

Management Team
Meeting Summary
Room 317 – Capitol
February 17 & 18, 2010

Team members in attendance were: Mike Ferriter, Steve Barry, Steve Gibson, Gary Hamel, Bob Anez, Andrew Olcott, Ross Swanson, Rhonda Schaffer, Jo Acton, Pam Bunke, and Ken McElroy

Team members absent: Diana Koch

Department staff: Myrna Omholt-Mason, Curt Swenson, Lisa Hunter, John Daugherty, Mike Raczkowski, Kara Sperle, Donci Bardash, and Gary Willems

Guests: Eve Franklin, Brent Doig, and Pat Gervais

Mike Ferriter called the meeting to order at 1:00 p.m. He voiced his concern about the department's emotional climate due to budget concerns, audit findings, and programming. Members of the management team agreed that the work environment is highly emotional due to workload and personnel issues causing angst among staff in the facilities and divisions. He urged the team to be aware of their staff's emotions and to keep open lines of communication to help lessen the tension. He thanked the team, Eve Franklin and Brent Doig for their work on behalf of corrections during this trying time.

Re-entry

Pam Bunke said that a working group comprised of Gayle Lambert, Ross Swanson, Pat Smith, Ron Alsbury, Kelly Spear, Sam Casey, Ed Foley, Amy Gault, Katie Noctor, Mike Aldrich, Rick Deady, and she met three times every two weeks to address the re-entry initiative. The group's definition of re-entry is: *an evidence based process that begins when an offender enters incarceration.* The mission is: *Montana Corrections' Re-entry assists offenders in the transition back to society to become productive law abiding citizens by providing services and a structured environment of accountability.* The vision is: *we have the lowest recidivism in the country.* The group set 5 goals:

1. Establish an effective front-end re-entry program, starting at intake
2. Build bridges between facilities, community corrections, Board of Pardons & Parole, victim services, and community partners
3. Build a consistency between life skills programs at facilities
4. Work closely with MSU-B and the Billings Re-entry Task Force
5. Continue to work with OMP groups to ensure tracking of re-entry work

Pam and Gayle will continue to work with the group to ensure that mapping of the re-entry process is done to eliminate duplication of services, close gaps in the process,

and to help streamline accurate data in OMIS by having staff input chronological entries into OMIS from both the field and facilities.

Ross Swanson recommended having Sue Orand be a member of the group. Pam said that John Williams, Regional Administrator of the Billings P&P office will also be asked to join as he is on the Billings Re-entry Task Force. Jo Acton told the members that Sen. Kim Gillen and Pat Wise, Economic Development Specialist in the Governor's office, has worked with MWP offenders on re-entry efforts.

Bob Anez recommended Pam write an article about the group's re-entry work for the next issue of *Signpost*.

Training Bureau

Reorganization:

Curt Swenson said Project OAR (Operation Answer Ready) demonstrated the existing bureau was scheduling training in a reactive measure as opposed to proactive which led to the reorganization. The bureau staff realized they had no measurable goals and training needs have been planned by polling staff and asking what their training needs were.

Mr. Swenson handed out a copy of the proposed organizational chart for the team's review. The training bureau realized that direct lines of communication with the facilities and divisions are needed. The new organizational structure will provide direct support services to each division with a staff person dedicated to a specific facility or division. He proposed the bureau be renamed the *Professional Development Bureau*. He went on to say that possible policy changes will need to be done to take back some of the training responsibilities that are now at the administrator/warden level. There also is a possibility of an RFP for a learning management system to track distance learning savings.

Management Development for the Future:

This course is through the National Institute of Corrections. Thirty DOC staff has been selected to participate in the year-long, three phase program. Staff will have to attend all three phases to receive a certificate of completion. The training locations will be split between Deer Lodge and Helena and lodging costs for out-of-town staff will be paid by their respective divisions. Phase I will be at MSP beginning April 13 through April 15. Phase 2 will be approximately five months from April and Phase 3 will be approximately five months later. By **March 1st** a list of Action Learning Projects (ALP) need to be sent to Mr. Swenson for submission to NIC. There will be one senior management sponsor per team and the team will work on an ALP of their choice throughout the year. The director has agreed to be a sponsor and has suggested four ALP's for consideration:

1. Develop a method(s) to improve the understanding of functions/roles between the DOC's eight division – bring down the barriers
2. Address the implications of introducing juvenile offenders to the adult prison system
3. Address the population implications surrounding the DOC's inability to establish successful re-entry strategies for sex offenders
4. Develop improved avenues for managing offenders suffering with serious mental illness

Mr. Swenson stated that sponsors will need to attend a portion of each of the three phases to give guidance to their respective teams.

