34,913)	(757,573)
Increase funding for teacher salaries and wages		1,357,790		1,357,790		1,357,790		1,357,790				0
Convert 20 temporary correctional officer positions to FTE positions	20.00	326,435		326,435	20.00	326,435		326,435				0
Adjust funding and FTE positions to convert the Missouri River Correctional Center (MRCC) to a female correctional facility	8.60	3,055,911		3,055,911				0	(8.60)	(3,055,911)		(3,055,911)
Remove funding for the Dakota Women's Correctional and Rehabilitation Center (DWCRC) contract		(10,761,951)		(10,761,951)				0		10,761,951		10,761,951
Adjust funding relating to the DWCRC contract		1,406,488		1,406,488		1,143,360		1,143,360		(263,128)		(263,128)
Add funding and FTE positions to establish a minimum security correctional facility at the James River Correctional Center (JRCC)	36.20	6,565,560		6,565,560				0	(36.20)	(6,565,560)		(6,565,560)
Add funding to rent man camp buildings for use as a JRCC minimum security facility		4,603,553		4,603,553				0		(4,603,553)		(4,603,553)
Add funding and FTE positions to assume control of the Tompkins Rehabilitation and Corrections Center (TRCC)	27.50	5,031,222		5,031,222	27.50	5,031,222		5,031,222				0
Remove funding for TRCC payments to the Department of Human Services		(8,607,462)		(8,607,462)		(8,607,462)		(8,607,462)				0
Add funding to contract with the State Hospital for up to 30 addiction treatment beds		3,873,750		3,873,750		3,873,750		3,873,750				0
Add funding and FTE positions for pretrial services	7.00	755,034		755,034	7.00	755,034		755,034				0
Add funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts		537,500		537,500		537,500		537,500				0

Transfer FTE positions for the information technology (IT) unification initiative	(6.00)	(1,204,280)		(1,204,280)				0	6.00	1,204,280		1,204,280
Increase funding for operating expenses relating to the IT unification initiative		1,277,087		1,277,087				0		(1,277,087)		(1,277,087)
Adjust funding for miscellaneous expenses, including reductions in food and clothing, operating fees and services, and maintenance; and increases in equipment and IT contractual services		571,322	(2,980,285)	(2,408,963)		571,322	(2,980,285)	(2,408,963)				0
Adjust funding for crime victims federal grant award changes		20,000	6,822,251	6,842,251		20,000	6,822,251	6,842,251				0
Add funding for Microsoft Office 365 licensing		618,699	110,208	728,907		618,699	110,208	728,907				0
Adjust funding for capital bond payments		(469,380)	16,180	(453,200)		(469,380)	16,180	(453,200)				0
Remove ongoing funding used to purchase a man camp facility for the MRCC		(844,000)		(844,000)		(844,000)		(844,000)				0
Remove ongoing funding for extraordinary repairs		(866,000)	(80,000)	(946,000)		(866,000)	(80,000)	(946,000)				0
Miscellaneous funding source adjustment		270	(270)	0				0		(270)	270	0
Reduce funding for transitional services				0		(1,049,741)		(1,049,741)		(1,049,741)		(1,049,741)
Total ongoing funding changes	93.30	$18,745,105	$3,010,566	$21,755,671	54.50	$11,144,171	$2,896,355	$14,040,526	(38.80)	($7,600,934)	($114,211)	($7,715,145)
One-time funding items												
Add one-time funding to replace Elite servers		$40,000		$40,000		$40,000		$40,000		$0		$0
Add one-time funding for Roughrider Industries equipment			$298,700	298,700			$298,700	$298,700			0	0
Add one-time funding for construction of a Roughrider Industries building at JRCC			1,140,000	1,140,000				0			(1,140,000)	(1,140,000)
Add one-time funding for extraordinary repairs, including $141,000 from SIIF		876,250	456,000	1,332,250		876,250	456,000	1,332,250		0	0	0
Add one-time funding from SIIF for renovations of the MRCC to convert it to a female facility			2,443,077	2,443,077				0			(2,443,077)	(2,443,077)
Add one-time funding from SIIF for campus studies of the Youth Correctional Center, JRCC, and State Hospital			750,000	750,000			250,000	250,000			(500,000)	(500,000)
Add one-time funding from SIIF for inmate tracking systems and other IT upgrades			665,000	665,000			665,000	665,000			0	0
Add one-time funding from SIIF for security equipment and redundant fencing			412,000	412,000			412,000	412,000			0	0
Total one-time funding changes	0.00	$916,250	$6,164,777	$7,081,027	0.00	$916,250	$2,081,700	$2,997,950	0.00	$0	($4,083,077)	($4,083,077)
Total Changes to Base Level Funding	93.30	$19,661,355	$9,175,343	$28,836,698	54.50	$12,060,421	$4,978,055	$17,038,476	(38.80)	($7,600,934)	($4,197,288)	($11,798,222)
2019-21 Total Funding	938.59	$233,998,059	$46,336,596	$280,334,655	899.79	$226,397,125	$42,139,308	$268,536,433	(38.80)	($7,600,934)	($4,197,288)	($11,798,222)

Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

	Executive Budget Recommendation	House Version
Special funds transfer - SIIF	Section 3 would designate $4,411,077 from SIIF for campus studies, equipment, IT projects, and capital projects.	Section 3 designates $1,468,000 from SIIF for campus studies, equipment, IT projects, and extraordinary repairs.
Line item transfers	Section 4 would authorize the Department of Corrections and Rehabilitation (DOCR) to transfer up to 10 percent of its total appropriation between the adult services and youth services line items.	
Additional funds appropriation authority	Section 5 would appropriate any additional special funds received by DOCR.	
Exemption - Community behavioral health program	Section 6 would provide that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.	Section 4 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.
Continuing appropriation authority	Section 7 would provide a continuing appropriation to DOCR for any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.	Section 5 authorizes DOCR to deposit in and spend from its operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.
Tompkins Rehabilitation and Corrections Center	Section 8 would convey ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.	Section 6 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.
Legislative Management study		Section 7 provides for a legislative management study of DOCR.

HB 1015
#2
3/28/19

SECTION 4. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM. The $7,000,000 from the general fund appropriated in the adult services line item relating to the community behavioral health program in section 1 of chapter 40 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021 for individuals in the custody or supervision of the department of corrections and rehabilitation, or for the continuation of programming, when necessary, for those individuals no longer in the custody or supervision of the department.

SECTION __. AMENDMENT. Subsection 5 of Section 12-47-36 of the North Dakota Century Code is amended and reenacted as follows:

5. Medical, psychological, or treatment records may be disclosed without prior application to the court to a public hospital or treatment facility, the department of human services, a community behavioral health program, a vocational rehabilitation program, a transitional living facility, -or to a licensed private medical or treatment facility, when necessary for the evaluation, treatment, or care of a person who is or who has been in the custody of, or is or who has been under the supervision and management of, the adult services division of the department of corrections and rehabilitation.

HB 1015
#3 3-28-2019

SECTION ___ PRE-TRIAL SERVICES PILOT PROJECT. The department of corrections and rehabilitation may establish a pre-trial services program as a pilot project in one or more judicial districts of the state during the biennium beginning July 1, 2019, and ending June 30, 2021. The department and the judiciary shall collaborate to develop guidelines and procedures for the administration of pre-trial services for the district courts. The department and the judiciary shall provide a report of the process and outcome measures of the pre-trial services program and recommendations to the sixty-seventh legislative assembly on the performance of the program.

Dakota Women's Correctional and Rehab Center

#1 | HB 1015 4-2-19

**according to an article shared on the DOCR website, there is an overall recidivism rate of 49% for all DOCR offenders, not just the females. This should indicate simply centralizing the females will not dramatically decrease recidivism on its own.*

Pg 1

Treatment:

3 Human Relations Counselors

Rebuttal: Human Relation counselors are their case managers (Lalissa, Kendra, Misty and Allison). Case Managers and Human Relation Counselors may be listed as having dual roles.

MRCC employ's two (2) Licensed Addiction Counselors, one (1) Human Relations Counselor and four and ½ (4.5) Case Managers.

3.5 Licensed Addiction Counselors

Rebuttal: DWCRC offers 2.1 chemical dependency group three (3) times per year starting in May, September and January. Graduating on average eighteen (18) residents per year at DWCRC. This group is ran by Kelli Krieg, Treatment Director. (they state they have 3 ½ Licensed Addiction Counselors within their staff (this may include the Warden Rachelle Juntunen and Human Relation Counselor Allison Wanner,) however it is my understanding they have one (1) who actually provides the 2.1 Chemical Dependency group. Graduates of MRCC in 2018 include 49 residents who completed chemical dependency, 10 who completed the Conflict Resolution Program, 7 completed the New Pathways to Healthy Relationships, and 59 Thinking for Change.

1 LPCC (part-time)

Rebuttal: For Clarification this is a master's level counselor.

1 clinical psychologist (part-time)

*Total of **6.5 full-time treatment staff** and **2 part-time***

MRCC currently has 3 with a proposed plan to add 2 more if changed to women's facility—***totaling 5***

Rebuttal: DWCRC has a part time clinical psychologist who provides 4 hours per week to the sex offender population at DWCRC.

MRCC has a psychiatric provider who is on location at MRCC one (1) day per week to provide services to the residents. MRCC also has an LCSW, Clinical Administrator for Free through Recovery, who meets with residents at MRCC weekly and provides individual therapy.

The prevalence of mental health need is typically higher in women residents due to trauma they have received throughout their life, therefore requires more to meet their mental health needs.

7 cognitive behavioral groups

15 enrichment classes

MRCC has 6 enrichment classes according to Leann's testimony

130 volunteers

Rebuttal: NDSP has approximately 70 ACTIVE volunteers at NDSP. Our number in elite may be over 150, however 70 is a good number that involved. Active to the DOCR– means the person is providing some type of service on a regular basis. Many of our volunteers come weekly, bi-weekly and monthly, but some only come two times per year. The 70 incorporates both MRCC and NDSP. We don't have separate lists, because many of our volunteers serve both locations. It is part of having facilities in close proximities in a more urban area. We are able to diversify volunteers while they serve our population no matter location. We would be able to work closely with these groups as they would also serve the women in Bismarck.

#1 HB 1015
4-2-19
pg 2

Industries:

10 onsite industry opportunities

8-10 offsite industry employment opportunities *total of **18-20 positions**

Rebuttal: There are roughly 20 residents at any given time who are employed through prairie industries which work off site and on site. The offsite industry currently being utilitzed is Steffes. There are eleven (11) DOCR residents within those twenty (20) who are currently approved for off-site employment.

MRCC has **8** industry positions

Education:

Current statistics of our GED program= 95% pass rate (10/01/18-02/28/19)
***NDSP 71%** **JRCC/TRC/TASC 78%** **MRCC 66%** (according to the DOCR monthly education report)

4 GED Graduates between 12/31/18-02/28/19
***NDSP 9** **JRCC 21** **MRCC 6** (since 07/01/18-02/28/19)

**DWCRC had education changes in 2018 that greatly affected or graduation numbers in 2018.*
Since 2012, we have had 103—averaging 14.7/year which is comparable to the DOCR numbers for men

Inmate A: Transferred to BTC 01/23/19
At DWCRC was working for $3/hour, 40 hours/week ($225/month) ($3 per hour or per day?)
At BTC currently working for $1.80/day ($54/month if she works 30 out of 30 days)
Has $2738 in fines/fees
1 week from earning a certificate in the welding program at the time of transfer
TRCC in June 2019
Parole Board in August 2019
Programming at BTC: 1 group--RRRW (also offered at DWCRC)
70% chance at recidivism—high risk

Weekly movement is necessary to monitor capacity at DWCRC. It is very difficult to identify movement due to medical needs that have to be met and dental needs met. If the women were in Bismarck, they could receive medical and dental while receiving their treatment. They don't have to be bottle necked due to a medical appointment or a dental appointment in which they have to be transported to Bismarck, Dickinson or Bowman. While at BTC

Inmate B: Transferred to Mandan Centre 03/29/19

2 months in to welding
Working at Steffes at $3/day ($225/month)

Parole review in February 2020
Treatment at TRCC in December 2019

70% chance of recidivism—high risk

This resident has a high restitution balance. If placed in a transition program she can potentially earn approximately $10 an hour and work 40 hours per week at a job in the community. At this rate, she would be able to start paying restitution and she would likely be making approximately $1600 per month vs $225.00 per month.

