



# Correctional Signpost

2011  
No. 2



## Pending budget less than now

By Bob Anez  
Communication Director

The Department of Corrections budget, as well as spending plans for the rest of state government, remains uncertain as lawmakers wait to see how the governor responds to the two-year budget sent him last Wednesday.

The main budget measure, House Bill 2, passed the House 54-44 and cleared the Senate 28-22. But its fate is unclear. The governor has said the proposal is unacceptable because it fails to adequately fund essential government services. The Republican majorities in both houses insist spending must be reduced in order for the state to live within its means.

The corrections general fund budget for the next two years is \$336.9 million. That is actually almost 1 percent less money than the previous Legislature provided to the department for the current two-year budget period. It's also \$18.5 million less than was requested by the governor.

That decrease would come at a time when the department has projected an increase of 500 in the offender population during the next two years. Although no legis-

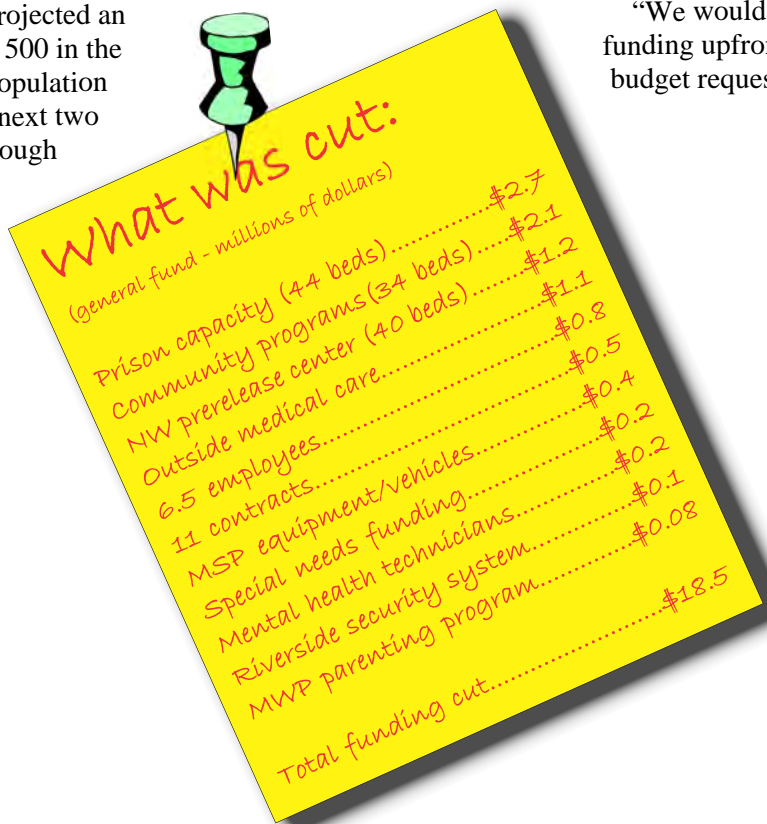
lators questioned the forecast, the budget – as it stands now – does not provide funding to accommodate that growth.

The department has received no funding for additional community corrections beds. It had asked for 74. The budget provides money for up to 120 more prison beds, including 20 assisted living beds, but that represents 44 fewer beds than requested. Those two shortages total \$6 million for the next two years.

The only change the Senate made in the House-passed version of the corrections budget was to meet the department's request for overtime and holiday pay at Montana State Prison. The budget had been \$200,000 short of what was needed.

"We're hopeful that discussions between the legislative branch and the governor's office will correct the remaining shortfall in our budget," Corrections Director Mike Ferriter says. "We have no control over the number of offenders coming to the corrections system and believe the budget request submitted was a fair and justified plan to deal with the growing number of offenders.

"We would prefer that the Legislature provide sufficient funding upfront so that we don't have to face supplemental budget requests," he adds.



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# Corrections-related bills

*NOTE: The following outlines some key corrections-related bills in the 2011 Legislature and their status as of April 15. These are only some of the measures the Department of Corrections has been tracking during the session.*

SB72 – This is one of just two bills requested by the Department of Corrections. It addresses concerns raised in a February 2010 audit of the agency’s contracts management. Auditors questioned the department contracting with Gallatin County to operate a prerelease center in Bozeman when state law requires such contracts to be with non-profit corporations. The report also suggested the department was wrong to open a felony drunken-driving treatment program in Glendive without competitive bidding. The auditors claimed the facility represented a new program, not merely an expansion of the existing one at Warm Springs. The bill allows the department to develop administrative rules clarifying that such a project is considered only an expansion, not an entirely new program. It also authorizes adoption of rules that would clarify the department’s ability to contract with local or tribal governments for operation of various correctional programs including prerelease centers. **The measure passed the Senate without an opposing vote, passed the House 77-22, and was signed into law by the governor March 16.**

HB141 – This is the second bill requested by the Department of Corrections and is largely a “housekeeping” measure for the state Board of Pardons and Parole. It more clearly defines the status of all seven board members by removing reference to auxiliary members, and clarifies the appointment and operation of hearing panels to consider parole decisions. The bill also outlines the process for involving judges in decisions on medical parole, and limits the board’s adoption of rules to those needed to conduct board business. **The House passed the bill unanimously and it was approved by the Senate, 45-4. The governor signed the bill into law April 1.**

SB185 – This proposal would have abolished the death penalty and replace it with a sentence of life in prison without parole. **The bill passed the Senate and failed in the House Judiciary Committee.**

SB187 – The bill revises the public defender laws. A controversial provision requiring the Department of Corrections collect money from offenders to pay for their legal representation by a public defender was removed before it passed the Senate. **The bill passed both houses and is in a joint conference committee to resolve House and Senate differences.**

SB368 – This bill would have changed the length of time inmates must serve in prison before becoming eligible for parole, from a fourth of the sentence to a fifth of the sentence. **The Senate Judiciary Committee rejected the measure.**

HB161 – The bill would repeal the medical marijuana law passed by voters in 2004. The Department of Corrections has estimated repeal would reverse a decline in drug convictions, increasing costs to corrections by \$409,106 in the first two fiscal years. **The governor vetoed the bill April 13.**

HB230 – The bill proposed administratively attaching the state Board of Crime Control to the Department of Corrections, moving it from the Department of Justice. The measure also required the board’s staff to vacate its offices on the first floor of the building it shares with the Corrections Department and move into space occupied by corrections employees. It eliminated two administrative positions among the board’s staff and reduced board membership from 18 to 15. The board and Corrections Department opposed the bill. **The measure passed the House and was killed in the Senate.**

HB299 – This cracked down on drunken driving by making the third offense a felony, instead of the fourth offense as under current law. The Department of Corrections estimated the change would increase the number of people under state supervision and increase costs to the agency by \$6.1 million in the first four years. **The measure was killed by the House Appropriations Committee.**

HB344 – This measure required all state agencies to show no favoritism toward either non-profit or for-profit companies in awarding contracts for goods and services. Although the sponsor insisted it was not directed at the Department of Corrections, it is the only agency required by law to limit certain contracts to Montana non-profit corporations. **The bill passed the House and was killed by a Senate committee.**

Montana  
Department  
of Corrections  
Mission

*The Montana  
Department of  
Corrections enhances  
public safety, promotes  
positive change in  
offender behavior,  
reintegrates offenders  
into the  
community and  
supports victims of  
crime.*

## For victim notification to work

# Accurate, timely data critical

By Sally K. Hilander  
Victim programs manager

Entering custody data into the Offender Management Information System (OMIS) might seem mundane to Department of Corrections staff with myriad responsibilities and challenges, but the department relies on accurate and timely offender location data to keep crime victims informed about the people who harmed them. Any time an offender's actual location doesn't match what OMIS says, we have a victim safety and public trust issue.

OMIS is a dynamic, fluid database used daily by hundreds of DOC staff to verify offender status. The victim programs manager, DOC victim and public information officers, and prison records rely on the "offender location" data field and chronological notes written by probation and parole officers to answer a daily barrage of inquiries from victims and the public.

Tardy or erroneous offender movements in OMIS can result in delayed or incorrect victim notifications – or no notifications at all. DOC and the Board of Pardons and Parole have a joint statutory obligation to notify victims about certain offender custody status movements if they register for notification.

Victims register for DOC notification using paper forms that they mail to the parole board and either Montana State Prison or Montana Women's Prison. Records staff processes the notifications and enter the data into OMIS.

Notification is perhaps the most important way DOC supports victims, keeps true to its mission, and complies with state law.

Let's say a victim believes her ex-husband and stalker is on parole and working in a community 300 miles away. Last week, however, he transferred onto probation back in her community. She encounters him in a parking lot, or he shows up on her doorstep. At the very least, the encounter will traumatize her. Maybe she called DOC this week to check on any changes in the offender's status. The "offender location" field in OMIS still shows him on parole. With an up-to-date location, we would have told her about the probationary move.

Accurate data in OMIS also assures that DOC's automated VINE (Victim Information & Notifica-

tion Everyday) service provides correct custody status updates to victims who register anonymously online at [www.vinelink.com](http://www.vinelink.com) or by phone at (800) 456-3076. VINE imports data from OMIS four times a day. Changes in data trigger phone or email notifications about prison-to-prison transfers, parole hearings, furloughs, (prison) interstate compact, releases from prison for any reason, upcoming sentence expirations, escapes and offender deaths. VINE is free, anonymous, and available 24/7.

Tracking offenders in prison is relatively easy thanks to VINE, but DOC's current VINE system, purchased in 1998, is limited; it does not track offenders on probation and parole. This insufficiency challenges staff to find other ways to keep victims informed about this mobile majority of the offender population.

DOC has requested funding from the 2011 Legislature for a VINE expansion to include probation and parole. Without such a streamlined notification system for all offenders, we will collectively continue doing the best we can to inform victims as we strive to better define staff notification roles.

Even the best victim notification systems, however, are only as good as the data that feeds them.



## NEW! Online Training Center

Five new courses are now available for \$36 each and you can pay for them with a ProCard. The first five subjects are based on feedback from the annual training needs survey. Communicating with Power, Dealing with Difficult People, Management Skills Introduction, Stress Management & Teams That Work. You can find these courses in the catalog under **eCourses for Purchase**. More courses coming soon!



# 95 percent of random drug tests negative

Ninety-five percent of random drug tests of offenders under Department of Corrections jurisdiction showed no evidence of illegal drugs or alcohol, according to data compiled by the agency using a new database.

Only 3.4 percent – or 779 tests – showed positive for illegal drugs or alcohol. The remaining tests found drugs for which the offender had a prescription, produced inconclusive results or had results still pending.

The test results cover the first seven months of operation for the department's new database that captures such information. The tests were conducted during the seven-month period from July 2010 and through January 2011.

Marijuana is the drug most commonly found when offenders under DOC jurisdiction undergo random testing, according to the data.

Results show that marijuana was detected in nearly 55 percent of the 22,745 urinalyses conducted on 2,656 offenders in secure facilities and community corrections programs.

The next most-frequently found drug was opiates, which accounted for 14 percent of the test results. Methamphetamine was found in about 13 percent, tranquilizers accounted for 7 percent and pain medications such as Oxycodone were found in 4.5 percent of the tests. Alcohol was detected in 3 percent.



*EDITOR'S NOTE: This is the first of what will be a regular column on general and corrections-related human resource issues.*

**By McKenzie Hannan**  
HR Specialist

Wikipedia states, "Human resources is a term used to describe the individuals who make up the workforce of an organization. Human resources is also the name of the function within an organization charged with the overall responsibility for implementing strategies and policies relating to the management of individuals (i.e. the human resources)."

The human resources that the Department of Corrections has are the employees who perform their duties in support of the department's mission. The Human Resource Bureau supports these employees on such matters as compensation, hiring, performance management, safety, wellness, employee motivation and communication. In addition, the bureau recognizes that one of its most important functions is to manage the department's most important resource – the *human* resource. And so, that is part of our "HR Vision" – to recruit *and retain* the best employees in the state.

The key to retaining employees is ensuring they are satisfied, identifying areas where employees are not satisfied and making changes. That is why the annual staff survey is so important. It provides employees with a chance to voice their joys, concerns and suggestions. The bureau gathers this information, compiles it and presents it to the management team with recommended courses of action to improve.

Last year, a total of 407 employees, or slightly fewer than a third of all DOC staffers, responded. This number seemed really low to me and, wanting to know why more people didn't respond, I googled, "Why don't employees respond to staff satisfaction surveys?"