Leadership conference:

The annual executive leadership conference may be cut due to budget constraints. Mr. Swenson stressed that the department's leadership is facing tough decisions relative to funding issues. Keeping open lines of communication is critical to help staff work smarter not just harder. There was discussion from the team regarding reformatting the management team agenda to allow free flowing of ideas regarding issues facing the divisions and facilities and do away with the rigid agenda that has always been used. The team agreed that if a new free-flowing format is used, there would not be a need for an outside facilitator to run the meetings.

E-RIM PROJECT:

Gary Hamel asked the team to give him direction as the E-Rim project has not moved forward as anticipated. The legislative mandate was to manage offender records but the scope was changed to include buying scanners and hardware. Subcommittees were formed to work on various components within the project. John Daugherty and Mr. Hamel recommended a policy be written to give guidance to cover such topics as to who enters what, what information is confidential, what information belongs in a PSI, and have internal controls in place relative to who is allowed to input records. Mr. Hamel said project members need to take a serious role in getting the project moving forward again – the status quo is not working. Mike Raczkowski will chair a meeting on February 22, 2010 to restart the project. A report will be given to project team members showing a timeline from the inception of E-Rim to the current status. The meeting will be a brainstorming session regarding records management and what the record should look like in the system. Diana Koch will be the legal advisor for the project.

FEDERAL GRANTS:

Donci Bardash handed out FY 2010 federal grants spreadsheet for the team's review. Ms. Bardash said grant management workload is defined into five categories: pre-award, post-award, research, internal controls, and other tasks (i.e., respond to request for information, policies and procedures, etc.). Ms. Bardash said 45% of grant management is in the post-award portion due to site visits and audits. The community corrections grant dealing with interventions for high-risk offenders in rural Montana will be audited in March. Ms. Bardash said a draft policy directive relative to department federal assistance management is currently under legal review. The benefits of the new policy will be:

- 1) grant project managers will know upfront the commitment, time, and money before they receive the dollars;
- 2) there will be a greater buy-in from everyone involved;
- 3) the policy will reduce the last-minute scramble regarding matching fund commitments and performance measures reporting;
- 4) reduces the perception of preferential treatment and increases transparency;
- 5) internal competition between programs will be based on which proposal is most competitive;
- 6) increase effectiveness to achieve our goals;
- 7) policy will aid in providing more evidence of collaboration, strategic planning, stakeholder and community involvement, and performance measures;
- 8) lessen burn-out;
- 9) improve compliance rates and improve the relationships with funders; and
- 10) highlights the role and importance of program involvement with subject-matter experts.

The new grants management policy will support DOC's goals to improve communication, accountability, and stress management and to decrease polarization and geographical challenges. There will be a ten day review on the draft policy and Ms. Bardash requests that comments be sent to her.

CONTRACTS:

Rhonda Schaffer told the team there will be a Legislative Audit committee meeting on March 2 regarding the contract management performance audit. A corrective action plan status spreadsheet will list the nine audit recommendations. The spreadsheet will reflect the management's view of the auditor's recommendation, the department's corrective action plan, the person(s) responsible and the target date. A contract management bureau quarterly reporting was handed out showing a snap-shot of reporting measures. In every quarter information will be given to Ms. Schaffer in order

to address weaknesses and what needs to be strengthened. The reports will need to be submitted by the 25th of each month. Contract monitors need to ensure all aspects of the contract are being met. If there is an issue that reports can't be submitted on time report to Cor.Contracts so a paper trail can be established. The submitted information will reflect the amount being currently spent, if the funds are getting close to being spent, and if an exception will be needed. A business practice regarding completed contracts will be crafted to that "empty" reports will not have to be submitted. *The status of contracts will be a standing agenda item on all future management team agendas.*

Request for Documents Notice:

Ms. Schaffer said a notice will be sent to all contractors prior to them coming onto department property. This will ensure all documentation related to the contract has been received. Contract routing will stop until all requested information contained in the notice has been received.

Department cell phones:

Mr. Gary Willems gave the members a handout that showed department cell phones assigned to staff that had less than 20 minutes usage. Mr. Willems said that cell phones cost the agency \$27.00 per month and asked team members to review the list in order to cancel phones that were no longer needed. He will find out if there will be a penalty of turning in phones prior to the contract expiration date.

Fleet management:

A new management system (AGILE) has been created to track fleet information mandated by statute. The system will track average miles per gallons, total mileage by class code by month, and accident reports.