Secure they can be involved in RRRW programming, and be ready for a transfer to TRC or FTP Centre Inc, Centre Mandan when a bed is available. This will allow a transition to a halfway house where they can work in the community and earn wages to be able to pay on their restitution, court costs and fees and save money for a deposit on an apartment.	

Dates with Emergency Clause		Dates without Emergency Clause
4/30/2019	19-21 DOCR Appropriation Effective Date	7/1/2019
5/1/2019	DOCR Publish Advertisement for A&E Services	7/2/2019
5/27/2019	DOCR Interview and Select A&E Candidates	7/29/2019
5/31/2019	Execute A&E Design Services Contract	8/2/2019
June 2019	A&E Plans and Specifications Completed	Aug 2019
7/1/2019	Publication of Advertisement of Bids	9/2/2019
7/8/2019	Publication of Advertisement of Bids	9/9/2019
7/15/2019	Publication of Advertisement of Bids	9/16/2019
7/22/2019	MRCC Bid Opening & Bid Award(s)	9/23/2019
7/29/2019	Execute Public Improvement Contract(s)	9/30/2019
8/1/2019	Contractor Mobilize and Acquire Materials & Supplies	10/1/2019
9/2/2019	Vacate MRCC & Begin Renovation	11/1/2019
11/30/2019	End MRCC Renovation	1/31/2020
December 2019	Women Occupy MRCC	February 2020
July 2019 - Aug 2019	MRCC Men's Male Facility	July 2019 - Oct 2019
Sept 2019 - Nov 2019	MRCC Renovation to Women's Facility	Nov 2019 - Jan 2020
Dec 2019 - June 2021	MRCC Women's Facility	Feb 2020 - June 2021
July 2019 - Nov 2019	DWCRC Women's Facility	July 2019 - Feb 2020
Dec 2019	DWCRC Renovation to Men's Facility	March 2020
Jan 2020 - June 2021	DWCRC Men's Facility	April 2020 - June 2021
July 2019 - Nov 2019	BTC Secure - Women	July 2019 - Jan 2020
Sept 2019 - June 2021	JRCC Male Minimum	Nov 2019 - June 2021

HB 1015
4/4/19 #1

19.0203.02005
Title.

Prepared by the Legislative Council staff for
Senator Mathern
April 4, 2019

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 3, remove "and"

Page 1, line 3, after "report" insert "; to provide legislative intent; and to declare an emergency"

Page 4, after line 11, insert:

"**SECTION 8. LEGISLATIVE INTENT - CONTRACT HOUSING FOR STATE INMATES.** It is the intent of the sixty-sixth legislative assembly that the appropriation in section 1 of this Act to house inmates at the southwest multi-county correctional center's correctional facility in New England during the 2019-21 biennium be applied to house male inmates or female inmates as determined by the governor in consultation with department of corrections and rehabilitation and the southwest multi-county correctional center. The governor shall consider the potential for workforce training and work release for the inmates placed at the southwest multi-county correctional center's correctional facility in New England in making the determination.

SECTION 9. EMERGENCY. The appropriation to house inmates at the southwest multi-county correctional center's correctional facility in New England, the appropriation to purchase temporary housing units for minimum security male inmates at the James River correctional center, the appropriation to renovate the Missouri River correctional center, and section 8 of this Act are declared to be an emergency measure."

Renumber accordingly

HB 1015
4/4/19 #2

19.0203.02007
Title.

Prepared by the Legislative Council staff for
Senator Mathern
April 4, 2019

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 3, replace "a report" with "for reports"

Page 2, after line 21, insert:

"**SECTION 3. APPROPRIATION - DEPARTMENT OF CORRECTIONS AND REHABILITATION STUDY OF FEMALE FACILITIES - REPORT.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $100,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of studying the long-term female correctional and rehabilitation facility needs of the state, for the biennium beginning July 1, 2019, and ending June 30, 2021. The department of corrections and rehabilitation, in consultation with representatives of the department of human services, judicial branch, tribal governments, and other private and public entities as designated by the department of corrections and rehabilitation, shall study the facility needs of females sentenced to the department of corrections and rehabilitation. The study must include the preferable location of facilities, the service needs of females sentenced to the department of corrections and rehabilitation and their families. The department of corrections and rehabilitation may hire consultants to assist in the study of female correctional and rehabilitation facility needs of the state and shall consider the results of the study in future facility requests. The department of corrections and rehabilitation shall report the results of its study to the legislative management by June 30, 2020."

Renumber accordingly

HB 1015
4/4/19
#3

19.0203.02003
Title.

Prepared by the Legislative Council staff for
Senator Wardner
March 29, 2019

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 2, after the semicolon insert "to provide exemptions;"

Page 1, line 3, remove "and"

Page 1, line 3, after "report" insert "; and to declare an emergency"

Page 2, after line 21, insert:

"**SECTION 3. APPROPRIATION - 2017-19 BIENNIUM - DAKOTA WOMEN'S CORRECTIONAL AND REHABILITATION CENTER - EXEMPTION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $4,000,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation to establish a special assistance unit with a programming room at the Dakota women's correctional and rehabilitation center, for the period beginning with the effective date of this Act, and ending June 30, 2019. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $12,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the Dakota women's correctional and rehabilitation center to purchase ten new computers to increase vocational opportunities, for the period beginning with the effective date of this Act, and ending June 30, 2019. The appropriations in this section are not subject to section 54-44.1-11 and any unexpended funds from the appropriations may be used to complete these projects during the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 4, after line 11, insert:

"**SECTION 9. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment provides a 2017-19 biennium appropriation of $4,000,000 from the general fund to establish a special assistance unit with a programming room at the Dakota Women's Correctional and Rehabilitation Center. The amendment also provides a 2017-19 biennium appropriation of $12,000 from the general fund for the Dakota Women's Correctional and Rehabilitation Center to purchase 10 new computers to increase vocational opportunities.

02008

#1 HB 1015
4-8-19
Pg 1

Department of Corrections and Rehabilitation - Budget No. 530
House Bill No. 1015
Base Level Funding Changes

	House Version				Senate Version				Senate Changes to House Version Increase (Decrease) - House Version			
	FTE Position	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2019-21 Biennium Base Level	845.29	$214,336,704	$37,161,253	$251,497,957	845.29	$214,336,704	$37,161,253	$251,497,957	0.00	$0	$0	$0
2019-21 Ongoing Funding Changes												
Base payroll changes		$1,634,020	($1,364,762)	$269,258		$1,634,020	($1,364,762)	$269,258				$0
Salary increase		3,348,094	165,036	3,513,130		4,727,499	231,617	4,959,116		$1,379,405	$66,581	1,445,986
Health insurance increase		3,763,528	207,727	3,971,255		3,919,698	207,727	4,127,425		156,170		156,170
Increase funding for teacher salaries and wages		1,357,790		1,357,790		1,357,790		1,357,790				0
Convert 20 temporary correctional officer positions to FTE positions	20.00	326,435		326,435	20.00	326,435		326,435				0
Adjust funding and FTE positions to convert MRCC to a female correctional facility				0	8.60	1,891,810		1,891,810	8.60	1,891,810		1,891,810
Adjust funding relating to the DWCRC contract		1,143,360		1,143,360		1,143,360		1,143,360				0
Add funding and FTE positions to establish a minimum security correctional facility at JRCC				0	25.20	4,223,312		4,223,312	25.20	4,223,312		4,223,312
Add funding to rent man camp buildings for use as a JRCC minimum security facility				0		2,390,334		2,390,334		2,390,334		2,390,334
Add funding and FTE positions to assume control of TRCC	27.50	5,031,222		5,031,222	27.50	5,031,222		5,031,222				0
Remove funding for TRCC payments to		(8,607,462)		(8,607,462)		(8,607,462)		(8,607,462)				0
Add funding to contract with the State Hospital for up to 30 addiction treatment beds		3,873,750		3,873,750		3,873,750		3,873,750				0
Add funding and FTE positions for pretrial services	7.00	755,034		755,034	7.00	755,034		755,034				0
Add funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts		537,500		537,500		537,500		537,500				0
Adjust funding for miscellaneous expenses, including reductions in food and clothing, operating fees and services, and maintenance; and increases in equipment and IT contractual services		571,322	(2,980,285)	(2,408,963)		571,322	(2,980,285)	(2,408,963)				0
Adjust funding for crime victims federal grant award changes		20,000	6,822,251	6,842,251		20,000	6,822,251	6,842,251				0

Add funding for Microsoft Office 365 licensing		618,699	110,208	728,907		618,699	110,208	728,907				0
Adjust funding for capital bond payments		(469,380)	16,180	(453,200)		(469,380)	16,180	(453,200)				0
Remove ongoing funding used to purchase a man camp facility for the MRCC		(844,000)		(844,000)		(844,000)		(844,000)				0
Remove ongoing funding for extraordinary repairs		(866,000)	(80,000)	(946,000)		(866,000)	(80,000)	(946,000)				0
Miscellaneous funding source adjustment				0				0				0
Adjust funding for transitional services		(1,049,741)		(1,049,741)		549,626		549,626		1,599,367		1,599,367
Total ongoing funding changes	54.50	$11,144,171	$2,896,355	$14,040,526	88.30	$22,784,569	$2,962,936	$25,747,505	33.80	$11,640,398	$66,581	$11,706,979
One-time funding items												
Add one-time funding to replace Elite servers		$40,000		$40,000		$40,000		$40,000				$0
Add one-time funding for Roughrider Industries equipment			$298,700	$298,700			$298,700	298,700				0
Add one-time funding for construction of a Roughrider Industries building at JRCC				0			1,140,000	1,140,000			$1,140,000	1,140,000
Add one-time funding for extraordinary repairs, including $141,000 from SIIF		876,250	456,000	1,332,250		876,250	456,000	1,332,250				0
Add one-time funding from SIIF for renovations of the MRCC to convert it to a female facility				0			1,854,301	1,854,301			1,854,301	1,854,301
Add one-time funding from SIIF for campus studies of the Youth Correctional Center, JRCC, and State Hospital			250,000	250,000			250,000	250,000				0
Add one-time funding from SIIF for inmate tracking systems and other IT upgrades			665,000	665,000			665,000	665,000				0
Add one-time funding from SIIF for security equipment and redundant fencing			412,000	412,000			412,000	412,000				0
Add one-time funding to study gender responsive services and facilities				0		100,000		100,000		$100,000		100,000
Total one-time funding changes	0.00	$916,250	$2,081,700	$2,997,950	0.00	$1,016,250	$5,076,001	$6,092,251	0.00	$100,000	$2,994,301	$3,094,301
Total Changes to Base Level Funding	54.50	$12,060,421	$4,978,055	$17,038,476	88.30	$23,800,819	$8,038,937	$31,839,756	33.80	$11,740,398	$3,060,882	$14,801,280
2019-21 Total Funding	899.79	$226,397,125	$42,139,308	$268,536,433	933.59	$238,137,523	$45,200,190	$283,337,713	33.80	$11,740,398	$3,060,882	$14,801,280

Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

	House Version	Senate Version
Appropriation - 2017-19 biennium - Workforce development		Section 3 provides a 2017-19 biennium appropriation of $3 million to DOCR to enhance vocational and educational opportunities for inmate workforce development.
Special funds - SIIF	Section 3 designates $1,468,000 from SIIF for campus studies, equipment, IT projects, and extraordinary repairs.	Section 4 designates $3,322,301 from SIIF for campus studies, equipment, IT projects, and extraordinary repairs.

Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

	House Version	Senate Version
Treatment record disclosure		Section 5 amends Section 12-47-36 relating to disclosure of treatment records.
DOCR study of gender-responsive services and facilities		Section 6 provides for a DOCR study of gender-responsive services and facilities.
Legislative intent - Contract housing for state inmates		Section 7 provides legislative intent that the governor determine the location of male and female inmates placed in contract housing in consultation with DOCR and the southwest multi-county correctional center.
Legislative intent - JRCC and State Hospital campus infrastructure study		Section 8 provides legislative intent that the campus infrastructure study of the JRCC and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
Legislative intent - Minimum security facility - JRCC		Section 9 provides legislative intent that no fence be placed around the temporary housing units used for minimum security male inmates at JRCC.
Pretrial services pilot project		Section 10 provides for the establishment of a pre-trial services program as a pilot project in one or more judicial districts.
Exemption - Community behavioral health program	Section 4 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.	Section 11 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.
Operating fund authority	Section 5 authorizes DOCR to deposit in and spend from its operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.	Section 12 authorizes DOCR to deposit in and spend from its operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.
Tompkins Rehabilitation and Corrections Center	Section 6 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.	Section 13 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.
Legislative Management study	Section 7 provides for a legislative management study of DOCR.	The Senate removed this section.
Emergency clause		Section 14 declares the funding for temporary housing units at JRCC and the renovation of MRCC to be an emergency measure.