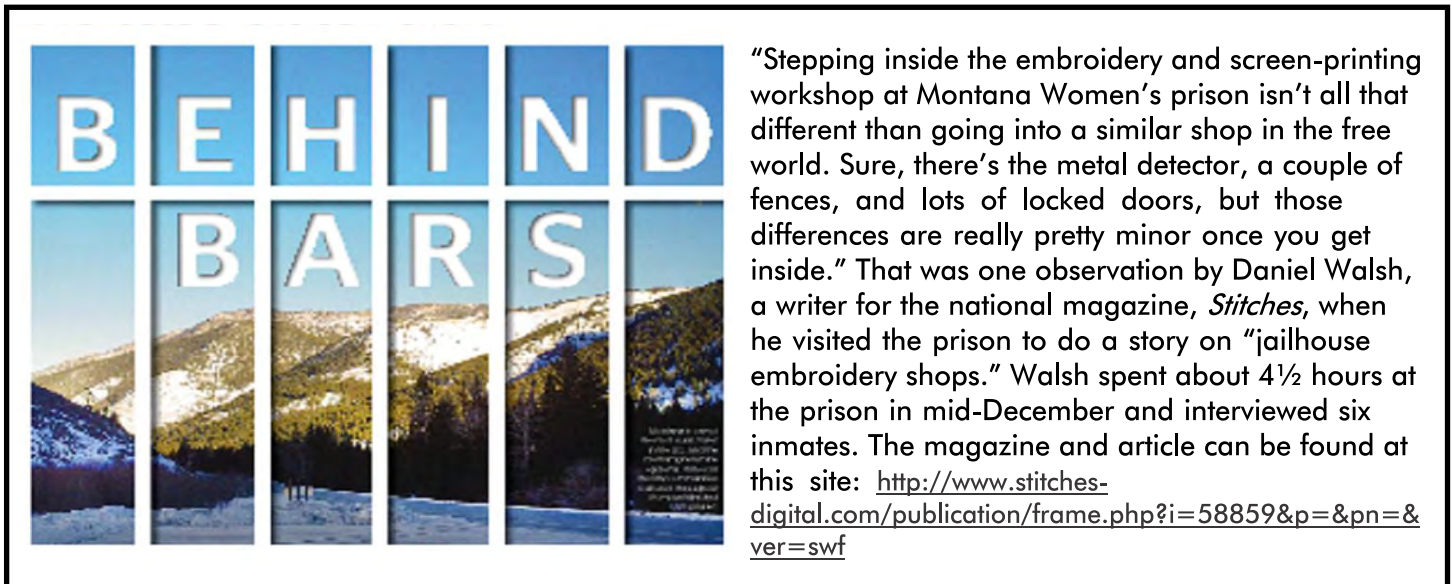
The first article I found provided the top five reasons:

- This survey is a waste of time – it's not important.
- The results of the survey won't change anything.
- The questionnaire didn't ask the right questions.
- The questionnaire was difficult to complete.
- My answers will be traced back to me.

I'll address each of those reasons in turn.

**"This survey is a waste of time – it's not important."** The department sends out the survey because the department is more successful in carrying out its mission when employees are satisfied. Happy employees are better employees. It's that simple.

**"The results of the survey won't change anything."** As a result of last year's staff survey, HR is undertaking several initiatives including an employee satisfaction program with the agency's various



From 2008-2009

## BJS reports: 'Prisoner' population up

Montana saw a 1.7 percent increase in its "prisoner" population during 2009, one of 26 states experiencing growth in that year, according to a recent report from the U.S. Department of Justice's Bureau of Justice Statistics.

Twelve states had a larger growth rate, led by Alaska with a 5.4 percent increase. Nationally, the states saw a slight decrease in the prison population of 0.2 percent. Six other Western states reported increases: Arizona, Idaho, New Mexico, Oregon, Washington and Alaska.

Montana's increase reflected an addition of 60 "prisoners," but the federal agency's definition of that term goes far beyond those in prisons. It includes offenders in community corrections programs such the boot camp, prerelease centers and treatment programs.

The report said the small national decrease continued a three-year trend and was a result of declining admissions and rising releases during that time. The lower number of admissions was driven largely by lower numbers of parole violators being returned to prison. The 4.5 percent drop in such cases accounted for two-thirds of the nation's decrease in prison admissions.

Nationally, 35 percent of all prison admissions in 2009 were parole violators; in Montana, the number was 27 percent. The remaining admissions were new court commitments.

**BJS** Bureau of  
Justice Statistics

Looking at the longer term, the report said the nation's prisoner population increased 1.5 percent from 2000 through 2008. Montana's prison population grew 1.7 percent in that time and 30 states had a higher rate growth rate.

Another Bureau of Justice Statistics report showed the rate at which Montana manages offenders on community supervision during 2009 was 32 percent below the national average.

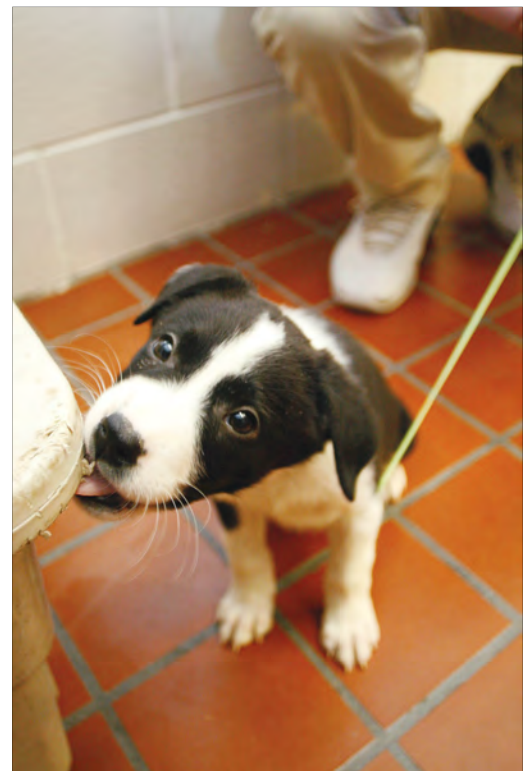
Montana had 1,462 offenders on probation or parole for every 100,000 residents that year and only 14 states had a lower rate. The national average among the states was 2,094 per 100,000 citizens.

Montana was among 24 states that experienced a decline in their probation and parole populations in 2009, the report said. Nationally, the population decreased 1 percent; Montana's count dropped 3.4 percent.

Offenders on parole in Montana successfully complete their supervision more often than parolees do nationally. Fifty-three percent of Montana parolees complete supervision, compared with 48 percent among all the states.

About 49 percent of Montana probationers complete supervision, almost identical to the national average of 49.5 percent.

Thirty percent of Montana probationers and 50 percent of Montana parolees are violent offenders, while the comparable national figures are 10 percent and 26 percent, respectively.



# Pine Hills Puppies

LEFT: A youth at Pine Hills Youth Correctional Facility plays with a puppy. ABOVE: A chair draws a youngster's interest.

Story and Photos  
By Amanda Breitbach Ragsdale  
Miles City Star

A new program at Pine Hills Youth Correctional Facility is giving inmates the opportunity to learn about animal behavior, positive reinforcement and responsibility.

Certified dog trainer Ashley Hotter contacted Pine Hills when she found herself with more puppies than she could handle alone.

Hotter initially adopted four Labrador mix puppies when their mother died. She was bottle feeding them when a pregnant border collie showed up in a friend's yard. Hoping that dog might have enough milk to share with the first puppies, she adopted her, too. But the border collie gave birth to nine puppies, and suddenly, Hotter was surrounded.

"I knew a lady who is a case worker (at Pine Hills), so I called her and asked who I should contact," Hotter explained.

Working with teachers and administrators at the facility, she was able to set up a training program with two small classes of student inmates. Inmates are selected to participate in the classes based on their background and behavior at Pine Hills.

The puppies come to Pine Hills five days a week, and students provide training and socialization.

"It's so they can be around different people and not be scared," Hotter said. "And the training is good, because they'll be potty trained and know their basic commands before they go to their homes."

During classes, the puppies learn to sit, lay down and heel. They also learn commands like "Settle," "Watch me" and "Crawl."

Student inmates are using Hotter's preferred training method, called clicker training. Good behavior is reinforced with an audible click – given with a clicker device or a retractable pen – and then rewarded with a treat. Clicker training is faster than traditional training, Hotter said.

Students work with the same puppies every week, developing a rapport. As they file into the room, they immediately begin calling out for "Snickers," "Oreo" or "Panda." Running the puppies through their commands, they gently correct



# Puppies

FROM Page 6

behavior, laugh at the puppies' antics and even accept slobbery kisses.

Superintendent Steve Ray said the program allows kids to let their guard down and relax.

"Some of them are big, tough kids and gang members, but when they pick up a puppy, you see them just melt," he noted.

"I enjoy seeing them in this light. It's a whole different experience for them," said Kari Ihly, a teacher at the facility.

In addition to playing with the puppies, the students are learning something, she said, adding, "They've had to learn some responsibility. They've had to clean up some messes."

The program also provides an incentive for good behavior.

"There's some incentive to stay out of trouble, because they don't want to leave the program," Ihly said. "There's a lot of interest. A lot of kids are asking how they can get in the class."

"This has been a good thing," she concluded. "This is the first of anything (like it) out there for these kids, and I see it as a very positive thing. I feel fortunate to be part of it."

Ray noted that the program is new and still evolving. In the future, he said, it may grow to incorporate more of a therapeutic element.

"I think it's been really successful," he said. "I really appreciate the work that the teachers and Ashley have put into it."

Because the puppy training program is run on an entirely volunteer basis, donations are welcome, Hotter noted, and while some puppies are already spoken for, a few still need homes. Donations may be dropped off at Pine Hills. For more information about puppies or the training program, e-mail

[hotterboardingntraining@yahoo.com](mailto:hotterboardingntraining@yahoo.com).

*EDITOR'S NOTE: This story and the photos were published in the March 11 edition of the Miles City Star. Reprinted with permission.*

## From the Director

*Mike Perita*



**C**ommunication – it's a word I use a lot. All who know me also know the importance I place on effective communication within the Department of Corrections and between the agency and the public.

In the past two years, the communication plans of each division have been published in this newsletter. The goal of that series was to ensure that everyone in the department knows the administrators' commitments to communication with staff and what employees can expect in efforts to ensure that information flows back and forth.

But some common themes can be found in the communication plans.

Meetings are a popular means of collecting and providing information among staff members. The communication plans identify almost 70 meetings that are held on a regular basis within the various divisions. A key meeting on that list is the quarterly management team meetings.

However, the plans go beyond simply requiring a host of meetings to keep communication lines open. After many meetings, summaries of what was discussed are required to be available to staff. It's one thing to share information among those at a meeting, but real communication means sharing that information beyond the walls of a meeting room. Other members of a unit, bureau or division need to be aware of what's going on. Otherwise, they feel left out and in the dark.

The communication plans also typically include some use of the DOC Internet or intranet sites to spread information, not only about what happens at meetings, but about what's going on in a particular part of the department.

Most plans also contain commitments to regularly submit articles for the DOC newsletter that comes out every other month. They recognize this valuable tool that should be available to every employee and to members of the general public outside the department.

It's my belief and goal that anyone wanting to know what's going on in the Montana Department of Corrections need look no farther than the newsletter.

Most of the plans also include a commitment by administrators to spend some time talking to staff, and determining what issues are of concern to them.

These communication plans were published because I expect them to be followed. What's more, I expect employees to tell their supervisors if they notice that any portions of a plan are not being followed. And I expect administrators to listen and fix the problem.

COLUMN, Page 8



Nancy Schweitzer shows off one of the planter boxes for her "Nancy's Garden" statewide school project.

# MCE helps with statewide school gardening project

Montana Correctional Enterprises is playing a role in creating novice gardeners in Montana's classrooms.

The Department of Corrections division at Montana State Prison designed and built more than 1,500 planter boxes to be used in a statewide educational project spearheaded by Nancy Schweitzer, wife of Gov. Brian Schweitzer.

Dubbed "Nancy's Garden," the project is part of the governor and first lady's Math and Science Initiative. It involves providing the planter boxes to fourth graders across the state to teach them about growing food.

"Nancy's Garden is an easy and fun way to teach students about gardening at a time when growing plants outdoors is impractical," according to the website describing the program. "This opportunity will help create the next generation of gardeners growing their own food in Montana."

The division, known as MCE, used recycled materials – unused license plates and wood from beetle-killed timber to craft the planter boxes. Inmates in the MCE programs constructed 480 single planters and 1,190 double planters. The MCE print shop also printed the 19-page teachers' guide intended to accompany the gardening project.

Distribution of the planters began in March to schools wishing to participate in the program. Students also received classroom materials that include seeds, posters and planting instructions.

Each rounded planter, using license plates for the sides and bottom and wood for the end pieces, has a plate at the bottom for drainage of the soil and a drain plug in the bottom in case the potting soil becomes waterlogged. Johnal Holst, head of the industries program, designed the boxes to be placed in well-lit windows or under grow lights in classrooms.

The teachers' guide contains six lesson plans, exploring such issues as planting, watering, proper soil, insects and pest management, vegetables and nutrition, the relationship between Native Americans and indigenous plants, and roots.

The students received a variety of seeds for planting, including lettuce, spinach, kale, radishes and carrots.

More information on the project can be found at the following website:

<http://mathscience.mt.gov/pages/nancysgarden.htm>



A double planter box

## Column

FROM Page 7

We all get very busy in the daily demands of running the state's third-largest government agency. But we must not forget that communication – and our dedication to it – is part of those daily duties. It is part of our commitment to public safety and our commitment to the safety of our fellow employees.