BUDGET / EPP TIMELINES:

Mike Ferriter asked the team to send their legislative concepts to Myrna Omholt-Mason no later than April 15. Ms. Schaffer said division objectives from OAR are due by March 1. The department's EPP will be finalized by April 15, the proposals will be prioritized by the management team and submitted by May 6 to the Governor's Budget Office.

A copy of the OBPP report dealing with agency spending reductions was given to the team members. DOC is targeted for a 3.98% reduction with equates to a reduction of \$2,640,332 for Fiscal Year 2010 and \$4,237,550 in Fiscal Year 2011. Ms. Schaffer said that the budget office also decreased the legislatively approved second year per diem increase for MASC and the county regional prisons. A budget status report was reviewed and it reflected the department having a 2,862,133 deficit. Ms. Schaffer stressed that it is going to be very difficult to project the budget three years in the future and the department will be faced with significant challenges.

EMPLOYEE DRIVERS LICENSE:

Steve Barry said employees having more than 12 points on their record cannot drive a state car. A discussion among the team ensued relative to the logistics of who would do the records check, policy and procedures would have to be adjusted, etc. Eve Franklin suggested a meeting with Anna Whiting-Sorrell, Viv Hammill, Mike Ferriter, and herself to discuss who would be targeted for a license check. The general consensus was do you think it is a big enough problem and does the agency want to take this task on? Nothing definite was decided.

PUBLIC COMMENT:

None

FEBRUARY 18, 2010:

Team members in attendance were: Steve Barry, Steve Gibson, Gary Hamel, Bob Anez, Andrew Olcott, Ross Swanson, Jo Acton, Pam Bunke, and Ken McElroy

Team members absent: Diana Koch, Mike Ferriter, and Rhonda Schaffer

Department staff: Myrna Omholt-Mason

Guests: Eve Franklin

Steve Barry was acting Chairman in lieu of Director Ferriter

LEGAL/INVESTIGATION BUREAU RE-STRUCTURE:

Steve Barry handed out a copy of the current departmental organizational chart (May 2008) and pointed out two changes that need to be made: add a new box that reflects General Counsel to Director and remove Intensive Challenge under Montana Women's Prison. Mr. Barry also posed a question to the team in that the current PREA investigator is being funded by a vacant position until June 30, 2010 and does the team want to continue with that staffing?

Re-structure considerations:

Mr. Barry presented the team with an outline for his proposed recommendations of re-organizing the Legal Services and Investigation Bureaus and three options for the teams consideration. He state that if the PREA investigator funding is continued the position should be based in Helena.

Staffing currently by FTE

Legal Services Bureau

- 3 attorneys (2 at Central Office, 1 at MSP)
- 1 vacant attorney position
- 2 paralegal/Investigators (1 at Central Office and 1 at MSP)
- ½ time Admin Support from Director's Office

Investigation Bureau

- 1 vacant Bureau Chief position (currently filled by PREA Investigator until 6/30/10)
- 2 investigators
- 2 investigation technicians
- 1 intelligence analyst (Homeland Security Grant through FY2011, assigned to MATIC)

Reorganization considerations

- Currently 13 direct reports to the director
- Loss of PREA grant funding and transfer of functions throughout department:
 - ✓ Investigation & Reporting functions to Investigation Bureau – Note...decision on PREA Investigator a key issue. Position was assured to 6/30/10
 - ✓ Training function to Organization and Professional Development Bureau
 - ✓ Compliance functions to Health, Planning and Information Services Div.
- Input and suggestions from current staff of both Bureaus and Division Administrators
- Organization structures from other Corrections agencies surrounding states
 - ✓ One that was consistent was Investigative Services and Compliance, otherwise known as Internal Affairs, Inspector General's Office, Quality Assurance, etc...
 - ✓ Another constant was Legal Services directly reporting to the director with litigation supported by Attorney General Offices in many states
 - ✓ Few Correctional agencies have "Criminal Investigators" most supported by state police agencies
- Economic realities we're dealing with...doing more with less, multiple-roles

Considerations for the various options:

Option #1 This is somewhat of a status quo option with both bureaus continuing to report directly to the director. Suggested modifications include:

1. LSB – not staffing the vacant attorney position at the present time, using a portion of the FTE to place a ½ time paralegal at MSP to support secure care attorneys. Remaining FTE supports vacancy savings or based on use of external attorneys "outside legal" cost.