19.0203.02008
Title.
Fiscal No. 1

Prepared by the Legislative Council staff for
Senator Mathern
April 5, 2019

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 5 of section 12-47-36 of the North Dakota Century Code, relating to disclosure of confidential records;"

Page 1, line 3, replace "for a legislative management study; and" with "legislative intent; to provide for a study;"

Page 1, line 3, replace "a report" with "for reports; to provide exemptions; and to declare an emergency"

Page 1, replace lines 13 through 18 with:

"Adult services	$220,757,448	$30,293,935	$251,051,383
Youth services	30,740,509	1,545,821	32,286,330
Total all funds	$251,497,957	$31,839,756	$283,337,713
Less estimated income	37,161,253	8,038,937	45,200,190
Total general fund	$214,336,704	$23,800,819	$238,137,523
Full-time equivalent positions	845.29	88.30	933.59"

Page 2, replace lines 12 through 17 with:

"Roughrider industries building	0	1,140,000
Missouri River correctional center renovation	0	1,854,301
Gender-responsive services and facilities study	0	100,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$6,092,251
Less estimated income	2,102,907	5,076,001
Total general fund	$0	$1,016,250"

Page 2, after line 21, insert:

"**SECTION 3. APPROPRIATION - 2017-19 BIENNIUM - WORKFORCE DEVELOPMENT - EXEMPTION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $3,000,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation to enhance vocational opportunities, educational opportunities, and workforce development for individuals sentenced to the department of corrections and rehabilitation, including individuals placed in contract housing, for the period beginning with the effective date of this Act, and ending June 30, 2019. The department of corrections and rehabilitation shall consult with the southwest multi-county correctional center regarding potential providers of vocational opportunities, educational opportunities, and workforce development. The appropriation in this section is not subject to section 54-44.1-11 and any unexpended funds from the appropriation may be used for enhancing vocational opportunities, educational opportunities, and workforce development for individuals sentenced to the department of corrections and rehabilitation during the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 2, line 23, replace "$1,468,000" with "$3,322,301"

Page 2, line 25, after the fourth comma insert "renovation of the Missouri River correctional center,"

Page 2, after line 26, insert:

"**SECTION 5. AMENDMENT.** Subsection 5 of section 12-47-36 of the North Dakota Century Code is amended and reenacted as follows:

5. Medical, psychological, or treatment records may be disclosed without prior application to the court to a public hospital or treatment facility, the department of human services, a community behavioral health program, a vocational rehabilitation program, a transitional living facility, or to a licensed private medical or treatment facility, when necessary for the evaluation, treatment, or care of a person who is or who has been in the custody of, or is or who has been under the supervision and management of, the adult services division of the department of corrections and rehabilitation.

SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION STUDY OF GENDER-RESPONSIVE SERVICES AND FACILITIES - REPORT. The appropriation in section 1 of this Act includes $100,000 from the general fund for the department of corrections and rehabilitation to study long-term gender-responsive correctional and rehabilitation facility and service needs during the 2019-20 interim. The department of corrections and rehabilitation, in consultation with representatives of the department of human services, judicial branch, tribal governments, and other private and public entities as determined by the department of corrections and rehabilitation, shall study gender-responsive facility and service needs of individuals sentenced to the department of corrections and rehabilitation. The study must include the preferable location of facilities, the service needs of individuals sentenced to the department of corrections and rehabilitation, and the impact on families of individuals sentenced to the department of corrections and rehabilitation. The department of corrections and rehabilitation may contract with consultants to assist in the study of gender-responsive correctional and rehabilitation facility and service needs and shall consider the results of the study in future appropriation requests. The department of corrections and rehabilitation shall report the results of its study to the legislative management by June 30, 2020.

SECTION 7. LEGISLATIVE INTENT - CONTRACT HOUSING FOR STATE INMATES. It is the intent of the sixty-sixth legislative assembly that the $11,905,311 appropriated in section 1 of this Act to house inmates at the southwest multi-county correctional center's correctional facility in New England during the 2019-21 biennium be applied to house male inmates or female inmates, as determined by the governor. The governor shall consult with the department of corrections and rehabilitation and the southwest multi-county correctional center in making the determination. The governor shall also consider the potential for workforce training and work release in making the determination.

SECTION 8. LEGISLATIVE INTENT - JAMES RIVER CORRECTIONAL CENTER AND STATE HOSPITAL CAMPUS INFRASTRUCTURE STUDY. It is the intent of the sixty-sixth legislative assembly that the $175,000 appropriated in section 1 of this Act for a campus infrastructure study of the James River correctional center and the state hospital consider the potential for the placement of minimum security male inmates in current structures on the state hospital campus.

SECTION 9. LEGISLATIVE INTENT - MINIMUM SECURITY FACILITY - JAMES RIVER CORRECTIONAL CENTER. It is the intent of the sixty-sixth legislative assembly that any temporary housing units placed on the campus of the James River correctional center and state hospital for the housing of minimum security inmates not be enclosed with a fence.

SECTION 10. PRETRIAL SERVICES - PILOT PROGRAM - REPORT. The appropriation in section 1 of this Act includes $755,034 and seven full-time equivalent positions for pretrial services. The department of corrections and rehabilitation may establish a pretrial services program as a pilot project in one or more judicial districts of the state during the biennium beginning July 1, 2019, and ending June 30, 2021. The department of corrections and rehabilitation and the judicial branch shall collaborate to develop guidelines and procedures for the administration of pretrial services for the district courts. The department of corrections and rehabilitation and the judicial branch shall provide a report regarding the process and outcome measures of the pretrial services program to the sixty-seventh legislative assembly."

Page 3, line 1, after "program" insert "for individuals in the custody or under the supervision of the department of corrections and rehabilitation or for the continuation of programming, when necessary, for individuals no longer in the custody or under the supervision of the department,"

Page 3, remove lines 18 through 31

Page 4, replace lines 1 through 11 with:

"**SECTION 14. EMERGENCY.** The appropriation of $2,390,334 from the general fund for the lease or purchase of temporary housing units for minimum security male inmates at the James River correctional center in section 1, the appropriation of $1,854,301 from the strategic investment and improvements fund to renovate the Missouri River correctional center in section 1, and sections 3 and 7 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehab. - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Adult services	$220,757,448	$236,440,488	$14,610,895	$251,051,383
Youth services	30,740,509	32,095,945	190,385	32,286,330
Total all funds	$251,497,957	$268,536,433	$14,801,280	$283,337,713
Less estimated income	37,161,253	42,139,308	3,060,882	45,200,190
General fund	$214,336,704	$226,397,125	$11,740,398	$238,137,523
FTE	845.29	899.79	33.80	933.59

Department 530 - Department of Corrections and Rehab. - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adds FTE Positions and Related Operating Expenses[2]	Adds Funding for Temporary Housing Units[3]	Adjusts Funding for Transitional Services[4]	Adds One-Time Funding for a Study[5]	Adds One-Time Funding for Female Facility Renovations[6]
Adult services	$1,411,771	$6,115,122	$2,390,334	$1,599,367	$100,000	$1,854,301
Youth services	190,385					
Total all funds	$1,602,156	$6,115,122	$2,390,334	$1,599,367	$100,000	$1,854,301
Less estimated income	66,581	0	0	0	0	1,854,301
General fund	$1,535,575	$6,115,122	$2,390,334	$1,599,367	$100,000	$0
FTE	0.00	33.80	0.00	0.00	0.00	0.00

	Adds One-Time Funding for a Roughrider Industries Building[7]	Total Senate Changes
Adult services	$1,140,000	$14,610,895
Youth services		190,385
Total all funds	$1,140,000	$14,801,280
Less estimated income	1,140,000	3,060,882
General fund	$0	$11,740,398
FTE	0.00	33.80

[1] Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of $120 and a maximum monthly increase of $200, and 2.5 percent on July 1, 2020. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

[2] The following FTE positions and related funding are added:

	FTE	General Fund
Missouri River Correctional Center treatment positions	8.60	$1,891,810
James River Correctional Center minimum security positions	25.20	4,223,312
Total	33.80	$6,115,122

[3] Funding is added for the lease or purchase of two temporary housing units for use as minimum security housing at the James River Correctional Center.

[4] Funding is adjusted for transitional services, including the addition of $549,626 for the Bismarck Transition Center contract and the restoration of $1,049,741 removed by the House.

[5] One-time funding of $100,000 from the general fund is added for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.

[6] One-time funding of $1,854,301 from the strategic investment and improvements fund is added to convert the Missouri River Correctional Center into a female correctional and rehabilitation facility.

[7] One-time funding from the Roughrider Industries fund is added for the construction of a Roughrider Industries building at the James River Correctional Center.

House Bill No. 1015 - Other Changes - Senate Action

This amendment also:

- Adds a section to provide a 2017-19 biennium appropriation of $3 million from the general fund to the Department of Corrections and Rehabilitation to enhance vocational and education opportunities for inmate workforce development.
- Adjusts the section identifying the amount appropriated in section 1 from the strategic investment and improvements fund.

- Adds a section to amend North Dakota Century Code Section 12-47-36(5) relating to disclosure of confidential records.
- Adds a section to provide for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.
- Adds a section to provide legislative intent that the governor determine the location of male and female inmates in consultation with the Department of Corrections and Rehabilitation and the Southwest Multi-County Correctional Center.
- Adds a section to provide legislative intent that the campus infrastructure study of the James River Correctional Center and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
- Adds a section to provide legislative intent that no fence be placed around the temporary housing units used for minimum security male inmates.
- Adds a section to provide for the establishment of a pretrial services pilot project.
- Adjusts the section providing carryover authority relating to the Free Through Recovery program to allow the funding to be used for the continuation of programming for individuals no longer in the custody or under the supervision of the Department of Corrections and Rehabilitation.

19.0203.02009
Title.
Fiscal No. 2

Prepared by the Legislative Council staff for
Senator Wanzek
April 8, 2019

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 5 of section 12-47-36 of the North Dakota Century Code, relating to disclosure of confidential records;"

Page 1, line 3, replace "for a legislative management study; and" with "legislative intent; to provide for a study;"

Page 1, line 3, replace "a report" with "for reports; to provide exemptions; and to declare an emergency"

Page 1, replace lines 13 through 18 with:

"Adult services	$220,757,448	$30,293,935	$251,051,383
Youth services	30,740,509	1,545,821	32,286,330
Total all funds	$251,497,957	$31,839,756	$283,337,713
Less estimated income	37,161,253	8,038,937	45,200,190
Total general fund	$214,336,704	$23,800,819	$238,137,523
Full-time equivalent positions	845.29	88.30	933.59"

Page 2, replace lines 12 through 17 with:

"Rough Rider industries building	0	1,140,000
James River correctional center minimum security facilities	0	2,390,334
Missouri River correctional center renovation	0	1,854,301
Gender-responsive services and facilities study	0	100,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$8,482,585
Less estimated income	2,102,907	5,076,001
Total general fund	$0	$3,406,584"

Page 2, after line 21, insert:

"**SECTION 3. APPROPRIATION - 2017-19 BIENNIUM - WORKFORCE DEVELOPMENT - EXEMPTION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $3,000,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation to enhance vocational opportunities, educational opportunities, and workforce development for individuals sentenced to the department of corrections and rehabilitation, including individuals placed in contract housing, for the period beginning with the effective date of this Act, and ending June 30, 2019. The department of corrections and rehabilitation shall consult with the southwest multi-county correction center regarding potential providers of vocational opportunities, educational opportunities, and workforce development. The appropriation in this section is not subject to section 54-44.1-11 and any unexpended funds from the appropriation may be used for enhancing vocational opportunities, educational opportunities, and workforce development for individuals sentenced to the department of corrections and rehabilitation during the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 2, line 23, replace "$1,468,000" with "$3,322,301"

Page 2, line 25, after the fourth comma insert "renovation of the Missouri River correctional center,"

Page 2, after line 26, insert:

"**SECTION 5. AMENDMENT.** Subsection 5 of section 12-47-36 of the North Dakota Century Code is amended and reenacted as follows:

5. Medical, psychological, or treatment records may be disclosed without prior application to the court to a public hospital or treatment facility, the department of human services, a community behavioral health program, a vocational rehabilitation program, a transitional living facility, or to a licensed private medical or treatment facility, when necessary for the evaluation, treatment, or care of a person who is or who has been in the custody of, or is or who has been under the supervision and management of, the adult services division of the department of corrections and rehabilitation.

SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION STUDY OF GENDER-RESPONSIVE SERVICES AND FACILITIES - REPORT. The appropriation in section 1 of this Act includes $100,000 from the general fund for the department of corrections and rehabilitation to study long-term gender-responsive correctional and rehabilitation facility and service needs during the 2019-20 interim. The department of corrections and rehabilitation, in consultation with representatives of the department of human services, judicial branch, tribal governments, and other private and public entities as determined by the department of corrections and rehabilitation, shall study gender-responsive facility and service needs of individuals sentenced to the department of corrections and rehabilitation. The study must include the preferable location of facilities, the service needs of individuals sentenced to the department of corrections and rehabilitation, and the impact on families of individuals sentenced to the department of corrections and rehabilitation. The department of corrections and rehabilitation may contract with consultants to assist in the study of gender-responsive correctional and rehabilitation facility and service needs and shall consider the results of the study in future appropriation requests. The department of corrections and rehabilitation shall report the results of its study to the legislative management by June 30, 2020.

SECTION 7. LEGISLATIVE INTENT - CONTRACT HOUSING FOR STATE INMATES. It is the intent of the sixty-sixth legislative assembly that the $11,905,311 appropriated in section 1 of this Act to house inmates at the southwest multi-county correction center's correctional facility in New England during the 2019-21 biennium be applied to house male inmates or female inmates, as determined by the governor with the approval of the southwest multi-county correction center. The governor shall consult with the department of corrections and rehabilitation and the southwest multi-county correction center in making the determination. The governor shall also consider the potential for workforce training and work release in making the determination. If the southwest multi-county correction center does not apporove the governor's determination by June 30, 2021, the department of corrections and rehabilitation may use the funding appropriated to house inmates at another facility.

SECTION 8. LEGISLATIVE INTENT - JAMES RIVER CORRECTIONAL CENTER AND STATE HOSPITAL CAMPUS INFRASTRUCTURE STUDY. It is the intent of the sixty-sixth legislative assembly that the $175,000 appropriated in section 1

of this Act for a campus infrastructure study of the James River correctional center and the state hospital consider the potential for the placement of minimum security male inmates in current structures on the state hospital campus.

SECTION 9. LEGISLATIVE INTENT - MINIMUM SECURITY FACILITY - JAMES RIVER CORRECTIONAL CENTER. It is the intent of the sixty-sixth legislative assembly that any minimum security facilities on the campus of the James River correctional center and state hospital not be enclosed with a fence.

SECTION 10. PRETRIAL SERVICES - PILOT PROGRAM - REPORT. The appropriation in section 1 of this Act includes $755,034 and seven full-time equivalent positions for pretrial services. The department of corrections and rehabilitation may establish a pretrial services program as a pilot project in one or more judicial districts of the state during the biennium beginning July 1, 2019, and ending June 30, 2021. The department of corrections and rehabilitation and the judicial branch shall collaborate to develop guidelines and procedures for the administration of pretrial services for the district courts. The department of corrections and rehabilitation and the judicial branch shall provide a report regarding the process and outcome measures of the pretrial services program to the sixty-seventh legislative assembly."

Page 3, line 1, after "program" insert "for individuals in the custody or under the supervision of the department of corrections and rehabilitation or for the continuation of programming, when necessary, for individuals no longer in the custody or under the supervision of the department,"

Page 3, line 15, remove "The provisions of chapters 48-01.1 and 54-44.7"

Page 3, remove line 16

Page 3, line 17, replace "services for construction and renovation" with "Sections 54-01-05.2 and 54-01-05.5"

Page 3, remove lines 18 through 31

Page 4, replace lines 1 through 11 with:

"**SECTION 14. CONVEYANCE OF LAND AND BUILDINGS - 12 WEST AND 16 WEST - EXEMPTION.** The state of North Dakota, by and through the department of human services, may convey ownership of the 12 west and 16 west buildings and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. Sections 54-01-05.2 and 54-01-05.5 do not apply to this conveyance.

SECTION 15. EMERGENCY. The appropriation of $175,000 from the strategic investment and improvements fund for the James River correctional center and state hospital campus infrastructure study in section 1, the appropriation of $100,000 from the general fund for a gender-responsive services and facilities study in section 1, and sections 3, 6, and 8 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehab. - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Adult services	$220,757,448	$236,440,488	$14,610,895	$251,051,383

Youth services	30,740,509	32,095,945	190,385	32,286,330
Total all funds	$251,497,957	$268,536,433	$14,801,280	$283,337,713
Less estimated income	37,161,253	42,139,308	3,060,882	45,200,190
General fund	$214,336,704	$226,397,125	$11,740,398	$238,137,523
FTE	845.29	899.79	33.80	933.59

Department 530 - Department of Corrections and Rehab. - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adds FTE Positions and Related Operating Expenses[2]	Adjusts Funding for Transitional Services[3]	Adds One-Time Funding for Minimum Security Facilities[4]	Adds One-Time Funding for a Study[5]	Adds One-Time Funding for Female Facility Renovations[6]
Adult services	$1,411,771	$6,115,122	$1,599,367	$2,390,334	$100,000	$1,854,301
Youth services	190,385					
Total all funds	$1,602,156	$6,115,122	$1,599,367	$2,390,334	$100,000	$1,854,301
Less estimated income	66,581	0	0	0	0	1,854,301
General fund	$1,535,575	$6,115,122	$1,599,367	$2,390,334	$100,000	$0
FTE	0.00	33.80	0.00	0.00	0.00	0.00

	Adds One-Time Funding for a Rough Rider Industries Building[7]	Total Senate Changes
Adult services	$1,140,000	$14,610,895
Youth services		190,385
Total all funds	$1,140,000	$14,801,280
Less estimated income	1,140,000	3,060,882
General fund	$0	$11,740,398
FTE	0.00	33.80

[1] Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of $120 and a maximum monthly increase of $200, and 2.5 percent on July 1, 2020. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

[2] The following FTE positions and related funding are added:

	FTE	General Fund
Missouri River Correctional Center treatment positions	8.60	$1,891,810
James River Correctional Center minimum security positions	25.20	4,223,312
Total	33.80	$6,115,122

[3] Funding is adjusted for transitional services, including the addition of $549,626 for the Bismarck Transition Center contract and the restoration of $1,049,741 removed by the House.

[4] One-time funding is added for facilities for minimum security inmates at the James River Correctional Center. The funding may be used to renovate facilities transferred from the State Hospital to the Department of Corrections and Rehabilitation or for the lease or purchase of two temporary housing units for use as minimum security housing at the James River Correctional Center.

[5] One-time funding of $100,000 from the general fund is added for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.

[6] One-time funding of $1,854,301 from the strategic investment and improvements fund is added to convert the Missouri River Correctional Center into a female correctional and rehabilitation facility.

[7] One-time funding from the Rough Rider Industries fund is added for the construction of a Rough Rider Industries building at the James River Correctional Center.

House Bill No. 1015 - Other Changes - Senate Action

This amendment also:

- Adds a section to provide a 2017-19 biennium appropriation of $3 million from the general fund to the Department of Corrections and Rehabilitation to enhance vocational and education opportunities for inmate workforce development.
- Adjusts the section identifying the amount appropriated in Section 1 from the strategic investment and improvements fund.
- Adds a section to amend North Dakota Century Code Section 12-47-36(5) relating to disclosure of confidential records.
- Adds a section to provide for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.
- Adds a section to provide legislative intent that the Governor determine the location of male and female inmates in consultation with the Department of Corrections and Rehabilitation and the Southwest Multi-County Correction Center.
- Adds a section to provide legislative intent that the campus infrastructure study of the James River Correctional Center and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
- Adds a section to provide legislative intent that no fence be placed around facilities used for minimum security male inmates.
- Adds a section to provide for the establishment of a pretrial services pilot project.
- Adjusts the section providing carryover authority relating to the free through recovery program to allow the funding to be used for the continuation of programming for individuals no longer in the custody or under the supervision of the Department of Corrections and Rehabilitation.
- Adds a section to allow for the conveyance of the West 12 and West 16 buildings from the State Hospital to the Department of Corrections and Rehabilitation for use as a minimum security facility.

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pg 1

Department of Corrections and Rehabilitation - Budget No. 530
House Bill No. 1015
Base Level Funding Changes

DRAFT - PROPOSAL

	House Version				Senate Version				Senate Changes to House Version Increase (Decrease) - House Version			
	FTE Position	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2019-21 Biennium Base Level	845.29	$214,336,704	$37,161,253	$251,497,957	845.29	$214,336,704	$37,161,253	$251,497,957	0.00	$0	$0	$0
2019-21 Ongoing Funding Changes												
Base payroll changes		$1,634,020	($1,364,762)	$269,258		$1,634,020	($1,364,762)	$269,258				$0
Salary increase		3,348,094	165,036	3,513,130		4,727,499	231,617	4,959,116		$1,379,405	$66,581	1,445,986
Health insurance increase		3,763,528	207,727	3,971,255		3,919,698	207,727	4,127,425		156,170		156,170
Increase funding for teacher salaries and wages		1,357,790		1,357,790		1,357,790		1,357,790				0
Convert 20 temporary correctional officer positions to FTE positions	20.00	326,435		326,435	20.00	326,435		326,435				0
Adjust funding and FTE positions to convert MRCC to a female correctional facility				0	8.60	1,891,810		1,891,810	8.60	1,891,810		1,891,810
Adjust funding relating to the DWCRC contract		1,143,360		1,143,360		1,143,360		1,143,360				0
Add funding and FTE positions to establish a minimum security correctional facility at JRCC				0	25.20	4,223,312		4,223,312	25.20	4,223,312		4,223,312
Add funding and FTE positions to assume control of TRCC	27.50	5,031,222		5,031,222	27.50	5,031,222		5,031,222				0
Remove funding for TRCC payments to		(8,607,462)		(8,607,462)		(8,607,462)		(8,607,462)				0
Add funding to contract with the State Hospital for up to 30 addiction treatment beds		3,873,750		3,873,750		3,873,750		3,873,750				0
Add funding and FTE positions for pretrial services	7.00	755,034		755,034	7.00	755,034		755,034				0
Add funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts		537,500		537,500		537,500		537,500				0
Adjust funding for miscellaneous expenses, including reductions in food and clothing, operating fees and services, and maintenance; and increases in equipment and IT contractual services		571,322	(2,980,285)	(2,408,963)		571,322	(2,980,285)	(2,408,963)				0
Adjust funding for crime victims federal grant award changes		20,000	6,822,251	6,842,251		20,000	6,822,251	6,842,251				0
Add funding for Microsoft Office 365 licensing		618,699	110,208	728,907		618,699	110,208	728,907				0
Adjust funding for capital bond payments		(469,380)	16,180	(453,200)		(469,380)	16,180	(453,200)				0
Remove ongoing funding used to purchase a man camp facility for the MRCC		(844,000)		(844,000)		(844,000)		(844,000)				0

Remove ongoing funding for extraordinary repairs		(866,000)	(80,000)	(946,000)		(866,000)	(80,000)	(946,000)				0
Adjust funding for transitional services		(1,049,741)		(1,049,741)		549,626		549,626		1,599,367		1,599,367
Total ongoing funding changes	54.50	$11,144,171	$2,896,355	$14,040,526	88.30	$20,394,235	$2,962,936	$23,357,171	33.80	$9,250,064	$66,581	$9,316,645
One-time funding items												
Add one-time funding to replace Elite servers		$40,000		$40,000		$40,000		$40,000				$0
Add one-time funding for Roughrider Industries equipment			$298,700	$298,700			$298,700	298,700				0
Add one-time funding for construction of a Roughrider Industries building at JRCC				0			1,140,000	1,140,000			$1,140,000	1,140,000
Add one-time funding for extraordinary repairs, including $141,000 from SIIF		876,250	456,000	1,332,250		876,250	456,000	1,332,250				0
Add one-time funding from SIIF for renovations of the MRCC to convert it to a female facility				0			1,854,301	1,854,301			1,854,301	1,854,301
Add one-time funding from SIIF for campus studies of the Youth Correctional Center, JRCC, and State Hospital			250,000	250,000			250,000	250,000				0
Add one-time funding from SIIF for inmate tracking systems and other IT upgrades			665,000	665,000			665,000	665,000				0
Add one-time funding from SIIF for security equipment and redundant fencing			412,000	412,000			412,000	412,000				0
Add one-time funding to study gender responsive services and facilities				0		100,000		100,000		$100,000		100,000
Add one-time funding for JRCC minimum security facility				0		2,390,334		2,390,334		2,390,334		2,390,334
Total one-time funding changes	0.00	$916,250	$2,081,700	$2,997,950	0.00	$3,406,584	$5,076,001	$8,482,585	0.00	$2,490,334	$2,994,301	$5,484,635
Total Changes to Base Level Funding	54.50	$12,060,421	$4,978,055	$17,038,476	88.30	$23,800,819	$8,038,937	$31,839,756	33.80	$11,740,398	$3,060,882	$14,801,280
2019-21 Total Funding	899.79	$226,397,125	$42,139,308	$268,536,433	933.59	$238,137,523	$45,200,190	$283,337,713	33.80	$11,740,398	$3,060,882	$14,801,280

Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

	House Version	Senate Version
Appropriation - 2017-19 biennium - Workforce development		Section 3 provides a 2017-19 biennium appropriation of $3 million to DOCR to enhance vocational and educational opportunities for inmate workforce development.
Special funds - SIIF	Section 3 designates $1,468,000 from SIIF for campus studies, equipment, IT projects, and extraordinary repairs.	Section 4 designates $3,322,301 from SIIF for campus studies, equipment, IT projects, and extraordinary repairs.
Treatment record disclosure		Section 5 amends Section 12-47-36 relating to disclosure of treatment records.
DOCR study of gender-responsive services and facilities		Section 6 provides for a DOCR study of gender-responsive services and facilities.

Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

	House Version	Senate Version
Legislative intent - Contract housing for state inmates		Section 7 provides legislative intent that the governor determine the location of male and female inmates placed in contract housing in consultation with DOCR and the southwest multi-county correctional center. The approval of the southwest multi-county correctional center is required until June 30, 2021.
Legislative intent - JRCC and State Hospital campus infrastructure study		Section 8 provides legislative intent that the campus infrastructure study of the JRCC and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
Legislative intent - Minimum security facility - JRCC		Section 9 provides legislative intent that no fence be placed around the temporary housing units used for minimum security male inmates at JRCC.
Pretrial services pilot project		Section 10 provides for the establishment of a pre-trial services program as a pilot project in one or more judicial districts.
Exemption - Community behavioral health program	Section 4 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.	Section 11 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.
Operating fund authority	Section 5 authorizes DOCR to deposit in and spend from its operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.	Section 12 authorizes DOCR to deposit in and spend from its operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.
Tompkins Rehabilitation and Corrections Center	Section 6 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.	Section 13 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.
State Hospital facilities		Section 14 provides authority for the conveyance of the West 12 and West 16 buildings from the State Hospital to DOCR for use as a minimum security facility.
Legislative Management study	Section 7 provides for a legislative management study of DOCR.	The Senate removed this section.
Emergency clause		Section 15 declares the funding for workforce development, the study of gender-responsive services and facilities, and the study of campus infrastructure at the State Hospital and JRCC to be an emergency measure.

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19.0203.02009
Title.
Fiscal No. 2

Prepared by the Legislative Council staff for
Senator Wanzek
April 8, 2019

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 5 of section 12-47-36 of the North Dakota Century Code, relating to disclosure of confidential records;"

Page 1, line 3, replace "for a legislative management study; and" with "legislative intent; to provide for a study;"

Page 1, line 3, replace "a report" with "for reports; to provide exemptions; and to declare an emergency"

Page 1, replace lines 13 through 18 with:

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Less estimated income	37,161,253	8,038,937	45,200,190
Total general fund	$214,336,704	$23,800,819	$238,137,523
Full-time equivalent positions	845.29	88.30	933.59"

Page 2, replace lines 12 through 17 with:

"Rough Rider industries building	0	1,140,000
James River correctional center minimum security facilities	0	2,390,334
Missouri River correctional center renovation	0	1,854,301
Gender-responsive services and facilities study	0	100,000
Electronic medical records system	935,907	0
Pipeline protest law enforcement support	500,000	0
Justice reinvestment initiative	500,000	0
Total all funds	$2,102,907	$8,482,585
Less estimated income	2,102,907	5,076,001
Total general fund	$0	$3,406,584"

Page 2, after line 21, insert:

"**SECTION 3. APPROPRIATION - 2017-19 BIENNIUM - WORKFORCE DEVELOPMENT - EXEMPTION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $3,000,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation to enhance vocational opportunities, educational opportunities, and workforce development for individuals sentenced to the department of corrections and rehabilitation, including individuals placed in contract housing, for the period beginning with the effective date of this Act, and ending June 30, 2019. The department of corrections and rehabilitation shall consult with the southwest multi-county correction center regarding potential providers of vocational opportunities, educational opportunities, and workforce development. The appropriation in this section is not subject to section 54-44.1-11 and any unexpended funds from the appropriation may be used for enhancing vocational opportunities, educational opportunities, and workforce development for individuals sentenced to the department of corrections and rehabilitation during the biennium beginning July 1, 2019, and ending June 30, 2021."

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P2

Page 2, line 23, replace "$1,468,000" with "$3,322,301"

Page 2, line 25, after the fourth comma insert "renovation of the Missouri River correctional center,"

Page 2, after line 26, insert:

"**SECTION 5. AMENDMENT.** Subsection 5 of section 12-47-36 of the North Dakota Century Code is amended and reenacted as follows:

5. Medical, psychological, or treatment records may be disclosed without prior application to the court to a public hospital or treatment facility, the department of human services, a community behavioral health program, a vocational rehabilitation program, a transitional living facility, or to a licensed private medical or treatment facility, when necessary for the evaluation, treatment, or care of a person who is or who has been in the custody of, or is or who has been under the supervision and management of, the adult services division of the department of corrections and rehabilitation.

SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION STUDY OF GENDER-RESPONSIVE SERVICES AND FACILITIES - REPORT. The appropriation in section 1 of this Act includes $100,000 from the general fund for the department of corrections and rehabilitation to study long-term gender-responsive correctional and rehabilitation facility and service needs during the 2019-20 interim. The department of corrections and rehabilitation, in consultation with representatives of the department of human services, judicial branch, tribal governments, and other private and public entities as determined by the department of corrections and rehabilitation, shall study gender-responsive facility and service needs of individuals sentenced to the department of corrections and rehabilitation. The study must include the preferable location of facilities, the service needs of individuals sentenced to the department of corrections and rehabilitation, and the impact on families of individuals sentenced to the department of corrections and rehabilitation. The department of corrections and rehabilitation may contract with consultants to assist in the study of gender-responsive correctional and rehabilitation facility and service needs and shall consider the results of the study in future appropriation requests. The department of corrections and rehabilitation shall report the results of its study to the legislative management by June 30, 2020.

SECTION 7. LEGISLATIVE INTENT - CONTRACT HOUSING FOR STATE INMATES. It is the intent of the sixty-sixth legislative assembly that the $11,905,311 appropriated in section 1 of this Act to house inmates at the southwest multi-county correction center's correctional facility in New England during the 2019-21 biennium be applied to house male inmates or female inmates, as determined by the governor with the approval of the southwest multi-county correction center. The governor shall consult with the department of corrections and rehabilitation and the southwest multi-county correction center in making the determination. The governor shall also consider the potential for workforce training and work release in making the determination. If the southwest multi-county correction center does not apporove the governor's determination by June 30, 2021, the department of corrections and rehabilitation may use the funding appropriated to house inmates at another facility.

SECTION 8. LEGISLATIVE INTENT - JAMES RIVER CORRECTIONAL CENTER AND STATE HOSPITAL CAMPUS INFRASTRUCTURE STUDY. It is the intent of the sixty-sixth legislative assembly that the $175,000 appropriated in section 1

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#1
P3

of this Act for a campus infrastructure study of the James River correctional center and the state hospital consider the potential for the placement of minimum security male inmates in current structures on the state hospital campus.

SECTION 9. LEGISLATIVE INTENT - MINIMUM SECURITY FACILITY - JAMES RIVER CORRECTIONAL CENTER. It is the intent of the sixty-sixth legislative assembly that any minimum security facilities on the campus of the James River correctional center and state hospital not be enclosed with a fence.

SECTION 10. PRETRIAL SERVICES - PILOT PROGRAM - REPORT. The appropriation in section 1 of this Act includes $755,034 and seven full-time equivalent positions for pretrial services. The department of corrections and rehabilitation may establish a pretrial services program as a pilot project in one or more judicial districts of the state during the biennium beginning July 1, 2019, and ending June 30, 2021. The department of corrections and rehabilitation and the judicial branch shall collaborate to develop guidelines and procedures for the administration of pretrial services for the district courts. The department of corrections and rehabilitation and the judicial branch shall provide a report regarding the process and outcome measures of the pretrial services program to the sixty-seventh legislative assembly."

Page 3, line 1, after "program" insert "for individuals in the custody or under the supervision of the department of corrections and rehabilitation or for the continuation of programming, when necessary, for individuals no longer in the custody or under the supervision of the department,"

Page 3, line 15, remove "The provisions of chapters 48-01.1 and 54-44.7"

Page 3, remove line 16

Page 3, line 17, replace "services for construction and renovation" with "Sections 54-01-05.2 and 54-01-05.5"

Page 3, remove lines 18 through 31

Page 4, replace lines 1 through 11 with:

"**SECTION 14. CONVEYANCE OF LAND AND BUILDINGS - 12 WEST AND 16 WEST - EXEMPTION.** The state of North Dakota, by and through the department of human services, may convey ownership of the 12 west and 16 west buildings and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. Sections 54-01-05.2 and 54-01-05.5 do not apply to this conveyance.

SECTION 15. EMERGENCY. The appropriation of $175,000 from the strategic investment and improvements fund for the James River correctional center and state hospital campus infrastructure study in section 1, the appropriation of $100,000 from the general fund for a gender-responsive services and facilities study in section 1, and sections 3, 6, and 8 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehab. - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Adult services	$220,757,448	$236,440,488	$14,610,895	$251,051,383

Youth services	30,740,509	32,095,945	190,385	32,286,330
Total all funds	$251,497,957	$268,536,433	$14,801,280	$283,337,713
Less estimated income	37,161,253	42,139,308	3,060,882	45,200,190
General fund	$214,336,704	$226,397,125	$11,740,398	$238,137,523
FTE	845.29	899.79	33.80	933.59

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Department 530 - Department of Corrections and Rehab. - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adds FTE Positions and Related Operating Expenses[2]	Adjusts Funding for Transitional Services[3]	Adds One-Time Funding for Minimum Security Facilities[4]	Adds One-Time Funding for a Study[5]	Adds One-Time Funding for Female Facility Renovations[6]
Adult services	$1,411,771	$6,115,122	$1,599,367	$2,390,334	$100,000	$1,854,301
Youth services	190,385					
Total all funds	$1,602,156	$6,115,122	$1,599,367	$2,390,334	$100,000	$1,854,301
Less estimated income	66,581	0	0	0	0	1,854,301
General fund	$1,535,575	$6,115,122	$1,599,367	$2,390,334	$100,000	$0
FTE	0.00	33.80	0.00	0.00	0.00	0.00

	Adds One-Time Funding for a Rough Rider Industries Building[7]	Total Senate Changes
Adult services	$1,140,000	$14,610,895
Youth services		190,385
Total all funds	$1,140,000	$14,801,280
Less estimated income	1,140,000	3,060,882
General fund	$0	$11,740,398
FTE	0.00	33.80

[1] Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of $120 and a maximum monthly increase of $200, and 2.5 percent on July 1, 2020. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

[2] The following FTE positions and related funding are added:

	FTE	General Fund
Missouri River Correctional Center treatment positions	8.60	$1,891,810
James River Correctional Center minimum security positions	25.20	4,223,312
Total	33.80	$6,115,122

[3] Funding is adjusted for transitional services, including the addition of $549,626 for the Bismarck Transition Center contract and the restoration of $1,049,741 removed by the House.

[4] One-time funding is added for facilities for minimum security inmates at the James River Correctional Center. The funding may be used to renovate facilities transferred from the State Hospital to the Department of Corrections and Rehabilitation or for the lease or purchase of two temporary housing units for use as minimum security housing at the James River Correctional Center.

[5] One-time funding of $100,000 from the general fund is added for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.

[6] One-time funding of $1,854,301 from the strategic investment and improvements fund is added to convert the Missouri River Correctional Center into a female correctional and rehabilitation facility.

[7] One-time funding from the Rough Rider Industries fund is added for the construction of a Rough Rider Industries building at the James River Correctional Center.