We all remember the quote, "We have nothing to fear but fear itself." I would argue that that a lack of knowledge should be feared as well. A lack of knowledge is a lack of information, and a lack of information is caused by a failure to communicate – to let others know what's going on. Only then can we expect all our employees to meaningfully contribute to this department fulfilling its mission.

If, as the saying goes, information is power, then I want our employees to be the most powerful in state government. Our communication plans, if followed, will go a long way toward making that happen.

The communication plans can be found at the department's home page on the Internet at this link: <http://www.cor.mt.gov/About/CommunicationPlans/default.mcp>



# Three P&P veterans step down

Three veteran community corrections leaders left the Department of Corrections this spring after a combined 63 years experience in the profession.

Tom Forsyth, regional administrator in Kalispell, and Ed Duelfer, probation and parole supervisor in the same office, retired at the end of March. Amy Gault, regional administrator in Missoula, moved to Bozeman to pursue personal interests.



Forsyth

*'He's a real solid individual and he genuinely cares about people.'*

*-Pam Bunke on Tom Forsyth*

Forsyth, 60, became regional administrator in November 2003. He joined the department in January 1984. Duelfer, 62, started in corrections in 1987. Gault worked in corrections since 1998.

Forsyth started with the department at Montana State Prison where he was the classification officer and supervised case managers. He met his future wife at the prison where she was a contract psychologist. He moved to Missoula as a probation and parole officer in the late 1980s and remained there in that capacity until taking the regional administrator position in 2003.

"He was a great supervisor and a great leader," recalls Candyce Neubauer, who is now Technical Correctional Services Bureau chief at the prison and was a case manager there for Forsyth in the late 1980s. "He had you believing in yourself; he gave you confidence."

Ron Alsbury, chief of the Probation and Parole Bureau, chuckled in recalling that Forsyth had a habit that exasperated his bosses. "He used to make everyone crazy because he wore jeans as a PO," he said.

"He enjoyed the field work and the direct care work," Alsbury added. "His calling has been leadership. He has developed a work culture up there that is healthy. The group up there has maintained that work environment. He's left it in good shape."

"He's a real solid individual and he genuinely cares about people," said Pam Bunke, administrator of the Adult Community Corrections Division. "He's had a huge influence on new RAs (regional administrators) that have come in, and how they processed their work."

Duelfer began working for the department as a probation and parole officer at Libby. Three years later, he transferred to Kalispell and five years after that he became a probation and parole supervisor. In 2000, he temporarily became regional administrator and later that year he was named manager of the statewide intensive supervision program.

*'He's a giant. He's known for having a real knack for organization.'*

*-Ron Alsbury on Ed Duelfer*

Before joining corrections, Duelfer worked for police departments in Lewistown and Whitefish, and volunteered for a program in Kalispell that raised awareness of drug and alcohol issues among high school students. He obtained a bachelor's degree in sociology from Montana State University in 1980. Before that, he spent four years in the U.S. Marine Corps.

Bunke calls Duelfer very "detail-oriented" in his work. "He has been the one everyone, and I mean everyone, relies on to catch errors in our procedures," she said. "He is very dedicated and very connected with his POs (probation and parole officers)."

"He's a giant," Alsbury said. "He's known for having a real knack for organization."

He said replacing the three veterans will be a challenge, "but I am optimistic that in this bureau there are a lot of leadership succession possibilities."

Duelfer has seen a lot of changes in staffing, technol-

*'She's Wonder Woman – a real shining star.'*

*-Pam Bunke on Amy Gault*



Gault



Duelfer

# Survey: Assaults on prison staff rarer than among inmates



Inmate-on-inmate assaults are more common than inmate attacks on prison staff, and the most popular methods of controlling violence are phone call and mail monitoring, segregation of inmates and increased number of searches, a survey of state corrections departments has found.

Conducted by the Association of State Correctional Administrators, the poll collected information from 31 states.

It showed that 60 percent of those corrections departments responding said incidents of violence among inmates occur occasionally and 30 percent said such events occur frequently or very frequently. No state indicated inmate-on-inmate assaults occur rarely.

In contrast, 37 percent of the states reported incidents of inmates attacking staff happen only rarely, and another 21 percent of states said they occur occasionally. Only 6 percent said such incidents happen frequently or very frequently.

Riots are even more seldom. Eight-six percent of states said they rarely or never happen. No state reported riots occur more often.

When asked how they control violence in the prisons, all the corrections departments cited monitoring of mail and phone calls, inmate segregation and increased use of security searches. The next most popular tools for dealing with violence were transferring inmates, use of cameras, isolation of inmate leaders and locking violence-prone inmates in high-security facilities.

Other tools favored by prisons were use of informants, reliance on laws prohibiting contraband, transferring inmates out of state, interrupting communications, creation of task forces to monitor and track inmates, prosecution of all violent acts, and staff searches.

The survey also asked about the availability of various programming services.

The most common program is education, with 71 percent of states saying such programs are always or very often available. A third of the states said drug counseling is available always or very often and 28 percent said the same for cognitive-behavioral treatment.

Another association survey found 57 percent of states have one agency overseeing probation and parole, but slightly less than half of the states have a system in which the corrections department handling probation supervision. The Montana Department of Corrections includes both probation and parole.

## 'Children are not little adults'

# Report pans youths in adult system

"Children are not little adults and a criminal justice system that is designed for adults does not work for youth."

That's the conclusion in a report by the Campaign for Youth Justice, which also found that a handful of states have taken steps remove juveniles from the adult system.

"We hope that policymakers will greatly expand upon the reforms profiled in this report, especially as they have broad public support and make fiscal sense in these challenging economic times," said Liz Ryan, chief executive officer for the Washington, D.C.-based organization.

The campaign, which describes itself as "dedicated to ending the practice of trying, sentencing, and incarcerating youth under 18 in the adult criminal justice system," paints a dire picture of the consequences of prosecuting and incarcerating youths in the adult system.

When youths are prosecuted as adults, they have a lifelong adult criminal record that makes it difficult for them

# Youths

FROM Page 10

to get jobs and the system; puts them at higher risk of abuse, injury and death; and denies them educational and rehabilitative services necessary for their stage of development.

The report concluded that “warehousing minors in the adult system ensures that they will not have guidance from responsible adults or have access to age-appropriate programs, services and punishment to help build positive change into their brains during this crucial development period.”

And the problem is significant, it added.

On any night, 10,000 juveniles are held in adult jails and prisons and most of them are not incarcerated for serious, violent crimes. Minors in those settings are particular vulnerable to sexual victimization and are 36 times more likely to commit suicide than are youths housed in juvenile detention facilities, the report found.

The report said research indicates that youths remaining in the juvenile justice system are 34 percent less likely to be re-arrested for another crime than are those who trans-

ferred into the adult system. That’s partly because youths in the system receive limited services and “often become socialized into a culture where their role models are adult criminals and violence is a routine part of institutional life,” the study found.

The study cited four trends among the states addressing this issue.

Four states have passed laws limiting the ability to house youths in adult jails



and prisons, and three states have expanded jurisdiction of their youth courts so older youths are not transferred to adult criminal courts. Ten states have changed transfer laws to make it more likely that juvenile offenders will remain in the youth justice system, and four states changed mandatory minimum sentencing laws to take into account the differences in development between adults and youths.

The report recommends other states take similar steps, starting with removal of all juveniles from adult jails and prisons.

# Vision

FROM Page 4

divisions, facilities and programs; an extensive new employee orientating program that includes peer mentoring to be implemented in the coming months; and a succession plan and workforce development program that will be in place by mid-2013. In addition, to improve communication, a mini-summary of the survey results was produced and important corrections-related developments and news are immediately posted on the intranet.

**“The questionnaire didn’t ask the right questions and was difficult to complete.”** Feedback from employees suggested that the survey used in the past couple years took too long and had confusing or irrele-

vant questions. The survey will be redesigned this year to address these concerns. It will be shorter and include only questions designed to pinpoint problem areas in the employee satisfaction arena.

**“My answers will be traced back to me.”** The previous couple of years, the survey asked the division an employee is in, length of service and job function. Upon answering those questions, my first thought was, “If I make any comments, people will know it was me because I answered all of those preliminary questions.” Once I received and reviewed the report, I realized that this wasn’t true. The comments section was not tied in any way to the preliminary questions. I couldn’t trace them if I had tried! Employee responses to all questions are totally anonymous.

The purpose of those preliminary questions was to allow analysis of satisfaction level results based on the specific categories. Satisfaction level was reported based on years of service and on division. This helps identify what areas need work. According to last year’s survey, department employees have the highest levels of satisfaction in the first year of employment and then it drops off. This prompted HR to develop a program for new employees that strives to maintain the initial level of satisfaction beyond just the first year.

Hopefully, by providing a response to these top five reasons for not participating in the survey, more employees will be encouraged to participate this year. The survey will be available in the next couple of months. We hope that all employees with something to say will take this opportunity to say it.



# Veterans

FROM Page 9

ogy and training since he walked into the Libby P&P office.

His training consisted of three days on the job in the Missoula office and the state had only 30 probation and parole officers. He was the only staffer in Libby, so he had to type his own reports and even keep a record of each postage stamp used.

“I never had touched a computer in my life and there was one sitting there,” Duelfer said, recalling that he taught himself how to use the new-fangled device. “We didn’t have written policies or procedures; we didn’t have fire-arms.”

Duelfer said he decided to try corrections because he saw an ad in the local newspaper and was intrigued by a potential change from his police career.

“Law enforcement is catching the bad guy. I thought it might be interesting to see what happens after you catch the bad guy,” he said. “It’s been really challenging. Working with offenders from all different backgrounds and crimes. The challenge is to keep them on the straight and narrow as

best you can. Each day turned out to offer some new challenge, some new crisis. It was anything but boring.”

What are his plans after retiring? An easy answer, he said. “Spending more time with family and to finally allow time for myself.”

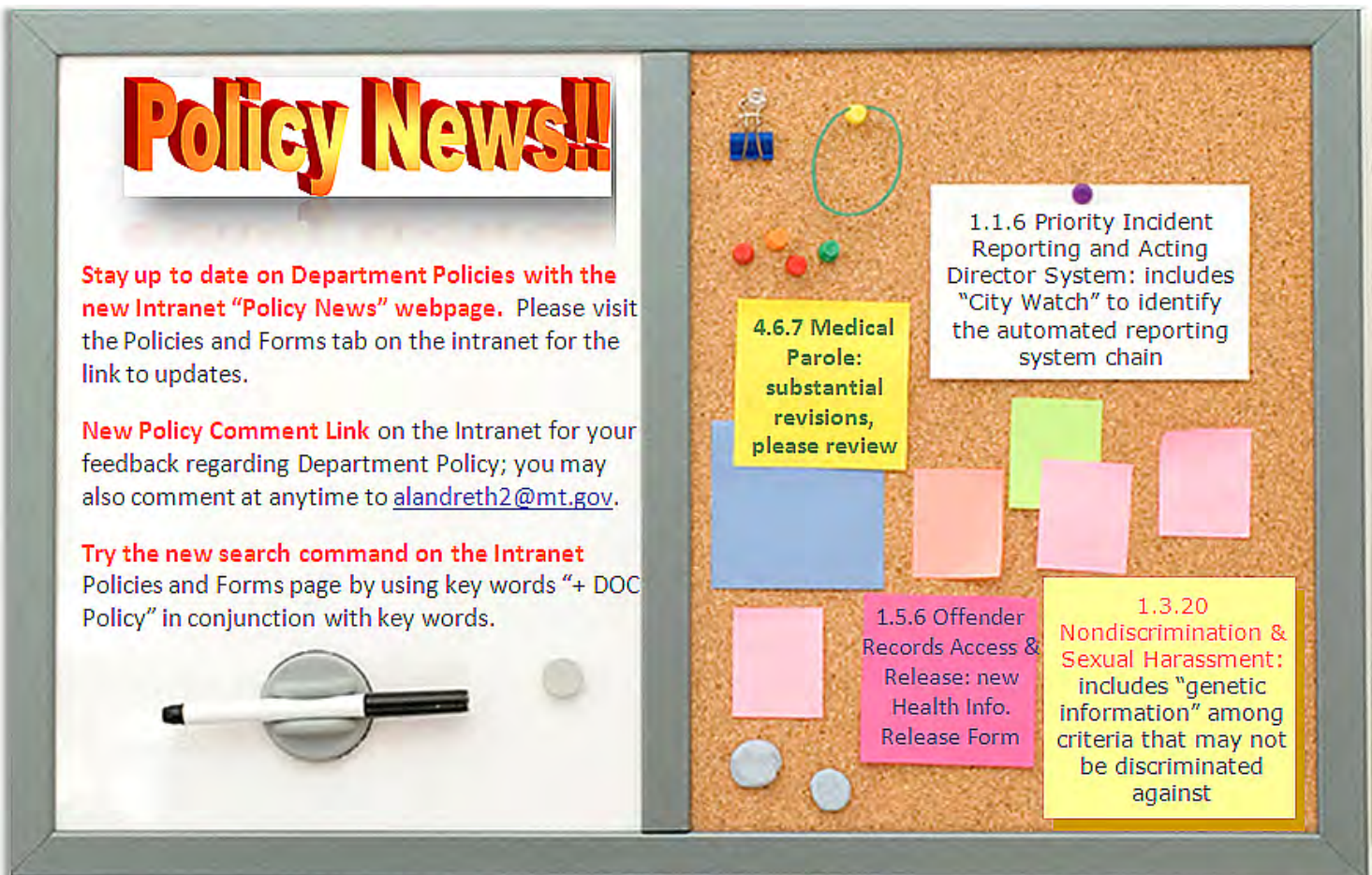
Gault, 40, joined the department in November 1998 as a probation and parole officer in Polson. She transferred to Kalispell nine months later and then to Missoula in 2007 as a supervisor. She became regional administrator in 2009.