2. LSB – transferring the full-time Paralegal/Investigator at MSP to the Investigation Bureau with a Helena duty station to conduct administrative investigations and support PREA functions.
3. LSB – selecting a “Supervising” Bureau attorney from current attorney staff. This position will also provide support for the secure care facilities and YSD.
4. IB – select an IB Bureau Chief from current agency staff. The BC will be a working investigator, taking a small caseload, either criminal or administrative as well.
5. IB- all criminal investigators should be “generalist” and able to perform all types of investigations, criminal including sexual assault and administrative.

Option #2 This option would establish a Technical Services Bureau, which would supervise the Legal Services Unit and the Investigative Services Unit. The IB Chief position could be used for this position. Suggested modifications include:

1. LSU – maintaining staffing for the LSB as described in Option #1
2. LSU – selecting a “lead attorney” to supervise the technical attorney services
3. IU – selecting a “lead investigator” to supervise the technical investigation services. This position would replace one of the investigator positions and would also conduct criminal or administrative investigations.
4. IU – make a decision on ongoing staffing of the PREA investigator position

Option #3 This option maintains the Legal Services Bureau directly reporting to the director and renames the Human Resource Division to Staff Services Division and places the Investigation Bureau under this division. Suggested modifications include:

1. IB - as in Options 1 and 2 transfers the Paralegal/Investigator from LSB at MSP to IB as a Administrative Investigator and locate in Helena
2. IB – make a decision on ongoing staffing of the PREA investigator position

Mr. Barry opened the discussion regarding creating a deputy director position in the long range planning structure of the department. He recommended that a deputy director position could be presented to the Governor’s budget office six months prior to the ending of the current term. The deputy director position would ease the director’s workload and hold administrators and supervisors accountable to do their job. The team was asked to review the new proposals and send their choices to Myrna Omholt-Mason to compile and give to the director.

POPULATION PROJECTION:

Gary Hamel discussed the population projection reports relative to projected growth rates statistics. He said the overall growth rate for the last quarter is a negative 0.3%. Projected growth for FY2010 is 3.2% for male prison beds; 9.1% for female prison beds; 7.5% for male jail holds; 4.9% for female jail holds; 5.5% for alternatives to prison; 5.0% for prerelease; 7.5% for intensive supervision-day reporting programs; and 2.6% for probation & parole. The offender management plan is focusing on secure care and he is hopeful that recidivism will decrease with current MWP programs in place.

VICTIM INFORMATION RELATIVE TO OMIS:

Sally Hilander talked to the team regarding the importance of victim notification and the problems with existing notification systems. As the system is currently, the department is not meeting the statutory obligation contained in 46-24-212. The VINE system tracks offenders in prison but not offenders in community corrections. Victims are registering with VINE and not with the department. To complicate the issue further, the Board of Pardons and Parole has a separate victim notification system. Pam Bunke said that victims could be registered for notification when the P&P officers do the pre-sentence investigation. The goal is to create a victim notification component in OMIS that will include VINE as well as community corrections information. Ms. Hilander will meet with department IT staff regarding the possibility of combining the VINE information into OMIS.

ADMINISTRATOR'S REPORTS:

Ross Swanson reported that a block in High Side will be vacated due to construction which will increase the number of offenders in jail holds.

The problem of placing sex offenders is not lessening. 21% of offenders currently in MASC are sex offenders. The ISP team is working on specialization plans and only Level One will be moved to ISP. Mr. Swanson said there are 120 treatment complete SO's at MSP without placement options in prerelease centers. He also stated that the work and re-entry center population could go up to 60% of SO's if that facility will be classified as a treatment facility.

Steve Gibson said that Riverside is running close to capacity and there is a possibility of reopening a unit at Pine Hills. So far, the Youth Transition Center and guide homes have kept up with the number of juveniles coming out of Riverside and Pine.

As to the stigma of youthful sex offenders, he said the schools do not want them in their system. Mr. Gibson said that youth involved in gang activities are hard to manage and are becoming more sophisticated. Problem youth at Pine Hills are

currently confined to their rooms for three days but as of March 1 it will be only one day. Gangs will always be a factor but strategies on how to identify and supervise need to be established.

Mr. Gibson told the team that he is planning on retiring in December 2010 and he will involve his staff relative to the EPP process as well as budget issues.

Andrew Olcott reported the new license plate re-issue is going well as well as the biomass burner project. MCE has two year of trees stockpiled and the system will run both steam and hot water to the dairy and the work and re-entry center respectively. The new system will be in conjunction with the existing systems and online date is this fall or early winter.