House Bill No. 1015 - Other Changes - Senate Action

This amendment also:

- Adds a section to provide a 2017-19 biennium appropriation of $3 million from the general fund to the Department of Corrections and Rehabilitation to enhance vocational and education opportunities for inmate workforce development.
- Adjusts the section identifying the amount appropriated in Section 1 from the strategic investment and improvements fund.
- Adds a section to amend North Dakota Century Code Section 12-47-36(5) relating to disclosure of confidential records.
- Adds a section to provide for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.
- Adds a section to provide legislative intent that the Governor determine the location of male and female inmates in consultation with the Department of Corrections and Rehabilitation and the Southwest Multi-County Correction Center.
- Adds a section to provide legislative intent that the campus infrastructure study of the James River Correctional Center and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
- Adds a section to provide legislative intent that no fence be placed around facilities used for minimum security male inmates.
- Adds a section to provide for the establishment of a pretrial services pilot project.
- Adjusts the section providing carryover authority relating to the free through recovery program to allow the funding to be used for the continuation of programming for individuals no longer in the custody or under the supervision of the Department of Corrections and Rehabilitation.
- Adds a section to allow for the conveyance of the West 12 and West 16 buildings from the State Hospital to the Department of Corrections and Rehabilitation for use as a minimum security facility.

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STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Funding Summary

	Base Budget	House Version	Senate Changes	Senate Version
Department of Corrections and Rehab.				
Adult services	$220,757,448	$236,440,488	$14,610,895	$251,051,383
Youth services	30,740,509	32,095,945	190,385	32,286,330
Total all funds	$251,497,957	$268,536,433	$14,801,280	$283,337,713
Less estimated income	37,161,253	42,139,308	3,060,882	45,200,190
General fund	$214,336,704	$226,397,125	$11,740,398	$238,137,523
FTE	845.29	899.79	33.80	933.59
Bill total				
Total all funds	$251,497,957	$268,536,433	$14,801,280	$283,337,713
Less estimated income	37,161,253	42,139,308	3,060,882	45,200,190
General fund	$214,336,704	$226,397,125	$11,740,398	$238,137,523
FTE	845.29	899.79	33.80	933.59

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

	Base Budget	House Changes	House Version
Adult services	$220,757,448	$15,683,040	$236,440,488
Youth services	30,740,509	1,355,436	32,095,945
Total all funds	$251,497,957	$17,038,476	$268,536,433
Less estimated income	37,161,253	4,978,055	42,139,308
General fund	$214,336,704	$12,060,421	$226,397,125
FTE	845.29	54.50	899.79

Department 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Base Payroll Changes[1]	Adds Funding for Salary and Benefit Increases[2]	Increases Funding for Teachers[3]	Adds FTE Positions[4]	Transfers the Tompkins Rehabilitation and Corrections Center[5]	Increases Funding for Treatment[6]
Adult services	$916,681	$6,365,580	$1,125,280	$1,053,697	($3,576,240)	$3,873,750
Youth services	(647,423)	1,118,805	232,510	27,772		537,500
Total all funds	$269,258	$7,484,385	$1,357,790	$1,081,469	($3,576,240)	$4,411,250
Less estimated income	(1,364,762)	372,763	0	0	0	0
General fund	$1,634,020	$7,111,622	$1,357,790	$1,081,469	($3,576,240)	$4,411,250
FTE	0.00	0.00	0.00	27.00	27.50	0.00

	Increases Funding for DWCRC Contract[7]	Adjusts Ongoing Funding for Other Changes[8]	Adds One-Time Funding[9]	Total House Changes
Adult services	$1,143,360	$2,316,044	$2,464,888	$15,683,040
Youth services		(446,790)	533,062	1,355,436
Total all funds	$1,143,360	$1,869,254	$2,997,950	$17,038,476
Less estimated income	0	3,888,354	2,081,700	4,978,055
General fund	$1,143,360	($2,019,100)	$916,250	$12,060,421
FTE	0.00	0.00	0.00	54.50

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[1] Funding is adjusted for base payroll changes.

[2] The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from $1,241 to $1,427 per month:

	General Fund	Other Funds	Total
Salary increase	$3,348,094	$165,036	$3,513,130
Health insurance increase	3,763,528	207,727	3,971,255
Total	$7,111,622	$372,763	$7,484,385.00

[3] Funding of $1,357,790 from the general fund is added for teacher salaries and wages to comply with the teacher composite schedule.

[4] Funding of $1,081,469 from the general fund is added to convert 20 temporary correctional officer positions to FTE positions and to add 7 FTE positions for pretrial services.

[5] Funding from the general fund is reduced and 27.5 FTE positions are added to reflect the transfer of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation. This includes an increase of $5,031,222 of funding for the FTE positions and to operate the Tompkins Rehabilitation and Corrections Center and a reduction of $8,607,462 for contract payments to the Department of Human Services.

[6] Funding of $4,411,250 from the general fund is added, including $3,873,750 to contract with the State Hospital for up to 30 addiction treatment beds and $537,500 to expand juvenile day treatment to up to five additional school districts. Juvenile day treatment is currently provided in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

[7] Funding for the Dakota Women's Correctional and Rehabilitation Center contract is increased by $1,143,360, to provide a total of $11,905,311 for the contract.

[8] Ongoing funding is adjusted for the following other changes:

	General Fund	Other Funds	Total
Miscellaneous expenses	$571,322	($2,980,285)	($2,408,963)
Crime victims grants	20,000	6,822,251	6,842,251
Microsoft Office 365 licensing expense	618,699	110,208	728,907
Capital bond payments	(469,380)	16,180	(453,200)
Other adjustments, including the removal of ongoing funding used for one-time items	(2,759,741)	(80,000)	(2,839,741)
Total	($2,019,100)	$3,888,354	$1,869,254

[9] One-time funding is added for the following:

	General Fund	Strategic Investment and Improvements Fund	Rough Rider Industries Fund	Total
Replace Elite servers	$40,000			$40,000
Rough Rider Industries equipment			$298,700	$298,700
Extraordinary repairs	876,250	$141,000	315,000	1,332,250
Youth Correctional Center, James River Correctional Center, and State Hospital campus infrastructure studies		250,000		250,000
Scan/screen device		230,000		230,000
Redundant fence		160,000		160,000
Portable x-ray equipment		22,000		22,000
Oracle software upgrade		165,000		165,000
Contracts and payments processing system		100,000		100,000
Inmate tracking system		160,000		160,000
Intake and legal movement system		240,000		240,000
Total	$916,250	$1,468,000	$613,700	$2,997,950

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House Bill No. 1015 - Department of Corrections and Rehab. - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Adult services	$220,757,448	$236,440,488	$14,610,895	$251,051,383
Youth services	30,740,509	32,095,945	190,385	32,286,330
Total all funds	$251,497,957	$268,536,433	$14,801,280	$283,337,713
Less estimated income	37,161,253	42,139,308	3,060,882	45,200,190
General fund	$214,336,704	$226,397,125	$11,740,398	$238,137,523
FTE	845.29	899.79	33.80	933.59

Department 530 - Department of Corrections and Rehab. - Detail of Senate Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adds FTE Positions and Related Operating Expenses[2]	Adjusts Funding for Transitional Services[3]	Adds One-Time Funding for Minimum Security Facilities[4]	Adds One-Time Funding for a Study[5]	Adds One-Time Funding for Female Facility Renovations[6]
Adult services	$1,411,771	$6,115,122	$1,599,367	$2,390,334	$100,000	$1,854,301
Youth services	190,385					
Total all funds	$1,602,156	$6,115,122	$1,599,367	$2,390,334	$100,000	$1,854,301
Less estimated income	66,581	0	0	0	0	1,854,301
General fund	$1,535,575	$6,115,122	$1,599,367	$2,390,334	$100,000	$0
FTE	0.00	33.80	0.00	0.00	0.00	0.00

	Adds One-Time Funding for a Rough Rider Industries Building[7]	Total Senate Changes
Adult services	$1,140,000	$14,610,895
Youth services		190,385
Total all funds	$1,140,000	$14,801,280
Less estimated income	1,140,000	3,060,882
General fund	$0	$11,740,398
FTE	0.00	33.80

[1] Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of $120 and a maximum monthly increase of $200, and 2.5 percent on July 1, 2020. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

[2] The following FTE positions and related funding are added:

	FTE	General Fund
Missouri River Correctional Center treatment positions	8.60	$1,891,810
James River Correctional Center minimum security positions	25.20	4,223,312
Total	33.80	$6,115,122

[3] Funding is adjusted for transitional services, including the addition of $549,626 for the Bismarck Transition Center contract and the restoration of $1,049,741 removed by the House.

[4] One-time funding is added for facilities for minimum security inmates at the James River Correctional Center. The funding may be used to renovate facilities transferred from the State Hospital to the Department of Corrections and Rehabilitation or for the lease or purchase of two temporary housing units for use as minimum security housing at the James River Correctional Center.

[5] One-time funding of $100,000 from the general fund is added for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.

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[6] One-time funding of $1,854,301 from the strategic investment and improvements fund is added to convert the Missouri River Correctional Center into a female correctional and rehabilitation facility.

[7] One-time funding from the Rough Rider Industries fund is added for the construction of a Rough Rider Industries building at the James River Correctional Center.

House Bill No. 1015 - Other Changes - House Action

This amendment also adds sections to:

- Identify the amount of funding from the strategic investment and improvements fund for various one-time items.
- Provide an exemption to North Dakota Century Code Section 54-44.1-11 to allow the Department of Corrections and Rehabilitation to continue any unspent funds relating to the community behavioral health program and to expend the funds during the 2019-21 biennium.
- Authorize the Department of Corrections and Rehabilitation to deposit certain revenues in its operating fund.
- Transfer ownership of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation.
- Provide for a Legislative Management study of the Department of Corrections and Rehabilitation, including services and facilities for female inmates and minimum security male inmates.

House Bill No. 1015 - Other Changes - Senate Action

This amendment also:

- Adds a section to provide a 2017-19 biennium appropriation of $3 million from the general fund to the Department of Corrections and Rehabilitation to enhance vocational and education opportunities for inmate workforce development.
- Adjusts the section identifying the amount appropriated in Section 1 from the strategic investment and improvements fund.
- Adds a section to amend North Dakota Century Code Section 12-47-36(5) relating to disclosure of confidential records.
- Adds a section to provide for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.
- Adds a section to provide legislative intent that the Governor determine the location of male and female inmates in consultation with the Department of Corrections and Rehabilitation and the Southwest Multi-County Correction Center.
- Adds a section to provide legislative intent that the campus infrastructure study of the James River Correctional Center and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
- Adds a section to provide legislative intent that no fence be placed around facilities used for minimum security male inmates.
- Adds a section to provide for the establishment of a pretrial services pilot project.
- Adjusts the section providing carryover authority relating to the free through recovery program to allow the funding to be used for the continuation of programming for individuals no longer in the custody or under the supervision of the Department of Corrections and Rehabilitation.
- Adds a section to allow for the conveyance of the West 12 and West 16 buildings from the State Hospital to the Department of Corrections and Rehabilitation for use as a minimum security facility.