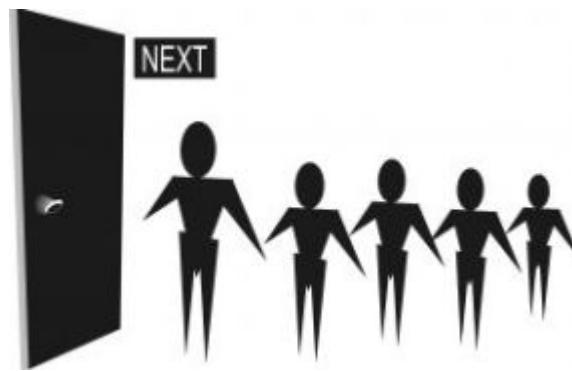
“She’s Wonder Woman – a real shining star,” Bunke says. “She had real solid leadership, gives good direction, is real goal-oriented and can confront without alienating. She has had some real challenges and met them head on and in a very professional manner.”

Gault said she leaves with fond memories of her time with the department and the people with whom she has worked. “Thanks to all the work of our staff here, I really saw this office going in the right direction, so it’s difficult to leave,” she said. “But I am very excited about my future ventures.”

Gault earned a bachelor’s degree with emphasis in criminal justice from St. Cloud (Minn.) University in 1994 and moved to Montana. She said her interest in corrections was sparked by taking a college class taught by a probation and parole officer.

She and her 8-year-old daughter are moving to Bozeman.





## Planning for future leadership

By **Ken McElroy**  
HR Bureau Chief

Baby boomers – it’s a phrase that strikes fear into the hearts of human resource professionals these days.

As a confirmed “boomer” myself, I can easily appreciate the cause for such concern. I have a target date for retirement in my mind and it is not so very distant. So do many others. We boomers are at that age and career position where the siren song of those lazy, hazy days of retirement beckons to us.

Of course, there is plenty of disruption right now with respect to retirement plans, and challenges like rising costs for retirees – such as health insurance – make it hard to lock in such plans. But, inevitably, whether we delay a year or two, we will be taking the plunge sooner rather than later.

In the meantime, we in human resources are painfully aware that we are not ready for the large-scale departure of employees in critical leadership roles. That’s not to say we don’t see bright stars waiting in the wings for the opportunity to lead, but we have barely begun seriously needed efforts to construct a succession planning piece in the agency.

A National Institute of Corrections (NIC) program is under way, designed to give some agency employees a leg up in preparing to compete for such leadership positions. Charles Geary in the HR Bureau has been researching more permanent and focused options toward the goal of building an ongoing program with agency-wide application for identifying promising talent and providing them the opportunities to set career goals and receive valuable training and mentoring.

The goal of these efforts is to lay the foundation for smooth and seamless transitions when leadership changes.

Montana State Prison is one place where the highest ranks are ripe with my fellow boomers.

Given the high importance of maintaining a smoothly operating men’s prison, Department of Corrections Director Mike Ferriter charged the Staff Services Division, specifically the Professional Development and HR bureaus, with the design and implementation of a pilot project to identify potential successors and provide some preparation for those individuals to step into the top leadership positions there as the occasion arises.

One concern reflected in this year’s employee survey was the lack of opportunities for career planning and progression. The current NIC program is providing numerous employees with one such opportunity.

The next step is a pilot project that focuses on succession planning for specific jobs: warden, deputy warden and associate wardens at MSP. It will lay the foundation for a future effort that will address each identified “critical leadership role” in the agency, such as division administrators, bureau chiefs and facility administrators.

The pilot will identify executive level talents and competencies for those positions and provide job-specific training and mentoring to a group of people who are committed enough to complete a rigorous, intensive program while continu-

*The goal of these efforts is to lay the foundation for smooth and seamless transitions when leadership changes.*



# Health & Wellness

by April Grady



The large buds, suddenly pushing out late in the spring from dry sticks which had seemed to be dead, developed themselves as by magic into graceful green and tender boughs, an inch in diameter; and sometimes, as I sat at my window, so heedlessly did they grow and tax their weak joints, I heard a fresh and tender bough suddenly fall like a fan to the ground, when there was not a breath of air stirring, broken off by its own weight. **(Excerpt from Walden, Henry D. Thoreau)**

**Wabi-Sabi** is the Japanese philosophy of appreciating things that are imperfect, primitive and incomplete. It is a spiritual philosophy that sees home as a sanctuary, a simple place devoid of clutter, disturbance and distraction. Possessions are pared down, then pared down again, to those that are necessary for their utility or beauty. "Wabi is to be satisfied with a little hut, a room of two or three tatami mats, like the log cabin of Thoreau and with a dish of vegetables picked in the neighboring fields, and perhaps to be listening to the pattering of a gentle spring rainfall." (Daisetz T. Suzuki). Sabi's meaning has evolved into taking pleasure in things that are old and faded like an abandoned barn as it collapses in on itself. We seek sabi in antiques. It cannot be created, it is a gift of time. Learning to be satisfied with life as it can be once we strip away the unnecessary and living in the moment is the first step

to increasing quality (instead of quantity) of life. (nobleharbor.com)

**Eco-tip:** Strawberry plants are a great ground cover for several reasons. They tend to stay very low and bushy, and the runners that each plant produces quickly fill in, covering the ground completely and choking out any potential weeds. Aside from the delicious fruit these plants produce, they are covered with tiny flowers (which can be pink or white) in late spring to early summer. (urbansustainableliving.com)



**Meatless Monday** is a lot easier and a lot more fun when spring rolls around. For Pasta with Asparagus and Herbs, you can use whatever spring herbs are popping up in your garden or market right now, making this the perfect meal to welcome spring. You can use red or white wine (whatever is on hand) and throw in whatever mushrooms are currently available. (motherearthnews.com)

## Pasta with Asparagus and Herbs

Serves 6

- 1 1/2 pounds fresh asparagus
- 1/2 pound fresh mushrooms such as oyster, chanterelle, shiitake, or common field mushrooms
- 2 tablespoons unsalted butter
- 2 tablespoons extra-virgin olive oil
- 2 heads roasted garlic with oil from roasting
- 1/2 cup red wine
- 3/4 cup vegetable broth



## Wellness

FROM Page 14

Freshly ground pepper

1 pound dried pasta, such as farfalle, fusilli, or ziti; or

1 1/2 pounds fresh whole-wheat noodles

1 tablespoon fresh minced tarragon (or substitute herbs from your garden)

1/3 cup fresh chopped dill sprigs

1/2 cup freshly grated Parmesan, plus extra for topping

1. Boil a large pot of water. Wash the asparagus and break off the tough ends. Cut them into 1 1/2 inch lengths. When the water boils, add salt to taste and blanch the asparagus for 2 to 3 minutes, until crisp tender. Remove with a strainer or slotted spoon and reserve.

2. Using a mushroom brush or a damp paper towel, clean the mushrooms. Slice or tear them into 1-inch pieces. In a large nonreactive sauté pan, combine the butter and olive oil and heat over moderate heat. Sauté the mushrooms, stirring occasionally, for 2 minutes. Slip garlic buds from their skins and add to the pan, stirring for another minute.

3. Add the wine and broth, more salt, and pepper generously; cook for about 3 minutes more. Cover and remove from heat.

4. Cook the pasta al dente and drain. Add pasta to the pan of sautéed mushrooms over medium heat, along with the asparagus, herbs, and Parmesan. Toss well and season to taste. Serve immediately on warm pasta plates and pass extra Parmesan.

### Nadine's Carrot Salad

by Chef Nadine Nelson of Epicurean Salon

- 6 carrots, shredded
- 1 small onion, finely minced
- 3 tablespoons dried cranberries
- 1/4 cup olive oil
- 2 tablespoons orange juice
- 1 teaspoon curry powder
- 1/4 teaspoon allspice
- 2 teaspoons mint, minced
- 1/2 teaspoon salt
- dash of freshly ground black pepper

1. Use a food processor or hand grater to shred the carrots finely. You can shred the onion, too, instead of mincing it, if you like. Place carrots, onion, and cranberries in a medium serving bowl.

2. In a small bowl, blend together the remaining ingredients with a wire whisk. Pour over the carrots

and toss well. Serve at room temperature, or refrigerate.

### Xflowision Workout:

**This blend of yoga and martial arts gives you toning and cardio in one flowing routine you can do in your bare feet.**

#### Dancing Chair

- Targets: Shoulders, abs, butt, and legs
- Stand with feet hip-width apart, arms extended overhead, palms facing each other, and sink into a half squat.
- Hold half-squat position as you alternately rotate arms backward in loose circles (like a lazy backstroke).
- Continue for one minute.

#### Sidestep Kick

- Targets: Hips, butt, and legs
- Stand with feet shoulder-width apart, elbows bent, fists in front of chest.
- Cross left foot behind right.
- Continue for one minute each side.



#### Warrior Twist

Targets: Shoulders, obliques, butt, and legs

- Stand with feet hip-width apart, arms extended out to sides at shoulder level, and lunge forward with left leg, left knee bent 90 degrees, right leg straight.
- Keeping arms out at sides, rotate torso all the way to the left, looking over left shoulder.
- Continue for one minute each side.

#### Modified Alligator Push-Up

Targets: Chest, arms, and abs

- Start in plank position, on forearms and toes, forming a straight line from head to heels.
- Press through left palm to straighten left arm,

# SESSION MAY STRESS EMPLOYEES

*EDITOR'S NOTE: The following is reprinted from spring edition of "Managing Montana," the quarterly newsletter of the State Human Resources Division.*

State Human Resources understands that a big part of retaining state employees means keeping them "engaged." Thus, it's important to realize when and why employees might disengage.

An employee usually starts a job with anticipation and enthusiasm. Then an event happens that makes the employee wonder if he or she made the right decision. Unless something changes, this seed may grow to the point that the employee completely disengages and leaves or, even worse, stays.

With this in mind, we wondered if this legislative session presents that "event" for some employees. We expected this session to be difficult due to the recession. However, we may not have been prepared for the bills that could have a direct impact on state employees.

Employees might be wondering whether they made the right decision to work for the state. They might wonder whether they will stay, retire, or look for other employment if any of these bills pass. These thoughts certainly could plant the seed of disengagement for some employees.

We want managers and leaders to be aware that their employees may be feeling threatened or a little bruised by the session. To avoid letting these feelings fester to total disengagement, you can take steps now to keep people engaged or even to re-engage them.

Talk about it. Ask how your co-workers are feeling about the session. Let each other know the feelings are normal and shared by many. Avoid ignoring the issue – listen.

Understand and discuss the legislative process, the likelihood that these bills will pass, and what it really means for each one individually. Sharing information about what is known and what is unknown helps to build trust.

Let each other know the work we do is valued and contributes to the state of Montana. We care about each other as individuals and as members of our teams. We respect each other's contributions. Celebrate the positive.

Remember to show that care and respect, especially for the next few months. If you want more tips or advice, call Joe Schopfer (444-2686) or Lisa Coligan (444-3854).

## Wellness

FROM Page 15

then straighten right arm.  
Lower left arm to forearm,  
then lower right arm.

- Continue for one minute each side.

For exercise photos go to:  
<http://www.fitnessmagazine.c>

[om/workout/real-plans/celebrity/sarah-chalkes-xflowsion-workout/?page=4](http://om/workout/real-plans/celebrity/sarah-chalkes-xflowsion-workout/?page=4).

To learn more about simplifying your life read **Wabi Sabi Simple** By Richard R. Powell. (Available at Amazon.com for \$10.36.) This book is not a how-to manual. It is an explanation of what wabi sabi is (and what it is not) with some illustrations of how simplicity enriches your life – at home, with

your friends, at work. Implicit in the book is the notion that, if you understand simplicity, you don't need someone to tell you how to achieve it or how to apply its lessons to your life. Once you understand you won't need instruction or exhortation--you'll just see that simple living is better. (Book review by Philip Brewer on Wisebread.com)

# Budget cuts worry MSP warden

*EDITOR'S NOTE: The following article and photo were printed in several Montana newspapers on March 28. Reprinted with permission.*

**By Cody Bloomsburg  
Community News Service  
UM School of Journalism**

Warden Mike Mahoney rests his arm on the steel door as if it were his backyard fence and he was talking to a neighbor about a ball game. Through a narrow, bulletproof window, Mahoney's "neighbor" explains why he stabbed a man in the throat with a pen two months ago at chow.

