



DEPARTMENT OF CORRECTIONS AND REHABILITATION REVIEW COMMITTEE

Wednesday, July 15, 2020
Harvest Room, State Capitol
Bismarck, North Dakota

Representative Jon O. Nelson, Chairman, called the meeting to order at 10:00 a.m.

Members present: Representatives Jon O. Nelson, Richard G. Holman, Randy A. Schobinger; Senators Jay Elkin, Tim Mathern, Terry M. Wanzek

Members absent: None

Others present: Representative Karla Rose Hanson, Fargo, member of the Legislative Management
See [Appendix A](#) for additional persons present.

It was moved by Senator Mathern, seconded by Senator Wanzek, and carried on a voice vote that the minutes of the February 25, 2020, meeting be approved as distributed.

DEPARTMENT OF CORRECTIONS AND REHABILITATION STUDY

Chairman Nelson called on Ms. Andie Moss, President, The Moss Group, Inc., and Mr. Stephen A. Carter, Executive Vice President, CGL Companies, for an update ([Appendix B](#)) regarding the study of the Department of Corrections and Rehabilitation (DOCR).

Ms. Moss said the legislative directive has driven the work and the study is focused on a few strategic areas.

Mr. Carter said the options are the result of the process and a series of workshops. He said all the options presume the state will expand community options rather than adding new beds.

In response to a question from Senator Mathern, Mr. Carter said expanding capacity for community-based services would embrace both men and women. He said the first part of the process would be to establish regional day reporting centers and implement a 1 to 15 supervision ratio for caseload capacity, requiring additional probation officers. He said the final report would be completed by the end of August.

In response to a question from Senator Wanzek, Mr. Carter said the state would continue to contract with the Dakota Women's Correctional and Rehabilitation Center (DWCRC) to house the women who do not meet the security classification to permit immediate transfer to the Youth Correctional Center (YCC). Although the goal would be to house all of the female inmates in the same location eventually, he said, a renovation of existing buildings at YCC or through the construction of a new specialty housing unit at YCC would be necessary. He said community engagement would be required with the city of Mandan to assure the community the facility is secure.

In response to a question from Senator Wanzek, Mr. Dave Krabbenhoft, Director of Administration, Department of Corrections and Rehabilitation, said although the expansion of community resources would include residential treatment options, there are critical needs at other facilities and deferred maintenance needs to be addressed.

In response to a question from Chairman Nelson, Mr. Krabbenhoft said the decline in the juvenile population at YCC led to the idea of using YCC as a women's facility. He said the juvenile division has been successful through the use of community services and YCC's existing facilities meet many of the needs of a facility for women. He said YCC has medical care and behavioral and mental health services and staff who work with juveniles that also could work with women.

In response to a question from Chairman Nelson, Mr. Krabbenhoft said although DWCR is a small part of DOCR, the department is working to find better solutions and dedicate resources to divert individuals from prison.

In response to a question from Senator Wanzek, Mr. Krabbenhoft said The Moss Group has challenged DOCR's thinking. He said although the facilities in Jamestown and DWCR were considered, the study ultimately determined the workforce needs and the cost of renovating buildings posed challenges. He said volunteers from Bismarck are traveling to Jamestown to fill shifts.

In response to a question from Representative Schobinger, Mr. Krabbenhoft said moving the women to YCC will allow DOCR to achieve parity with the services offered to the male residents at the State Penitentiary. Although DOCR does not have the resources to transition all the women at the same time, he said, the goal is to transition all the women through the phased approach.

In response to a question from Representative Schobinger, Ms. Leann K. Bertsch, Director, Department of Corrections and Rehabilitation, said the majority of female inmates are minimum security. She said roughly 30 percent of the female inmates are from Burleigh and Morton Counties.

In response to a question from Chairman Nelson, Ms. Bertsch said the Coronavirus (COVID-19) pandemic has illustrated DOCR's ability to reduce the prison population when necessary. She said during the recession as other states were reducing prison populations, the state was building more beds simply because the state had the finances to do so. She said the focus should be on the success of not having to warehouse people in prison because institutions are very expensive and providing services in the community would result in a much safer and healthier state.

In response to a question from Chairman Nelson, Ms. Bertsch said the staff ratios are roughly one probation officer to 60 individuals on probation. Although more resources are needed to do the work in the community, she said, DOCR has been asked to reduce its budget by \$33 million for the next biennium. She said there will be a higher demand for criminal justice resources in the future and the state needs to prepare by having more robust services in the community to support the individuals upon release from incarceration.

In response to a question from Senator Wanzek, Ms. Bertsch said DOCR's contract with DWCR ends in 2025. She said the staff at DWCR is extremely talented and there will be jobs for those individuals to continue providing services in the future.

In response to a question from Representative Schobinger, Ms. Lisa Bjergaard, Director, Division of Juvenile Services, Department of Corrections and Rehabilitation, said although the goal is not to move 100 percent of the youth population from YCC, the division can be more cost-effective, with a better long-term outcome, by treating the majority of youth in a community setting.

Department of Corrections and Rehabilitation's Response to the COVID-19 Pandemic

At the request of Chairman Nelson, Ms. Bertsch provided information ([Appendix C](#)) regarding DOCR's response to the COVID-19 pandemic.

Comments by Interested Persons

Ms. Donnell Preskey Hushka, Government/Public Relations Specialist, North Dakota Association of Counties, provided information ([Appendix D](#)) relating to the county jail response to COVID-19.

COMMITTEE DISCUSSION

Senator Mathern said he supports the option of using YCC as a long-term solution for the women's prison and moving the youth as soon as possible.

Senator Wanzek said building an entirely new facility is not the most appealing option. He said the option of repurposing YCC is the preferred option because it also would take care of the deferred maintenance issues at the Missouri River Correctional Center.

Chairman Nelson thanked Ms. Bertsch for her leadership as the Director of DOCR over the last 15 years and said DOCR is in a better place today and on a path to provide a better outcome for the people served by DOCR.

No further business appearing, Chairman Nelson adjourned the meeting at 12:15 p.m.

Alex J. Cronquist
Senior Fiscal Analyst

Samantha E. Kramer
Counsel

ATTACH:4