There are three supervisory positions open at MCE in food, ranch, and cannery that will be held open. Mr. Olcott said the budget constraints placed on state agencies has really affected the furniture operations and new markets will have to be looked for. The PIE programs are going through downturns also.

He said that 192 offenders have graduated from the STEPS program.

Pam Bunke said that meetings are still ongoing in Kalispell to site a northwest prerelease center in that area. The working committee is committed in finding suitable land and she was encouraged with their enthusiasm for the project. Bob Anez brought up the fact that the population projection stats still reflect the proposed 40 beds. If the Governor decides to cut the project then keeping the beds on the list distorts the projected growth beyond capacity. The projected growth beyond capacity for prerelease in FY2013 is 77 beds but will be 117 if the project is cut.

Myrna Omholt-Mason made the request for administrator's to review staff schedules to ensure all areas of their departments are covered until 5 o'clock. A number of staff work flex hours leaving some areas of the agency vacant with no one available to respond to questions or issue that arise late in the work day.

Steve Barry gave the team a copy of the 2010 case summary. A total of 51 cases are currently active with 14 new cases opened in 2010. The breakdown is: 4 cases dealing with adult prosecution; 9 cases dealing with civil rights; 1 case dealing with employment; 1 case dealing with habeas; 5 cases dealing with human rights; 4 cases dealing with other civil/criminal; 6 cases dealing with tort claims; and 3 cases dealing with appeals. The question was asked as to how outside counsel is determined and Mr. Barry responded it is based on if the case is going to be high profile as well as the anticipated duration.

Mr. Barry said it was discovered there are a number of crimes that had been adjudicated and not input into CJIN. The department needs to identify who needs to be fingerprinted so crimes can be recorded as well as offenders that commit new crimes while in prison need to be processed thru regular channels and fingerprinted also.

Mr. Barry said the legal services bureau is paying 20K through Westlaw to provide inmate legal access. He questions if IWF funds could be used as money for existing computer came out of the fund.

Bob Anez he said he's working on the biennial report and the front section is going to be pared down. He asked the team to review their respective sections and submit updated information, the glossary will be re-written, and new photos of staff will be taken as well.

Mr. Anez is going to do more with national publications i.e., Corrections.com and send them information regarding what Montana is doing regarding offender management. The newsletter will feature division communication plans so if the plans have been updated he asks that the team send his the revisions for inclusion in the newsletter and on the Intranet.

Ken McElroy said HR worked with Community Corrections in ensuring the recruitment process for the eight specialized P&P officers was not biased toward the Native American population. There was a large pool of applicants and five of the eight positions are filled by Native Americans.

Mr. McElroy told the team that HR is going to focus on their division's ability to produce statistics to measure outcomes. He reported the bureau has reduced departmental recruitment advertising from 32K down to 13K through the use of on-line advertising. Unemployment payouts for FY 2009 were 57K and now payments are three times as much at 144K. Statewide the turnover in employment is 9.8% while the department is experiencing a 12.5% rate. The Department of Administration has published a state employee profile book (available on line) that is very informative and he recommends the team take time to read it. Mr. McElroy also cautioned the team regarding pay exceptions and the need to carefully review for pay equity regarding female to male pay rates.

Gary Hamel said the compliance monitor supervisor position has been re-posted.

He said the team needs to give their input regarding building a offender management plan component in OMIS that will be able to show by the data that will answer the question "does treatment work"? The rollout date is May 31 and input is critical as a list of goals for treatment programs and measurable objectives need to be incorporated into the component.

The strategic plan for IT is due by March 15. John Daugherty is taking the lead and HPIS's EPP will include an information technology section. He asked the team to think about business process they use daily that can be include in OMIS. His team will take the lists and compare commonalities and incorporate them into the program.

Jo Acton said her facility's organizational chart has been re-worked to allow for the best utilization of staff. The Intensive Challenge program has been moved to Passages and MWP is using the unit as Phase 1: orientation and evaluation of offenders for

programming as well as designing individual treatment plans through case management. If the therapeutic community concept becomes strong on the units then the staff workload will decrease.

Ms. Acton said Rhonda Schaffer and Laura Janes are looking at contracting for a medical provider and a mental health vendor is being sought also. Presently there is a 15% administration fee to service the mental health contract. Ms. Acton said guilty but mentally ill offenders sentenced to MWP through the courts are posing a challenge regarding how to effectively treat and manage them.

PUBLIC COMMENT:

None

Next meeting dates are April 26 & 27

Summary prepared by Myrna Omholt-Mason. Handouts available upon request.