The inmate tries to convince the warden that it was self defense so he won't be transferred from the Montana State Prison to a federal Super Max facility full of much worse men.

In level tones, Mahoney tells the convict that he has two choices, each with different consequences. The first is to continue his violent ways and end up at a federal prison. The second is to behave and stay in Montana.

Prisons are their own universes. As much as any other, they are governed by choices and consequences.

A few days earlier, Mahoney was in a different world. He stood on plush carpets in the Capitol, trying to explain to senators why he needs \$200,000 more for overtime when he has to call in extra staff to deal with inmates' acts of violence, and why he needs \$2.7 million more for additional beds to handle a growing number of inmates.

Both are among the cuts the Republican-controlled House has approved to the governor's budget for prisons. *(The Legislature provided the overtime money after this article was published.)*

As Mahoney saw it, the Senate Finance and Claims Committee had two choices with different consequences. The first was to affirm the cuts, which he said would force him to come back to ask for more money later. The second was to restore the funding so he could safely contain the prison population at Deer Lodge.

They chose the first, effectively dismissing the prison system's concerns about a growing number of prisoners and saying that the GOP budget plan includes adequate overtime funding.

"We looked at what was absolutely appropriate for the safety of the facility," Sen. Ryan Zinke said at the hearing. "And we're fairly confident that what we have in (the budget) is safe and prudent."

But Mahoney says doing without the extra beds means pushing the overflow of prisoners into the county jails. He predicts the problem will trickle down and stop at the squad car, where police will have to decide which criminals pose a big enough threat to earn a spot in lockup.

After that, the department would have to look at shipping some prisoners out of state – an option that has been highly unpopular since it resulted in the death of one Montana inmate in a Texas private prison in 1997.

What Mahoney says legislators don't get is that, for him, not calling in extra help and not locking up violent offenders is not an option. Nor do they understand the changing climate at his prison.

For a multitude of reasons, he says, his prisoners are more violent these days; they're coming up with more ways to hurt each other and to tear apart the prison. This means more guards have to be called back to watch over prisoners while others clean up the mess. It means more maintenance workers have to put in longer hours to fix the damage.

That's hard to explain in three-minute presentations to busy lawmakers miles away from the

prison's concrete floors.

"I don't expect a subcommittee to understand that," Mahoney said after his appearance Monday in Helena. "But I guess I do expect them to respect when I say that's what I need, and I didn't feel that happened today."

So far, the Legislature's budget committees have chopped more than \$18 million from the governor's two-year budget for the Department of Corrections, which is responsible for monitoring 13,200 offenders and managing



Warden Mike Mahoney talks to an inmate in an isolation cell at the Montana State Prison. (Photo by Cory Bloomsburg)





# Counseling runs deep for Kassel

By Bob Anez  
Communication Director

It was 1969 and Mary Helen Kassel never realized when she left Shelby with her high school classmates for a tour of several state institutions that she was headed for a life-changing moment as well.

She recalls seeing the human drama played out at Montana State Prison, Montana Women’s Prison, Boulder River School and Montana State Hospital. She still remembers hearing cries echoing in the state hospital’s halls from patients being administered shock treatment or protesting being moved to the room for treatment.

What Kassel, today a drug addiction counselor at the Missoula Assessment and Sanction Center, learned about herself was that – confronted with this foreign world of lives in disarray – she could handle it.

“I had a stomach for it,” she says. “A lot of my classmates were crying and carrying on and upset. I told them it’s OK and it’s just a part of life. I just knew I wasn’t afraid, not freaked or grossed out. I wasn’t intimidated. I knew right then that I wanted to go into counseling and institutions.”

The result of that revelation was a 36-year career working with juvenile and adult offenders, including nearly three decades as a drug addiction counselor.

Kassel, 59, brings to her work a true understanding of chemical addiction. She has fought her own battles with alcoholism, now sober for 27 years.

“I have a real understanding of the loss of control,” she says. “I get it – on a personal, internal level. I also understand that addiction doesn’t cause criminality. A lot of people like to blame addiction and mental

*KASSEL, Page 19*



Mary Helen Kassel, a veteran chemical dependency counselor, has worked in the corrections field for more than three decades.

# Kassel

FROM Page 18

disorders.

“We have to not make excuses for our people (offenders),” Kassel explains. “It’s all about getting them to take responsibility for what they do.”

Corrections Director Mike Ferriter, who has known Kassel since the mid-1980s, says she has had a major impact on the department and the lives of offenders.

“I have had the pleasure of knowing Mary Helen for many years and in a variety of professional roles and settings,” he says. “Her dedication and desire to improve the quality of life for offenders has remained constant. Mary Helen truly believes in all people and is firm in her beliefs that sobriety provides hope to people even in some very hopeless situations.

“I, along with many others, have benefited from Mary Helen’s commitment and inspiration,” Ferriter says.

Kassel began her career in 1975, shortly after she graduated from what was then called Eastern Montana College in Billings with a bachelor’s degree in psychology and a minor in sociology.

She started work as a house mother at Mountain View School near Helena and was promoted to case worker in less than two years. After five years, she left the school because she married the assistant superintendent and nepotism laws prevented her from staying.

Kassel joined the staff at Boulder River School (now Montana Developmental Center) as admissions and placement coordinator. Her caseload involved blind and deaf residents. She wrote letters to each person’s family every six months to report on their progress, investigated community placements and transported patients.

After 2½ years, she moved to Deer Lodge when then-husband Steve MacAskill was named warden at the women’s prison. Kassel went to work for Montana State Prison in 1982 as a unit counselor and then moved into the job of chemical dependency director when the job unexpectedly became vacant a few weeks later. That launched her nine-year career counseling drug-addicted inmates at the prison.

“I knew when I hit the prison we weren’t doing something right,” she remembers. “We weren’t doing justice by our clientele. We had education and we were trying rehabilitation through employment and job skills. But they were coming back in droves.”

***‘I’ve got no problem recommending someone go to prison. Prison isn’t the worst thing that can happen to some of these people.’***

She realized something had to change. After attending a seminar in which an expert talked about the need to address inmates’ criminal thinking, she knew what was needed.

“We had to give these guys tools, a new way to view life, a new belief system,” Kassel says.

In the mid-1980s, she sought and obtained a \$250,000 (about \$500,000 today) federal grant to launch the prison’s first intensive treatment units. The money allowed her to hire a staff of five.

Looking back, Kassel wonders whether that then-novel philosophy went too far.

“We put it all on the inmate,” she says. “It got to be an excuse for counselors; they didn’t have to work very hard.”

She left the prison in 1991, just three months before the deadly September riot in the maximum-security unit. She wanted to try something very different – a dramatic change from the world of addiction and prison. So she opened a dress shop in Whitefish and operated it for 2½ years.

But it wasn’t where she needed to be.

“It didn’t seem very important. Women were anguishing over whether to buy a blouse, but there were people out there that were hungry, who didn’t know where their next meal was coming from.”

So she returned to the world she knew well. She contracted with the boot camp, then located in the Swan Valley. After six months, she joined the staff of the chemical dependency clinic in the Flathead Valley where she worked with probationers and parolees for about three years.

***‘I knew when I hit the prison we weren’t doing something right. We weren’t doing justice by our clientele. We had education and we were trying rehabilitation through employment and job skills. But they were coming back in droves.’***

# Questions & Answers

# Fi\$cal Note\$

*EDITOR'S NOTE: How much money a bill will cost, save or raise is a critical question in every legislative session. That's why the law requires any legislation with a potential financial impact be accompanied by a fiscal note. Hundreds of these are produced by state agencies each session. The effort demands a significant amount of staff time to determine what a bill will do, what assumptions can be made about its effects and how that translates into financial impacts. The Department of Corrections' budget staff has prepared 64 fiscal notes so far, each one requiring an average of 12-14 hours of work.*

## **What are fiscal notes?**

They are official government estimates of the financial impact of proposed legislation.

## **Why are they necessary?**

A law passed in 1965 and revised in 1983 mandates that fiscal notes are required for "all bills reported out of a committee of the Legislature having an effect on the revenues, expenditures, or fiscal liability of the state or of a county or municipality."

## **Are there any exceptions?**

Appropriation bills that specify a dollar amount and, therefore, identify the fiscal impact do not require a fiscal note.

## **Who requests a fiscal note?**

At the time a bill is introduced in the respective chamber, the House speaker and Senate president determine whether a bill requires a fiscal note. A committee considering a bill, a majority of House or Senate members about to debate a bill on the floor, and the sponsor of a bill also can request a fiscal note. Requests for fiscal notes often are based on recommendations from legislative staff.

## **Who prepares fiscal notes?**

The governor's budget director is ultimately responsible for providing notes to the Legislature. But state government agencies or officials affected by a bill gather the necessary information and provide estimates of the fiscal impact for review by the budget office.

## **What kind of deadline applies to fiscal notes?**

A note must be provided within six days of a request being received, but the budget director can request more time.

## **Must a fiscal note identify a financial impact from a bill?**

No, if a legitimate estimate cannot be made due to uncertainty about the effects of a bill.

## **What must a fiscal note contain?**

The laws says fiscal notes must, when possible, show in dollar amounts the estimated increase or decrease in revenue or expenditures, costs that may be absorbed without additional funds, and long-range financial implications. A note should be "an objective analysis of the fiscal impact of legislation" and "should represent only the estimate of the revenue and expenditures that would result from the implementation of the legislation, if enacted." A note must "clearly differentiate between facts and assumptions made in the preparation of the fiscal note while maintaining a logical flow of both fact and assumption in presenting how the fiscal impact is determined."

## **What is prohibited in fiscal notes?**

Comments or opinions regarding the merits of the bill are barred, but technical or mechanical defects in a measure may be noted.

## **Are there any other legal requirements regarding fiscal note preparation?**

The budget director must make available on request of any legislator all background information used in developing a fiscal note.

## **How are fiscal notes requested of state agencies?**

Through the governor's budget office

## **Does the budget director have to wait for a formal request from the Legislature to authorize work to begin on a fiscal note?**

No. The budget director may proceed in anticipation of a subsequent formal request.

## **What if a bill affects more than one state agency?**

All departments potentially impacted by a bill submit their information for inclusion in a single fiscal note.



## Q&A

FROM Page 20

### What happens after a fiscal note is delivered to the Legislature?

The House speaker or Senate president notifies a bill's sponsor that the fiscal note is completed and requests the sponsor's signature indicating he or she agrees with the assumptions and estimate of fiscal impact. The sponsor has one legislative day to review the document and discuss the contents with the budget director, if necessary.

### After one legislative day passes, what happens to the fiscal note?

It is printed and distributed to all lawmakers, regardless of whether the bill's sponsor has signed it.

### What if a bill sponsor disputes a fiscal note's assumptions, conclusions and estimates?

A legislator can prepare and provide to fellow lawmakers a rebuttal explaining what he or she believes is wrong with

the information and offering a personal opinion as to the fiscal impact.

### Are fiscal notes available to the public?

Yes. Electronic versions of the notes are available online in connection with their corresponding bills at [http://laws.leg.mt.gov/laws11/law0203w\\$.startup](http://laws.leg.mt.gov/laws11/law0203w$.startup)

### How do fiscal notes affect the legislative process?

If a bill requires a fiscal note, the measure may not be debated on the floor of the Senate or House until one is obtained. That can delay progress of a bill for a time.

### Can a fiscal note affect the fate of a bill?

Yes. A bill with a fiscal note showing a significant cost to implement may be killed because of that expense, and a bill with an estimate showing it will produce revenue or save money may pass because of that estimate.

### What happens if a bill requiring a fiscal note is changed during the legislative process?

A new fiscal note must be provided to reflect the fiscal impacts of any of the changes made.

## Warden

FROM Page 17

13 programs, ranging from drug rehab to mental health counseling.

Over the next two years, Corrections officials forecast an increase of almost 4 percent in the number of offenders, some in state prisons, some in community facilities and some on probation.

The cuts are real, Mahoney insists. Systemwide, they include 74 additional beds for community correction facilities and money for such things mental health services and outside medical treatment for prisoners.

Weighing the needs, especially his \$200,000 request for overtime, against the state's \$3.5 billion general fund budget, Mahoney says he doesn't understand why the answer was a firm no. Maybe, he says, he's not explaining it well.

True, his overtime request is higher than what the prison received last session, as lawmakers pointed out when denied the increase. But Mahoney says

things have changed at the prison. One reason is gangs.

Corrections officials count 176 confirmed gang members in Montana's secure facilities. That's more than 10 percent of the incarcerated population. Gangs, or "security threat groups" as the department calls them, create a culture of violence. Members bleed to get

*What Mahoney says legislators don't get is that, for him, not calling in extra help and not locking up violent offenders is not an option.*

in, and they bleed more if they want out, Mahoney says.

The two major gangs in Montana State Prison are the Nortenos and Sorenos, West Coast-outfits that have followed the meth trade to Montana. Mahoney says their violence attracts younger offenders, and the often

bloody consequences have rippled throughout the prison.