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Department of Corrections and Rehabilitation - Budget No. [redacted]
House Bill No. 1015
Base Level Funding Changes

	House Version				Senate Version				Senate Changes to House Version Increase (Decrease) - House Version			
	FTE Position	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2019-21 Biennium Base Level	845.29	$214,336,704	$37,161,253	$251,497,957	845.29	$214,336,704	$37,161,253	$251,497,957	0.00	$0	$0	$0
2019-21 Ongoing Funding Changes												
Base payroll changes		$1,634,020	($1,364,762)	$269,258		$1,634,020	($1,364,762)	$269,258				$0
Salary increase		3,348,094	165,036	3,513,130		4,727,499	231,617	4,959,116		$1,379,405	$66,581	1,445,986
Health insurance increase		3,763,528	207,727	3,971,255		3,919,698	207,727	4,127,425		156,170		156,170
Increase funding for teacher salaries and wages		1,357,790		1,357,790		1,357,790		1,357,790				0
Convert 20 temporary correctional officer positions to FTE positions	20.00	326,435		326,435	20.00	326,435		326,435				0
Adjust funding and FTE positions to convert MRCC to a female correctional facility				0	8.60	1,891,810		1,891,810	8.60	1,891,810		1,891,810
Adjust funding relating to the DWCRC contract		1,143,360		1,143,360		1,143,360		1,143,360				0
Add funding and FTE positions to establish a minimum security correctional facility at JRCC				0	25.20	4,223,312		4,223,312	25.20	4,223,312		4,223,312
Add funding and FTE positions to assume control of TRCC	27.50	5,031,222		5,031,222	27.50	5,031,222		5,031,222				0
Remove funding for TRCC payments to		(8,607,462)		(8,607,462)		(8,607,462)		(8,607,462)				0
Add funding to contract with the State Hospital for up to 30 addiction treatment beds		3,873,750		3,873,750		3,873,750		3,873,750				0
Add funding and FTE positions for pretrial services	7.00	755,034		755,034	7.00	755,034		755,034				0
Add funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts		537,500		537,500		537,500		537,500				0
Adjust funding for miscellaneous expenses, including reductions in food and clothing, operating fees and services, and maintenance; and increases in equipment and IT contractual services		571,322	(2,980,285)	(2,408,963)		571,322	(2,980,285)	(2,408,963)				0
Adjust funding for crime victims federal grant award changes		20,000	6,822,251	6,842,251		20,000	6,822,251	6,842,251				0
Add funding for Microsoft Office 365 licensing		618,699	110,208	728,907		618,699	110,208	728,907				0
Adjust funding for capital bond payments		(469,380)	16,180	(453,200)		(469,380)	16,180	(453,200)				0
Remove ongoing funding used to purchase a man camp facility for the MRCC		(844,000)		(844,000)		(844,000)		(844,000)				0

Remove ongoing funding for extraordinary repairs		(866,000)	(80,000)	(946,000)		(866,000)	(80,000)	(946,000)				0
Adjust funding for transitional services		(1,049,741)		(1,049,741)		549,626		549,626		1,599,367		1,599,367
Total ongoing funding changes	54.50	$11,144,171	$2,896,355	$14,040,526	88.30	$20,394,235	$2,962,936	$23,357,171	33.80	$9,250,064	$66,581	$9,316,645
One-time funding items												
Add one-time funding to replace Elite servers		$40,000		$40,000		$40,000		$40,000				$0
Add one-time funding for Roughrider Industries equipment			$298,700	$298,700			$298,700	298,700				0
Add one-time funding for construction of a Roughrider Industries building at JRCC				0			1,140,000	1,140,000			$1,140,000	1,140,000
Add one-time funding for extraordinary repairs, including $141,000 from SIIF		876,250	456,000	1,332,250		876,250	456,000	1,332,250				0
Add one-time funding from SIIF for renovations of the MRCC to convert it to a female facility				0			1,854,301	1,854,301			1,854,301	1,854,301
Add one-time funding from SIIF for campus studies of the Youth Correctional Center, JRCC, and State Hospital			250,000	250,000			250,000	250,000				0
Add one-time funding from SIIF for inmate tracking systems and other IT upgrades			665,000	665,000			665,000	665,000				0
Add one-time funding from SIIF for security equipment and redundant fencing			412,000	412,000			412,000	412,000				0
Add one-time funding to study gender responsive services and facilities				0		100,000		100,000		$100,000		100,000
Add one-time funding for JRCC minimum security facility				0		2,390,334		2,390,334		2,390,334		2,390,334
Total one-time funding changes	0.00	$916,250	$2,081,700	$2,997,950	0.00	$3,406,584	$5,076,001	$8,482,585	0.00	$2,490,334	$2,994,301	$5,484,635
Total Changes to Base Level Funding	54.50	$12,060,421	$4,978,055	$17,038,476	88.30	$23,800,819	$8,038,937	$31,839,756	33.80	$11,740,398	$3,060,882	$14,801,280
2019-21 Total Funding	899.79	$226,397,125	$42,139,308	$268,536,433	933.59	$238,137,523	$45,200,190	$283,337,713	33.80	$11,740,398	$3,060,882	$14,801,280

Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

	House Version	Senate Version
Appropriation - 2017-19 biennium - Workforce development		Section 3 provides a 2017-19 biennium appropriation of $3 million to DOCR to enhance vocational and educational opportunities for inmate workforce development.
Special funds - SIIF	Section 3 designates $1,468,000 from SIIF for campus studies, equipment, IT projects, and extraordinary repairs.	Section 4 designates $3,322,301 from SIIF for campus studies, equipment, IT projects, and extraordinary repairs.
Treatment record disclosure		Section 5 amends Section 12-47-36 relating to disclosure of treatment records.
DOCR study of gender-responsive services and facilities		Section 6 provides for a DOCR study of gender-responsive services and facilities.

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Other Se[redacted] for Department of Corrections and Rehabilitation - Budget No. 530

	House Version	Senate Version
Legislative intent - Contract housing for state inmates		Section 7 provides legislative intent that the governor determine the location of male and female inmates placed in contract housing in consultation with DOCR and the southwest multi-county correctional center. The approval of the southwest multi-county correctional center is required until June 30, 2021.
Legislative intent - JRCC and State Hospital campus infrastructure study		Section 8 provides legislative intent that the campus infrastructure study of the JRCC and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
Legislative intent - Minimum security facility - JRCC		Section 9 provides legislative intent that no fence be placed around the temporary housing units used for minimum security male inmates at JRCC.
Pretrial services pilot project		Section 10 provides for the establishment of a pre-trial services program as a pilot project in one or more judicial districts.
Exemption - Community behavioral health program	Section 4 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.	Section 11 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.
Operating fund authority	Section 5 authorizes DOCR to deposit in and spend from its operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.	Section 12 authorizes DOCR to deposit in and spend from its operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.
Tompkins Rehabilitation and Corrections Center	Section 6 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.	Section 13 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.
State Hospital facilities		Section 14 provides authority for the conveyance of the West 12 and West 16 buildings from the State Hospital to DOCR for use as a minimum security facility.
Legislative Management study	Section 7 provides for a legislative management study of DOCR.	The Senate removed this section.
Emergency clause		Section 15 declares the funding for workforce development, the study of gender-responsive services and facilities, and the study of campus infrastructure at the State Hospital and JRCC to be an emergency measure.

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Proposed amendments to 1015:

SECTION 10. PRETRIAL SERVICES - PILOT PROGRAM - REPORT. The appropriation in section 1 of this Act includes $755,034 and seven full-time equivalent positions for pretrial services. The department of corrections and rehabilitation ~~may~~ shall establish a pretrial services program as a pilot project in ~~one or more~~ three judicial districts of the state during the biennium beginning July 1, 2019, and ending June 30, 2021. The department of corrections and rehabilitation and the judicial branch shall collaborate with each other and with the commission on legal counsel for indigents and county and regional corrections to develop guidelines and procedures for the administration of pretrial services for the district courts to individuals charged with felony and misdemeanor offenses. The department of corrections and rehabilitation and the judicial branch shall provide a report regarding the process and outcome measures of the pretrial services program together with recommendations to the sixty-seventh legislative assembly.

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19.0203.02015
Title.
Fiscal No. 4

Prepared by the Legislative Council staff for A
Representative J. Nelson
April 24, 2019

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1734-1738 of the House Journal and pages 1429-1433 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 5 of section 12-47-36 of the North Dakota Century Code, relating to disclosure of confidential records;"

Page 1, line 3, replace "and to provide a report" with "to provide for a department of corrections and rehabilitation review committee; to provide for reports; and to provide exemptions"

Page 1, replace lines 13 through 17 with:

"Adult services	$220,757,448	$18,590,187	$239,347,635
Youth services	30,740,509	1,545,821	32,286,330
Total all funds	$251,497,957	$20,136,008	$271,633,965
Less estimated income	37,161,253	4,794,636	41,955,889
Total general fund	$214,336,704	$15,341,372	$229,678,076"

Page 2, replace lines 3 and 4 with:

"Youth correctional center campus infrastructure study	0	75,000
Department of corrections and rehabilitation study	0	400,000"

Page 2, replace lines 15 through 17 with:

"Total all funds	$2,102,907	$3,222,950
Less estimated income	2,102,907	1,831,700
Total general fund	$0	$1,391,250"

Page 2, line 23, replace "$1,468,000" with "$1,218,000"

Page 2, line 24, remove "campus infrastructure studies,"

Page 2, after line 26, insert:

"SECTION 4. AMENDMENT. Subsection 5 of section 12-47-36 of the North Dakota Century Code is amended and reenacted as follows:

5. Medical, psychological, or treatment records may be disclosed without prior application to the court to a public hospital or treatment facility, the department of human services, a community behavioral health program, a vocational rehabilitation program, a transitional living facility, or ~~to~~ a licensed private medical or treatment facility, when necessary for the evaluation, treatment, or care of a person who is or who has been in the custody of, or is or who has been under the supervision and management of, the adult services division of the department of corrections and rehabilitation.

SECTION 5. PRETRIAL SERVICES - PILOT PROGRAM - REPORT. The appropriation in section 1 of this Act includes $755,034 and seven full-time equivalent

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positions for pretrial services. The department of corrections and rehabilitation shall establish a pretrial services program as a pilot project in three judicial districts of the state during the biennium beginning July 1, 2019, and ending June 30, 2021. The department of corrections and rehabilitation and the judicial branch shall collaborate with each other and with the commission on legal counsel for indigents and county and regional corrections to develop guidelines and procedures for the administration of pretrial services for the district courts for individuals charged with felony and misdemeanor offenses. The department of corrections and rehabilitation and the judicial branch shall provide a report regarding the process and outcome measures of the pretrial services program together with recommendations to the sixty-seventh legislative assembly."

Page 3, line 1, after "program" insert "for individuals in custody or under the supervision of the department of corrections and rehabilitation or for the continuation of programming, when necessary, for individuals no longer in custody or under the supervision of the department,"

Page 3, line 15, remove "The provisions of chapters 48-01.1 and 54-44.7"

Page 3, remove line 16

Page 3, line 17, replace "services for construction and renovation" with "Sections 54-01-05.2 and 54-01-05.5"

Page 3, remove lines 18 through 31

Page 4, replace lines 1 through 11 with:

"SECTION 9. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS AND REHABILITATION REVIEW COMMITTEE - MEMBERSHIP - DUTIES.

1. During the 2019-20 interim, the legislative management shall study the department of corrections and rehabilitation. The legislative management shall create a department of corrections and rehabilitation review committee to conduct the study, consisting of six members as follows:

   a. Three members of the house of representatives selected by the majority leader 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 selected by the majority leader 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 management chairman shall designate the committee chairman and vice chairman and the legislative council shall provide staff services for the committee.

3. The committee shall conduct a comprehensive study of the department of corrections and rehabilitation. The study must include:

   a. A review, with input from a consultant engaged by the department of corrections and rehabilitation, of gender-responsive correctional and rehabilitation facility and service needs. The review must include:

(1) The preferable location of facilities;

(2) The service needs of individuals sentenced to the department of corrections and rehabilitation; and

(3) The impact on families of individuals sentenced to the department of corrections and rehabilitation.

b. An assessment of facilities at the Missouri River correctional center, the James River correctional center, and the state hospital, with input from a consultant engaged by the department of corrections and rehabilitation. The assessment must:

(1) Include the department of corrections and rehabilitation master plan, staffing plan, comprehensive service delivery strategy, and cost estimates;

(2) Be based on providing comprehensive services to those committed to the care, custody, and control of the department of corrections and rehabilitation;

(3) Include options for community-based and family-involved environments; and

(4) Consider the opportunity for vocational and workforce development.

c. A review of vocational opportunities, educational opportunities, workforce development, and medical and behavioral health treatment for those committed to the care, custody, and control of the department of corrections and rehabilitation.

4. The committee shall advise the department of corrections and rehabilitation on the department's selection of consultants to assist the department and the committee in its study, for which $400,000 is included in the appropriation from the general fund in section 1 of this Act.

5. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehab. - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Adult services	$220,757,448	$236,440,488	$2,907,147	$239,347,635	$251,051,383	($11,703,748)
Youth services	30,740,509	32,095,945	190,385	32,286,330	32,286,330	
Total all funds	$251,497,957	$268,536,433	$3,097,532	$271,633,965	$283,337,713	($11,703,748)
Less estimated income	37,161,253	42,139,308	(183,419)	41,955,889	45,200,190	(3,244,301)
General fund	$214,336,704	$226,397,125	$3,280,951	$229,678,076	$238,137,523	($8,459,447)
FTE	845.29	899.79	0.00	899.79	933.59	(33.80)

Department 530 - Department of Corrections and Rehab. - Detail of Conference Committee Changes

	Adjusts Funding for Salary and Benefit Increases[1]	Adjusts Funding for Transitional Services[2]	Adjusts One-Time Funding for Infrastructure Studies[3]	Adds One-Time Funding for Consultants[4]	Total Conference Committee Changes
Adult services	$1,082,780	$1,599,367	($175,000)	$400,000	$2,907,147
Youth services	190,385				190,385
Total all funds	$1,273,165	$1,599,367	($175,000)	$400,000	$3,097,532
Less estimated income	66,581	0	(250,000)	0	(183,419)
General fund	$1,206,584	$1,599,367	$75,000	$400,000	$3,280,951
FTE	0.00	0.00	0.00	0.00	0.00

[1] Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of $120 and a maximum monthly increase of $200, and 2.5 percent on July 1, 2020, the same as the Senate version. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

[2] Funding is adjusted for transitional services, including the addition of $549,626 for the Bismarck Transition Center contract and the restoration of $1,049,741 removed by the House. The Senate version also included this adjustment.

[3] One-time funding from the strategic investment and improvements fund for a campus infrastructure study of the James River Correctional Center and State Hospital is removed. The funding for the campus infrastructure study at the Youth Correctional Center is adjusted to provide funding from the general fund rather than the strategic investment and improvements fund. Both the House and Senate included funding from the strategic investment and improvements fund for the studies.

[4] One-time funding of $400,000 from the general fund is added for the Department of Corrections and Rehabilitation to hire consultants, with advice from a newly created Legislative Management committee, to assist the department and the Legislative Management in a study of the Department of Corrections and Rehabilitation. Neither the House nor the Senate provided funding to assist with this study.

The Conference Committee did not include the following adjustments made by the Senate:

- The addition of 8.6 FTE Missouri River Correctional Center treatment positions and $1.9 million from the general fund;
- The addition of 25.2 FTE James River Correctional Center minimum security positions and $4.2 million from the general fund;
- The addition of $2.4 million of one-time funding from the general fund for minimum security facilities at the James River Correctional Center;
- The addition of $100,000 of one-time funding from the general fund for a study of gender-responsive services and facilities;
- The addition of $1.9 million of one-time funding from the strategic investment and improvements fund for Missouri River Correctional Center renovations; and
- The addition of $1.1 million of one-time funding from the Rough Rider Industries fund for construction of a Rough Rider Industries building at the James River Correctional Center.

House Bill No. 1015 - Other Changes - Conference Committee Action

This amendment also:

- Does not include a section added by the Senate to provide a 2017-19 biennium appropriation of $3 million from the general fund to the Department of Corrections and Rehabilitation to enhance vocational and education opportunities for inmate workforce development.
- Adds a section to amend North Dakota Century Code Section 12-47-36(5) relating to disclosure of confidential records. The Senate also included this section.
- Does not include a section added by the Senate to provide for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.
- Does not include a section added by the Senate to provide legislative intent that the Governor determine the location of male and female inmates in consultation with the Department of Corrections and Rehabilitation and the Southwest Multi-County Correction Center.

- Does not include a section added by the Senate to provide legislative intent that a campus infrastructure study of the James River Correctional Center and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
- Does not include a section added by the Senate to provide legislative intent that no fence be placed around facilities used for minimum security male inmates.
- Adds a section to provide for the establishment of a pretrial services pilot project. The Senate included a similar section.
- Adjusts the section providing carryover authority relating to the free through recovery program to allow the funding to be used for the continuation of programming for individuals no longer in the custody or under the supervision of the Department of Corrections and Rehabilitation. The Senate also included this adjustment.
- Does not include a section added by the Senate to allow for the conveyance of the 12 West and 16 West buildings from the State Hospital to the Department of Corrections and Rehabilitation for use as a minimum security facility.
- Adds a section to create a Department of Corrections and Rehabilitation review committee to study the department during the 2019-20 interim.

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Department of Corrections and Rehabilitation - Budget No. [redacted]
House Bill No. 1015
Base Level Funding Changes

	House Version				Senate Version				Conference Committee Version			
	FTE Position	General Fund	Other Funds	Total	FTE Position	General Fund	Other Funds	Total	FTE Position	General Fund	Other Funds	Total
2019-21 Biennium Base Level	845.29	$214,336,704	$37,161,253	$251,497,957	845.29	$214,336,704	$37,161,253	$251,497,957	845.29	$214,336,704	$37,161,253	$251,497,957
2019-21 Ongoing Funding Changes												
Base payroll changes		$1,634,020	($1,364,762)	$269,258		$1,634,020	($1,364,762)	$269,258		$1,634,020	($1,364,762)	$269,258
Salary increase		3,348,094	165,036	3,513,130		4,727,499	231,617	4,959,116		4,554,678	231,617	4,786,295
Health insurance increase		3,763,528	207,727	3,971,255		3,919,698	207,727	4,127,425		3,763,528	207,727	3,971,255
Increase funding for teacher salaries and wages		1,357,790		1,357,790		1,357,790		1,357,790		1,357,790		1,357,790
Convert 20 temporary correctional officer positions to FTE positions	20.00	326,435		326,435	20.00	326,435		326,435	20.00	326,435		326,435
Adjust funding and FTE positions to convert MRCC to a female correctional facility				0	8.60	1,891,810		1,891,810				0
Adjust funding relating to the DWCRC contract		1,143,360		1,143,360		1,143,360		1,143,360		1,143,360		1,143,360
Add funding and FTE positions to establish a minimum security correctional facility at JRCC				0	25.20	4,223,312		4,223,312				0
Add funding and FTE positions to assume control of TRCC	27.50	5,031,222		5,031,222	27.50	5,031,222		5,031,222	27.50	5,031,222		5,031,222
Remove funding for TRCC payments to		(8,607,462)		(8,607,462)		(8,607,462)		(8,607,462)		(8,607,462)		(8,607,462)
Add funding to contract with the State Hospital for up to 30 addiction treatment beds		3,873,750		3,873,750		3,873,750		3,873,750		3,873,750		3,873,750
Add funding and FTE positions for pretrial services	7.00	755,034		755,034	7.00	755,034		755,034	7.00	755,034		755,034
Add funding to expand juvenile day treatment to five additional school districts, to provide a total of $1,053,500 for day treatment in nine school districts		537,500		537,500		537,500		537,500		537,500		537,500
Adjust funding for miscellaneous expenses, including reductions in food and clothing, operating fees and services, and maintenance; and increases in equipment and IT contractual services		571,322	(2,980,285)	(2,408,963)		571,322	(2,980,285)	(2,408,963)		571,322	(2,980,285)	(2,408,963)
Adjust funding for crime victims federal grant award changes		20,000	6,822,251	6,842,251		20,000	6,822,251	6,842,251		20,000	6,822,251	6,842,251
Add funding for Microsoft Office 365 licensing		618,699	110,208	728,907		618,699	110,208	728,907		618,699	110,208	728,907
Adjust funding for capital bond payments		(469,380)	16,180	(453,200)		(469,380)	16,180	(453,200)		(469,380)	16,180	(453,200)
Remove ongoing funding used to purchase a man camp facility for the MRCC		(844,000)		(844,000)		(844,000)		(844,000)		(844,000)		(844,000)

Remove ongoing funding for extraordinary repairs		(866,000)	(80,000)	(946,000)		(866,000)	(80,000)	(946,000)		(866,000)	(80,000)	(946,000)
Adjust funding for transitional services		(1,049,741)		(1,049,741)		549,626		549,626		549,626		549,626
Total ongoing funding changes	54.50	$11,144,171	$2,896,355	$14,040,526	88.30	$20,394,235	$2,962,936	$23,357,171	54.50	$13,950,122	$2,962,936	$16,913,058
One-time funding items												
Add one-time funding to replace Elite servers		$40,000		$40,000		$40,000		$40,000		$40,000		$40,000
Add one-time funding for Roughrider Industries equipment			$298,700	$298,700			$298,700	298,700			$298,700	298,700
Add one-time funding for construction of a Roughrider Industries building at JRCC				0			1,140,000	1,140,000				0
Add one-time funding for extraordinary repairs, including $141,000 from SIIF		876,250	456,000	1,332,250		876,250	456,000	1,332,250		876,250	456,000	1,332,250
Add one-time funding from SIIF for renovations of the MRCC to convert it to a female facility				0			1,854,301	1,854,301				0
Add one-time funding for campus infrastructure study			250,000	250,000			250,000	250,000		75,000	0	75,000
Add one-time funding from SIIF for inmate tracking systems and other IT upgrades			665,000	665,000			665,000	665,000			665,000	665,000
Add one-time funding from SIIF for security equipment and redundant fencing			412,000	412,000			412,000	412,000			412,000	412,000
Add one-time funding to study gender responsive services and facilities				0		100,000		100,000				0
Add one-time funding for JRCC minimum security facility				0		2,390,334		2,390,334				0
Add one-time funding for DOCR study				0				0		400,000		400,000
Total one-time funding changes	0.00	$916,250	$2,081,700	$2,997,950	0.00	$3,406,584	$5,076,001	$8,482,585	0.00	$1,391,250	$1,831,700	$3,222,950
Total Changes to Base Level Funding	54.50	$12,060,421	$4,978,055	$17,038,476	88.30	$23,800,819	$8,038,937	$31,839,756	54.50	$15,341,372	$4,794,636	$20,136,008
2019-21 Total Funding	899.79	$226,397,125	$42,139,308	$268,536,433	933.59	$238,137,523	$45,200,190	$283,337,713	899.79	$229,678,076	$41,955,889	$271,633,965

Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

	House Version	Senate Version	Conference Committee Version
Appropriation - 2017-19 biennium - Workforce development		Section 3 provides a 2017-19 biennium appropriation of $3 million to DOCR to enhance vocational and educational opportunities for inmate workforce development.	The conference committee did not include this section.
Special funds - SIIF	Section 3 designates $1,468,000 from SIIF for campus studies, equipment, IT projects, and extraordinary repairs.	Section 4 designates $3,322,301 from SIIF for campus studies, equipment, IT projects, and extraordinary repairs.	Section 3 designates $1,218,000 from SIIF for campus studies, equipment, IT projects, and extraordinary repairs.
Treatment record disclosure		Section 5 amends Section 12-47-36 relating to disclosure of treatment records.	Section 4 amends Section 12-47-36 relating to disclosure of treatment records.
DOCR study of gender-responsive services and facilities		Section 6 provides for a DOCR study of gender-responsive services and facilities.	The conference committee did not include this section.

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Other Sections for Department of Corrections and Rehabilitation - Budget No. 530

	House Version	Senate Version	Conference Committee Version
Legislative intent - Contract housing for state inmates		Section 7 provides legislative intent that the governor determine the location of male and female inmates placed in contract housing in consultation with DOCR and the southwest multi-county correctional center. The approval of the southwest multi-county correctional center is required until June 30, 2021.	The conference committee did not include this section.
Legislative intent - JRCC and State Hospital campus infrastructure study		Section 8 provides legislative intent that the campus infrastructure study of the JRCC and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.	The conference committee did not include this section.
Legislative intent - Minimum security facility - JRCC		Section 9 provides legislative intent that no fence be placed around the temporary housing units used for minimum security male inmates at JRCC.	The conference committee did not include this section.
Pretrial services pilot project		Section 10 provides for the establishment of a pre-trial services program as a pilot project in one or more judicial districts.	Section 5 provides for the establishment of a pre-trial services program as a pilot project in three judicial districts.
Exemption - Community behavioral health program	Section 4 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.	Section 11 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.	Section 6 provides that any unexpended general fund appropriation authority relating to the $7 million appropriated for the community behavioral health program for the 2017-19 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2019-21 biennium.
Operating fund authority	Section 5 authorizes DOCR to deposit in and spend from its operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.	Section 12 authorizes DOCR to deposit in and spend from its operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.	Section 7 authorizes DOCR to deposit in and spend from its operating fund any moneys received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund.
Tompkins Rehabilitation and Corrections Center	Section 6 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.	Section 13 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.	Section 8 conveys ownership of the Tompkins building and surrounding property from the Department of Human Services to DOCR.
State Hospital facilities		Section 14 provides authority for the conveyance of the West 12 and West 16 buildings from the State Hospital to DOCR for use as a minimum security facility.	The conference committee did not include this section.
DOCR study	Section 7 provides for a legislative management study of DOCR.	The Senate removed this section.	Section 9 provides for a Department of Corrections and Rehabilitation review committee to study DOCR.
Emergency clause		Section 15 declares the funding for workforce development, the study of gender-responsive services and facilities, and the study of campus infrastructure at the State Hospital and JRCC to be an emergency measure.	The conference committee did not include this section.