In one response, Mahoney has converted four cells in the maximum-security block into "hard cells," with special feeding doors so officers can pass inmates trays of food without ever being in direct contact.

Extra gun ports were cut into the doors and back windows so Tasers could be used during violent cell extractions. New light fixtures had to be fabricated when inmates tore down the old ones and used them as battering rams.

Mahoney's typically subdued voice betrays his frustration with the cuts that legislators advanced last week. "Why are we tripping over dollars chasing dimes here, on a deal that could come back to haunt all of us?" he asks.

That's just a small glimpse of Mahoney's world. It's made of cement and steel. It orbits in a universe governed by choices and consequences. Even with 15 years as warden, there is no way for him to explain it in three minutes.

# Regional Roundup



*EDITOR'S NOTE: Items in the roundup are contributed by regional probation and parole staffs.*

## Region 2

Region 2 would like to thank Region 3 for Heather Moore and Region 1 for Candice Anderson! Both officers recently transferred to the Bozeman office. Heather was assigned to the intensive supervision program (ISP) team and Candice to a traditional caseload. It was nice to be able to have two experienced officers transfer in who could and did hit the floor running!

Butte asked for and was given a second officer to deal specifically with offenders having co-occurring problems (chemical dependency and mental illness). Together, Tricia Jory and Jerry Finley have teamed up and, on their own, came up with a group in which offenders can express their problems and receive peer support. Tricia and Jerry facilitate the group and often recruit mental health professionals to come in, at no expense to the state, and give advice or guidance. The officers say the offenders who complete the group often don't want to leave because of the support and security they feel. Great job Tricia & Jerry!

Bud Walsh, Rolland Smathers and Dan Blando were recently recognized and thanked by the director and governor for assisting in the guarding of an offender that was involved in a motor vehicle accident. POII Walsh spent many hours at the hospital with the offender's father, reassuring him that he would be able to visit his son. Bud made this terrible event palatable for the offender as well as family and our officers.

Andy Larson also received an appreciation letter from the governor. Andy works very closely with his offenders and takes the approach of providing guidance and sound advice. His dedication to the offenders he serves is evident by an offender, who flat discharged her sentence and took the time to express appreciation to our state's highest elected official.

These are just examples of the outstanding staff we have in this region. I truly appreciate their dedication and I would like to thank them for all they do!

Helena is just finishing up on its recruitment of its new probation and parole officer, using the new recruitment and selection process, and I think this process will really help us in the hiring decision. Thanks go to Vicki Schiller-Long

in the Department of Corrections Human Resources Bureau and Joe Schopfer from the Department of Administration for introducing this process to community corrections and assisting us.

The region is gearing up to for our second annual regional meeting/shoot. Chuck Juhnke and Art Gonzalez coordinated the first event and we are in the beginning stages of planning for the second. Probation and Parole Bureau Chief Ron Alsbury attended the training and commended Chuck and Art for a job well done. These events are what the region needs to remain proficient in firearms as well as networking. It's a great time had by all!



The new front office for Havre probation and parole

## Region 3

The region has seen the hiring of a new addition to the Havre crew. Katie Kuhr recently started working with the specialized Native American caseload and will be a welcomed addition to the Hi-Line. Kuhr is a Havre native who recently returned following work and schooling in other parts of the state. She is a licensed addictions counselor and joined the Department of Corrections from another state agency. She will be off to the academy and firearms training in May.

Along with a new officer, the Havre office is finally settled into its new headquarters. The Havre staff hosted a very

# Roundup

FROM Page 22

nice open house and welcomed local professionals, partnering agencies and the public to check out the new digs. Scott Brotnov, Debe VandenBoom, Mike Barthel, Janet Haas, Holly Matkin and Kuhr really went out of their way in purchasing snacks, beverages and a cake decorated with the department logo. Your efforts are greatly appreciated !

The Great Falls intensive supervision program (ISP) team has undergone a change with longtime ISP Officer Scott Foster returning to a standard caseload. We appreciate his many years of service to ISP. Replacing Scott is Officer Sonya Mahlum. She decided it was time for a new challenge and we look forward to her presence working with the ISP caseload.

Two of our Great Falls officers recently assisted a local news station in filming of a news series entitled, "The Cost of Crime." ISP Officer Jim Clancy and Probation and Parole Officer Josh Green took reporter Ashley Korslein out in the field for a few hours to film footage for her story on community corrections. At the recently held Region 3 Academy Awards, Officer Clancy received the award for "Best performance of a BA on the Small Screen."

## Region 4

Officer Charlie Martin is regional employee of the quarter. He was recognized for his efforts in supervising an outlying county caseload, as an advocate for his peers in his service as union officer and as a trainer. Martin supervises offenders in Yellowstone, Musselshell and Golden Valley counties. He works closely with the courts and law enforcement in those outlying counties to provide excellent supervision. The District Court judge, county attorneys and sheriffs in those areas have praised his work.

Martin is a firearms instructor for the region and the Probation and Parole Bureau. He and fellow instructors consistently offer excellent training opportunities for staff.

The Billings office would like to acknowledge Paul Hawkins for implementing a late afternoon break of 10-15 minutes for de-stress exercises. An average of 7-10 staffers participate each afternoon and the exercises include some basic yoga poses, martial arts stances, meditation and breathing techniques. The participants agree that the break generates a more relaxed feeling by the end of the work day.

Institutional Probation and Parole Officer Jennie Hansen at Montana Women's Prison (MWP) has played a major role in redefining what re-entry looks like for offenders getting ready for release. She facilitates or co-facilitates the follow-

ing programs at the prison: re-entry program, Making It Work and New Directions. Each of these programs provides skill sets and introductions to resources that inmates may not be aware of leading up to their release from prison to another facility, the community, or even as a flat discharge. The re-entry program is geared towards women who are within three months of discharging their sentence, flat discharge or transfer to another facility. This program assists offenders in locating resources regarding employment, essential necessities for living on one's own, setting goals, a basic introduction to budgeting, housing, probation and parole structure and expectations, parenting, and Social Security and health-care issues.

Making It Work is a skills program that combines cognitive principles and restructuring, anger management, and behavior therapy for success in the workplace. For example, explaining the different taxes that might be withheld from a paycheck or working through different scenarios that the offender may face once working out in the community. This program is offered when the offender is within six months of leaving the prison to a suspended sentence, other facility or flat discharge.

Hansen and Trycinda Russell, MWP correctional officer, co-facilitate MWP's New Directions which was implemented for the first time in August of 2010 and has now completed two sessions. This program is at most basic level the institutional version of Investment in Excellence. It is very similar to a program offered at Montana State Prison. Twenty-six MWP inmates have gone through this program, with 14 having left the prison. Hansen believes this program offers a fresh approach to offenders who will be re-entering the community. It focuses on setting goals, both short and long-term so that offenders can envision their future would look like with success coming one step at a time.

## Region 5

After a 7½-year hiatus, the intensive supervision program (ISP) is up and running in the region. In November 2010, the management team for Region 5 was tasked with re-establishing the ISP. This recognized that the third most populous county in the state (Flathead) had no Department of Corrections programs available for the offenders, other than standard probation and parole. When the officers in the Kalispell office were informed of this, the majority of them threw their names into the hat to be one of the three assigned to the ISP team. After an informal selection process, the officers selected were Blaise Wingert, Cindy Ault and Rick Jones. Three more months of training with the company that handles GPS monitoring of offenders, transferring of caseloads, setting up a community screening



# Dawson gets new warden



Green

Two Montana prisons have changes in the top positions – one temporary and one permanent.

Tom Green, who has been deputy warden at Dawson County Correctional Facility, is the new warden of the regional prison. Tim Wilkinson, who has 30 years of experience in corrections, is acting warden at Crossroads Correctional Center after the departure of Sam Law in March.

Dawson County Sheriff Craig Anderson announced the appointment of Green on April 6. Green, who was deputy warden at the Glendive prison, replaces Steve Ray who left last fall to become superintendent at Pine Hills Youth Correctional Facility in Miles City. Green had been acting warden since Ray left.

A Glendive native, Green began his career in corrections after graduating with a law enforcement degree from Dawson Community College in 1993. He started as a detention officer in the county jail in 1994 and moved to the regional prison when it opened in 1999. During his 18 years at the prison, Green worked his way up from correctional officer, lieutenant and captain.

“Since 1999, Dawson County has been in the prison business and Warden Green has been in the trenches,” Anderson said. “Warden Green is respected by staff and across the state for his professionalism and dedication.”

Green said it is “gratifying to work with the some of the most professional people to be found. I get to work with them every day. Our goal is to be the best correctional facility in Montana and I am committed to that goal.”

At Crossroads, a permanent replacement for Law is expected to be named in May.

Crossroads houses about 530 state inmates and the regional prison in Glendive has 144.

## Investigator Micu retiring after 31 years



Micu

After 31 years in corrections, Mike Micu is retiring from corrections at the end of May.

“It’s been outstanding and I wouldn’t change it at all,” the Department of Corrections investigator says of the career he happened upon by chance in 1980.

A Deer Lodge native, Micu, 50, was twice laid off by the railroad when he decided he would try corrections for a while until the company called him back. It closed its doors and he continued as correctional officer at Montana State Prison. He made lieutenant five years later and captain four years after that.

In 1994, he became an investigator responsible for conducting investigations of wrongdoing within the department and its correctional facilities. He’s had that job since.

The variety is what kept his interest in the profession for more than three decades, Micu says. “You’re not stuck doing the same thing day after day; it always changes.”

He liked the challenge of sorting out evidence and tracking down the truth, staying a step ahead of those who believed they had gotten away with something.

One of the most important events in his career was the 1991 riot. Micu lead the disturbance control team into the maximum-security building that day to begin the process of retaking the structure from the rioting inmates. But he also remembers successful investigations of cases involving staff smuggling contraband into the prison as major achievements.

“I’ve done some good things,” Micu says. “I’ve left it (the investigations operation) in better shape than when I got it. That’s a credit to the staff that works with us.”

And that’s what makes leaving difficult. “It’s the people I will miss most of all,” he says.

Other than getting married in May, Micu has no solid plans for retirement.

“Mike has been the backbone of the investigations program during his tenure at MSP,” says Dale Tunnell, chief of the Investigations Bureau. “He brought about many much-need changes in the investigative process within DOC and has had a very successful career. His name is well-recognized throughout Montana law enforcement as well and he has established himself as a critical contact for DOC with other federal, state and local agencies.”

## National study reports

# MT recidivism for new crimes lowest

Offenders return to prison for new crimes in Montana at the lowest rate in the country, according to a new report on recidivism by the Pew Center on the States.

The report said just 5 percent of Montana offenders released from prison in 2004 returned in the next three years. Nationally, the rate was 22.3 percent. About 37 percent of Montana offenders released that year returned for violations of the conditions imposed on their community placement.

The report said preventing offenders from committing new crimes is just one goal of a correctional system, but it is a crucial one because it measures the ability to prevent future victimization and ensures taxpayer dollars are spent effectively.

Montana's overall recidivism rate of 42 percent was slightly below the national average of 43.3 percent. Minnesota has the highest recidivism rate of 61 percent, while Oregon had the lowest at 27 percent.

The report also noted Montana had one of the country's smallest increases in its recidivism when comparing offenders released in 1999 to those released in 2004. The rate grew just 0.7 percent. Among the 41 states responding to the Pew survey, only New York had a smaller increase.

South Dakota had the largest increase in rates – almost 35 percent – and Oregon had the biggest decrease of nearly 32 percent.

Department of Corrections Director Mike Ferriter said Montana's recidivism numbers contained in the report reflect the good work of prison staff in preparing offenders for release; the impact of prerelease centers, treatment programs and assessment and sanction options; and the efforts of probation and parole officers responsible for supervising offenders once in the communities.



## Kassel

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When her husband, Dave McCarthy, moved to Missoula to work in probation and parole, she joined him and continued her addiction counseling at the regional prison there. She continues to do that work at the facility, since transformed into the Missoula Assessment and Sanction Center (MASC).

Dan Maloughney, MASC administrator and superintendent at the boot camp when Kassel worked there, says her extensive experience is invaluable.

"Her expertise in the area of chemical dependency is unquestionable, as is her understanding of the behaviors of an inmate population," he says. "Having spent the majority of her career working in corrections and providing chemical dependency services

to inmates she has come to be an expert in reading and understanding this population. She has been on the cutting edge of bringing forth innovated ideas to the corrections environment.

"So it was no wonder when developing the MASC program and looking for someone who would bring credibility, years of experience, knowledge and professionalism to the new and innovated MASC program, Mary Helen was the ideal candidate for the position," Maloughney says.

And Kassel's enthusiasm has not waned after so many years.

"I believe in what we do," she says. "I really believe we do the best we can do and do a pretty good job.

"I love this population – it's so interesting. I've worked with moms, dads and grandparents."

She has about 11 men in her counseling group at any time; some stay for just a few weeks and others may be members for several months.

Kassel is among the team that recommends placement of offenders coming through MASC. She recommends prison for those who cannot be placed in a community corrections program. They are the ones with bad attitudes, little motivation to improve and are close-minded about change.

"I've got no problem recommending someone go to prison. Prison isn't the worst thing that can happen to some of our offenders."

Kassel easily explains why she keeps doing what she does as her career closes in on four decades. Not only does she have the chance to impact lives for the better, but she never gets bored. And she remembers that ground-breaking field trip in 1969 and the moans that so rattled her friends.

"There's never a dull moment in corrections," she says. "It's interesting work with interesting people. I have a high tolerance for some pretty weird behavior."

# MSP, MCE employees of quarter

Sgt. Crystal Foster, Chad Garrett and Lena Havron are the employees of the quarter beginning in April at Montana State Prison (MSP) and Montana Correctional Enterprises (MCE).

Foster, honored among the security staff, makes a difficult task look easy. Any task that she is given is completed without mistakes and she has made the working environment a pleasure for her fellow workers. She is highly respected and without her skills, knowledge and ability, the entire team at the prison would suffer.

Foster is assigned to the Work and Re-entry Center. She is expected to wear different hats and perform a variety of duties from security to counseling to management. She handles all very well.

Garrett, a mental health therapist at the prison, is employee of the quarter for support.

On Feb. 10, he went beyond his normal duties in helping staff at the Martz Diagnostic and Intake Unit. During this time, unit staff had extra duties during its peak time of operations, but did not have additional staff. Because of Garrett's actions and initiative, all regular daily and extra duties were completed in a timely manner without sacrificing the safety and security of the unit. This is not the first time Chad has pitched in to help staff. He is very willing to put in that extra effort for the good of the team and helps out wherever needed.

Havron, the Department of Corrections budget analyst for Montana State Prison and other secure custody facilities, is employee of the quarter for management.

Havron's work for the prison goes far beyond just budget work, as she takes an active role in learning what staff at the prison does and how that affects expenditures and overall budget needs. She takes the time and effort to truly learn how daily work tasks impact the budget and what steps the prison could take to make operations more efficient.

During the last six months, Havron spent considerable time putting the prison's legislative budget requests together, preparing testimony for the warden for budget presentations, monitoring status of bills and their impact on the prison budget, as well as testifying on legislative bills as needed.

These are all critical components in the legislative process. On a year-round basis, she continually champions the prison's cause and operational needs with other DOC personnel in the Financial and Administrative Division and the director's office. The issues she addresses range from justifying expenditures needed for smooth and safe operations to filling vacant positions and maintaining employee positions or services.

This behind-the-scenes work and support is invaluable to the warden, deputy warden and the facility as a whole. Havron was instrumental in recent improvements to the inmate banking system that allows inmate families to make online deposits into inmate accounts.

Although the award typically goes to someone working at MSP or MCE, Havron is a member of the prison team regardless of the division where she works.

To receive this honor, an employee must meet specific criteria and be reviewed by a selection committee. The honorees each receive a plaque, a certificate of appreciation, a special parking space during the quarter, have their photograph posted in the lobby area of the administration building and will be automatically eligible for the employee of the year award.



Warden Mike Mahoney and Crystal Foster



Warden Mike Mahoney and Chad Garrett

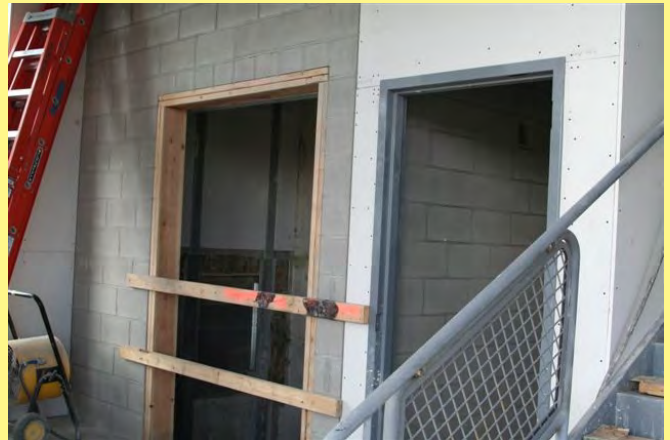


Warden Mike Mahoney and Lena Havron





## WORK CONTINUES ON ROTHE HALL



The two-story building, one of the oldest at Montana State Prison, is undergoing a facelift that includes installation of an elevator. The south wing, which once was the visiting area, is being renovated into classrooms/meeting rooms and an inmate hobby area. The north wing will have staff offices and a conference room. New windows and other energy-saving improvements, including a new boiler, are also being added to the building. The work should be done by July 1. (Photos by Linda Moodry)

## *DOC working on victim notice standard*

The Department of Corrections is working on a far-reaching project to establish a national standard for notifying crime victims of offenders' correctional status.

The initiative, funded by a U.S. Bureau of Justice Assistance grant to the Integrated Justice Information Systems (IJIS) Institute, was proposed a year ago and Montana was asked to participate on the project's committee. The state also may be used as a pilot program for implementing the first use of the national standard.

The federal agency is part of the U.S. Justice Department and IJIS is a nonprofit membership organization dedicated to joining forces with its member companies to unite the private and public sectors for improving mission-critical information sharing.

IJIS members are information technology companies and consultancies that provide solutions to the justice, public safety, and homeland security sectors to help these communities share information.

The committee's work will help states and local jurisdictions establish, expand and promote services offered

through the Statewide Automated Victim Information and Notification (SAVIN) program.

As new and expanded SAVIN programs are developed, the presence of a national notification standard will make it easy for a state or local government to adopt the standard.

The proposed pilot project will help create a preliminary design and will support the exchange of actual offender data.

Among those Montana corrections employees working on the project are John Daugherty, administrator of the Information Technology Division; Anita Pisarsky, Application Development Bureau chief; Kenny Kyler, database administrator; Kelly Churchill, programmer analyst; and Jason Nelson, lead developer; Sally Hilander, victim programs manager; Linda Moodry, victim information specialist at Montana State Prison; and Annamae Siegfried-Derrick, victim information specialist at Montana Women's Prison.

Others involved include the Montana Justice Department; National Criminal Justice Association and the American Probation and Parole Association.



*Compiled by the Association of State  
Correctional Administrators*

## **Arizona**

### ***Performance Incentives Reduced Prison Growth***

Arizona's Safe Communities Act of 2008 created performance incentives for probationers and the state's probation system. Offenders are able to earn time off of their supervision periods by complying with their court-ordered conditions, and probation departments are offered part of the budgetary savings if they reduce revocations to prison.

In the wake of these new policies, and other efforts to implement evidence-based practices, new research by the Arizona Administrative Office of the Courts finds that new felony convictions among probationers fell by 31 percent and revocations to prison fell by 28 percent over the last two years.

It is estimated that the decline in revocations to prison alone has saved the state \$36 million that would have been necessary to house the additional prisoners.

A new brief by the Pew Center on the States' Public Safety Performance Project provides more information on how Arizona's innovative reforms have been able to show early signs of reducing the rate of prison growth while also making communities safer by decreasing crime by probationers.

*The Pew Charitable Trusts*

## **California**

### ***Gov. Proposes Moving State Inmates to Local Jails***

California's new Governor Jerry Brown will propose moving low-level offenders from state prisons to county jails as part of his plan to reduce the state's \$28 billion deficit. Brown has not yet announced the specifics behind his county jail proposal.

In order to reduce overcrowding and improve medical services in the state prison system, a federal court ruled that California must reduce its state prison population by 30,000. The U.S. Supreme Court will rule in early 2011 on whether to uphold the lower federal court's ruling and force the California Department of Corrections and Rehabilitation to decrease its inmate population. The overcrowded conditions have been called "cruel and unusual" and cited

as a driver behind prison riots, inadequate delivery of healthcare to inmates and inmate suicide.

If the court upholds the order, the corrections department might move some inmates to private prison facilities or county jails, or grant them early release, an option unpopular with voters.

California's county jails are also crowded and have been reducing their inmate populations in recent years. Those jails currently house about 74,000 inmates, a 9 percent reduction in the population since the first quarter of 2009.

It is estimated that if Brown transfers 20,000 prisoners to county jails, it would double their sentenced populations and potentially overwhelm the facilities.

## **Kansas**

### ***Governor Brownback Eliminates Parole Board***

Gov. Sam Brownback signed an order Friday abolishing the state Parole Board and moving its responsibilities to the Department of Corrections. He also appointed Raymond Roberts, warden of the El Dorado Correctional Facility, to head the corrections department.

In a move projected to save about \$495,000, a three-person committee of corrections staffers will take over responsibility for making parole decisions for the approximately 500 inmates who remain incarcerated with sentences allowing for the possibility of parole, Brownback said.

The new group will also take over the Parole Board's responsibility to conduct hearings and decide whether to reincarcerate ex-convicts accused of violating conditions of their parole.

Last year, the board conducted 507 parole eligibility hearings and 582 hearings for alleged parole violations, and reviewed 654 cases in which parolees admitted to violations, board member Patricia Biggs said.

Brownback said Friday that the need for parole oversight is dwindling because the state has moved to a system in which new convicts are given exact sentences that are not open to parole review. He said it has not been decided whether the new group, to be called the "Prisoner Review Board," will hold public parole hearings and take testimony from crime victims as part of the process, as the current Parole Board does.

Although the Parole Board was created by state law, Brownback's executive order to do away with it will automatically take effect unless the House or Senate votes to challenge the decision in the next 60 days.

*Dion Lefler  
Wichita Eagle*

## **Massachusetts**

### ***Sentencing Plan Would Save Money***

Facing a crisis from rising prison costs, Gov. Deval L. Patrick is looking to eliminate mandatory minimum sentences for nonviolent drug crimes, which he said could

avert hundreds of millions of dollars in new prison expenses in the next few years.

According to state Department of Correction documents, if the expansion of the state's prison populations from the last 15 years continues, the state will have to invest up to \$800 million in prison construction and spend another \$376 million annually in operations costs over the next eight years. Those projections include an estimated \$100,000 to build each new prison cell, and \$47,000 per year to house each inmate.

Officials say the problems have grown steadily since 'tough on crime laws' passed in the 1980s and 1990s have boosted prison populations. State budget documents for 2012 show prison overcrowding and a lack of funding have reached a crisis. In response to a \$1.5 billion budget deficit next year, Mr. Patrick has indicated that absent any changes in policy to reduce prison populations next year, he will have to close two prisons.

Mandatory minimum sentences of 2 to 15 years for drug crimes were adopted in the 1980s, and a 1989 law required mandatory add-on sentences of 2 to 15 additional years for drug crimes within 1,000 feet of a school or 100 feet from a playground or park. Sentences were also expanded for all crimes in 1994 with adoption of a "truth in sentencing" law, which eliminated the possibility of parole until the minimum term of each criminal sentence is served.

In 2004, the state's prison population was 9,847. It stood at 11,629 in 2010. State officials are projecting further increases with the inmate population reaching 14,753 in 2019 without major sentencing reforms.

*John J. Monahan  
Telegram & Gazette Staff*

## Utah

***Corrections Faces Release of 384 Prisoners, Cutting Staff***  
by 75

Even with a slightly rosier budget picture, the Utah Department of Corrections is bracing to release at least 384 prisoners early and cut about 75 employees. Legislators have released a budget plan that restored many of the previously proposed budget cuts, but Corrections is still facing a \$6.9 million budget cut.

"I'm optimistic that we'll be able to get that cut restored, and have Corrections held whole, but that's how tight the budget really is," said Rep. Eric Hutchings, R-Kearns, chairman of the budget committee that oversees the department. "But we're trying to keep rural courthouses open that have been around since statehood. We've had to balance some pretty tough decisions."

The prison directors would be in charge of identifying which prisoners would be released early. They likely would follow the criteria that the prisoners already had a parole date and have completed rehabilitation programs. The Department of Corrections would then forward its list to the Board of Pardons and Parole, which would ultimately decide who gets released.

"We're just looking at moving forward the release dates of those offenders deemed the least serious and least likely to reoffend," said Jim Hatch, spokesman for the Board of Pardons and Parole.

The last time prisoners were released early because of budget concerns was about eight years ago, Hatch said. He hopes the board would be able to release prisoners in a trickle rather than a flood, but that will depend on what the Legislature mandates.

However, even with a mass early release of prisoners, the prison would be operating at maximum capacity. That means corrections officers would be unable to house members of rival gangs in different areas as easily and wouldn't have the flexibility to move prisoners after a fight or another issue presents itself.

*Sheena McFarland  
The Salt Lake Tribune*

# Future

*FROM Page 13*

ing on in their normal capacity in the agency.

Because these leadership roles at MSP are so critical, it is our intent to use the entire agency – more than 1,300 employees – as our initial talent base. The program will be designed to facilitate participation, whether the employee resides in Glendive, Kalispell or right there in Deer Lodge.

It will be rigorous and challenging and will provide those who have minimum qualifications, express an interest and are selected with an advantage when any of those leadership positions are advertised for recruitment. Neither participation nor successful completion, however, will provide any "guarantee" of promotion.

At present, the plan is to award selection points in future recruitment processes for the positions covered. The training and mentoring involved will be credited to an individual's training record and the person will be awarded management experience cred-

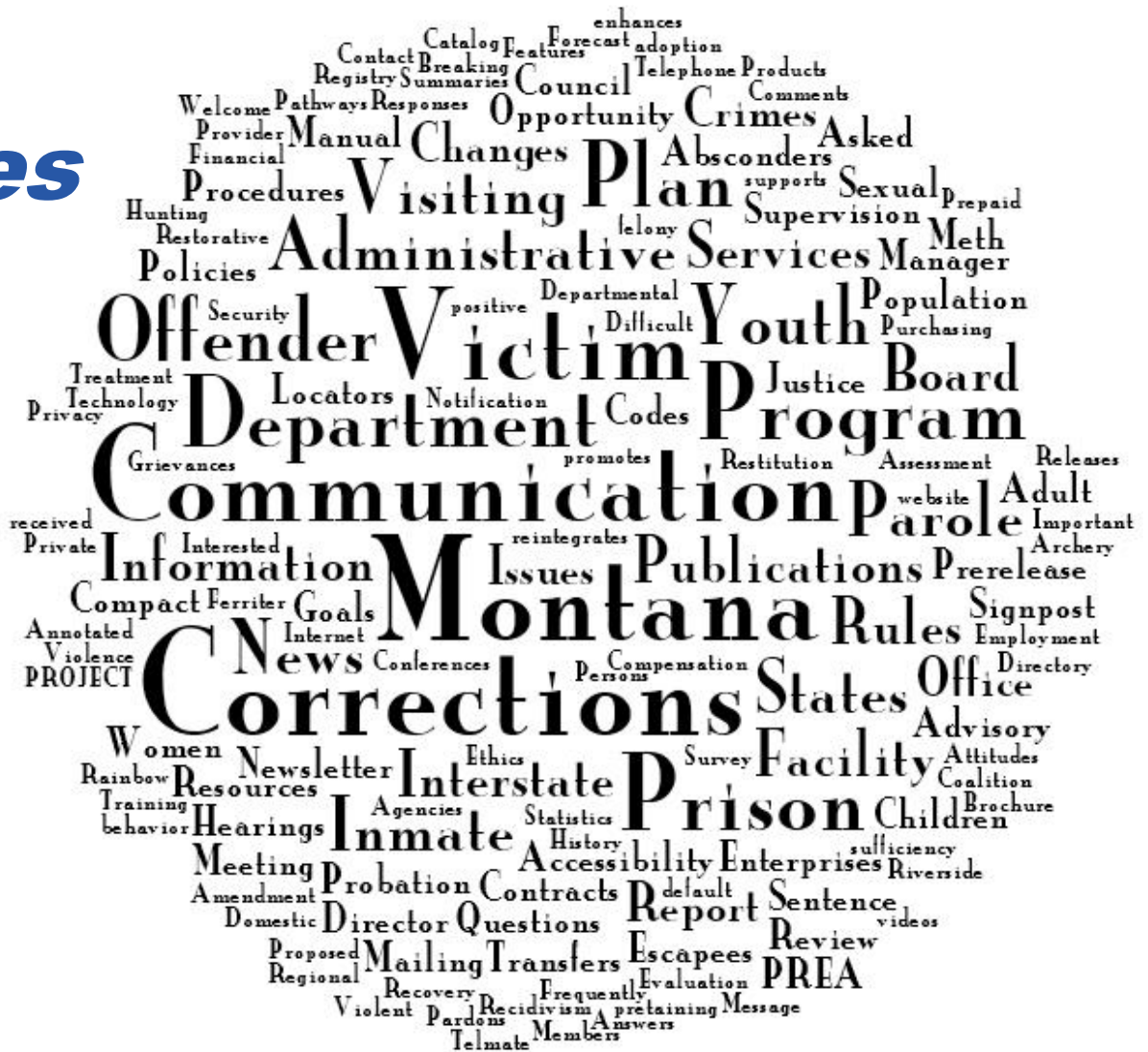
it in future recruitment processes throughout the agency.

Employees should watch for the announcement of an opportunity to participate in this project and are encouraged to step up if they think they are ready. Regardless of what they may hear or suspect, no one is a pre-selected candidate.

This is an opportunity for employees to become part of the future for corrections in Montana, to prepare for crucial leadership roles in this agency that provides a critical service to Montanans in ensuring their public safety.



# The pieces of DOC



Ted Ward, a member of the Professional Development Bureau staff, found an interesting program on the Internet recently. If you insert the address for a website, the program captures words from that site and crafts them into a display by randomly positioning them in a chosen shape.

The design above is an example of what happened when he used the Montana Department of Corrections website.

The most striking part of the experiment is the words that emerged as the most prominent of all. By sheer chance, those bolder, larger words capture some of the essence of what the department is about.

Communication... Victim... Offender... Program... Youth... Inmate... Administrative services... Parole... Changes... Opportunity... Information... Plan.

Communication has long been a key element of the department's philosophy in dealing with the public, victims, employees, offenders, legislators and families. Victims programs are a major portion of department operations and youths warrant our attention with programs and services designed to keep them from embarking on long lives of crime.

Administrative services are a critical piece of the department's support mechanism for the various programs, planning remains a vital tool for dealing with a growing offender population and the parole process is crucial to maintaining a balanced corrections system. Opportunity is what we offer offenders whether in prison or in the community.

But other words, although smaller, should not be ignored.

Look closely and you will see .... Attitudes, ethics, accessibility, goals, employment, training, security, violence, children, newsletter, pathways, behavior, recovery and recidivism.

Taken together, the words crammed into this circle draw a fairly complete picture of the pieces that, when fitted together, form a functioning, effective and efficient corrections department. Each word relies on the others to complete the sphere and make it whole. Each word helps make the department whole as well.

# P&P specialized program working well

A new program aimed at reducing recidivism among Native American offenders and those offenders with addictions and mental health problems appears to be working.

Initial results after the first year of the program show the work of eight specialized probation and parole officers focusing on these populations has resulted in significant declines in revocations among the targeted groups of offenders.

The revocation rate among the specialized Native American caseload since March 2010 was 10.7 percent, compared with 19.4 percent among the Native Americans on standard caseloads throughout the state.

Similarly, the revocation among the specialized caseload of offenders with co-occurring disorders was 8.1 percent, compared with 10.1 percent for the standard co-occurring caseload statewide.

Those declines of 45 percent and 20 percent, respectively, are promising results "right out of the gate," said Ron Alsbury, chief of the Probation and Parole Bureau.

"This grant has enabled us to provide more personalized attention to those with the highest risk of committing crimes," he said. "The result seems to have put us on the road toward a safer Montana and more effective supervision of important offender populations."

The eight officers were hired and trained using a \$925,000 federal grant. The grant, using economic stimulus funds from the U.S. Justice Department, paid for five officers to be stationed in reservation-area communities of Cut Bank, Glasgow, Hardin, Havre and Polson. They developed programs and strategies attuned to the needs of American Indian offenders who have a recidivism rate that is 33 percent higher than non-Indian offenders.

Three new officers were located in Butte, Hamilton and Livingston to deal with the large population of offenders whose problems with mental health and

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# Roundup

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committee and internal office moves occurred until we were ready to go. Finally, on March 10, we had our first offender go onto electronic monitoring. At the same time, we are continuing the day-reporting program that we determined to be a more effective program than the ISP sanction program. Now we need to get the word out to all the other corrections programs and facilities that ISP in Kalispell is a program option for offenders.

During the past three months, the region has welcomed two new officers. In the Libby office, Paula Gill has joined the fine staff we have up there. She comes to us with a wealth of previous experience in law enforcement, investigation and community service. Her skills and knowledge are evident in how she has quickly grasped the functions of community corrections. In Kalispell, we welcome back a former employee, Rae Baker, as the new officer. She worked with us in the early 2000s, then went back to school, worked for a time with other state and county agencies and finally returned home to us in February.

## Region 6

The regional staff gathered in Glendive for pressure point control tactics (PPCT) and building-search training during February. In the morning session, Lavonne Kautzmann, regional PPCT instructor, and Regional Administrator Em-

ery Brelje worked with staff on handcuffing techniques. After adjourning for lunch, the staff spent the afternoon reviewing how to conduct a building search safely. Emery led the group as it practiced using pocket mirrors to see into hard-to-view areas and use of quick peek-and-slice techniques. Overall it was a good training and time well spent.

The quarterly regional meeting was held in Glendive on March 16. All regional staff members were there for a presentation by representatives of the START program. Administrator George Strutzel; Jennifer Tymofichuk, institutional probation and parole officer (IPPO); Marcia Slossen, treatment supervisor; and Daynen Lalicker, mental health provider, presented information about the Anaconda-based program and answered questions. Rick Krantz, WATCH West IPPO, also visited and answered staff questions. Thanks to all of them for making the very long trip to visit with us.

We are still experiencing a very large number of offender requests to transfer to our region. This is largely due to the high-paying jobs in the oilfields. There are an equal number of offenders being given travel permits to our region for employment purposes without transfer. We would like to ask all officers across the state to notify us of any special concerns they have when allowing an offender to travel to the region for work purposes. Offenders, as well as others, moving to communities in this region have found that housing is scarce in most areas and that all transfer requests must be run by Sue Drivdahl, probation and parole supervisor, who will assign them for investigation.

# P&P

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chemical dependency make it difficult for them to succeed in the community. An estimated 42 percent of offenders supervised by the department have such co-occurring disorders.

The Native American caseload totaled 244 during the first year of the program and the caseload of offenders with co-occurring disorders reached 149.

Officer Tricia Jory, who has a caseload of 40 offenders with addictions and mental health needs in Butte, says reasons for the initial results are easy to see. The assessment process used by officers and smaller caseload "gives us time to hear their story and listen to them, instead of just reading off of paper," she said.

Jory says her 13 years of experience in the mental health field also has helped with her caseload.

"I have training on listening and helping them come up with own solutions instead of me telling them what to do," she says.

Jim Anderson, with a caseload of 33 Native American offenders in Glasgow, echoes Jory's experience.

"With a lower caseload, I have the opportunity to get to know the offender, his family, wife and kids," he says. "I get a more in-depth understanding of their personality. If they talk to me, they have a chance."

The early statistics indicate the program is doing a good job of prevention, Anderson adds. "Offenders understand the important of the program succeeding. We help them so they understand how to be good citizens."

Each officer underwent specialized training on how to most effectively manage their caseloads. Emphasis is placed on treatment programs that address root causes rather than prison.

In addition to revocations, the department will use the number of offender evaluations, community referrals, community partnerships and three-year recidivism rates to measure the effectiveness of the program.



# The Training Times



## No mystery in online training

By Curt Swenson  
Professional Development Bureau Chief

As you may have read in the last issue of *Correctional Signpost*, the Professional Development Bureau recently launched a new online learning tool that allows us to utilize, track and host distance learning. The launch of our online training center marks the beginning of a new era for professional development in the Department of Corrections.

While many are excited to move toward technology for professional development needs and training, others are more tentative and have some fears, questions and resistance to learning online.

In this and future issues, the Professional Development Bureau will feature various articles on distance education that will introduce current opportunities, answer common questions and, hopefully, reduce some fears employees may have about online learning. Here are some frequently asked questions and answers to get us started.

**Q: *Why are we using online training?***

A: While the current economic situation has caused us to look at alternatives to traditional classroom learning, it is not the *only* reason to consider distance learning. Certainly, traditional training can be very expensive when you consider costs such as travel, per diem and time away from the office. Online learning allows us to provide education to our staff at their desks without those extra costs. We can also offer courses at any time of day or night without additional staff. The Professional Development Bureau has lost two staff members in the past year with no change in training responsibilities, so we need to get more creative to meet our goals. Additionally, online learning allows staff the opportunity to learn at their own pace, easily make up missed courses, apply what they've learned immediately on the job and have immediate access to training records.

**Q: *Isn't classroom training more effective?***

A: This is an easy one – maybe. The truth is that sometimes classroom training is more effective. When training physical skills, com-

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# *New program seeks consistency in training, evaluation of new officers*

**By Rae Forseth**  
**Professional Development Specialist**

How do you train a new employee? On which topics do they need training? I know that certain jobs require a particular skill, but maybe others have a different view. How do we, as a department, ensure consistency in training and evaluating fresh correctional and probation and parole officers?

With time constraints, budget issues and training requirements, how can an agency ensure the new officers receive the training they need and that the training meshes with policy?

Agencies are using seasoned staff to teach new staff. This process, known in many government programs as a field training officer (FTO) program, is not new; it's been around for quite some time. But it is new to us in corrections because most divisions/facilities have yet to imple-

ment a formal FTO program. This is partly because we weren't sure what we needed.

I recently piloted the first "How to Build an FTO program" presentation at the Montana Women's Prison in Billings. Attendees included staff from the prison, Gallatin County Detention Center, Dawson County Regional Prison, the Billings prerelease center for men, and probation and parole officers.

The main goal of the FTO program is to give participants the skills and knowledge to develop a basic FTO program that can be adapted and implemented for any agency, department or division within a criminal justice setting.

In order to do this, students received 40 hours of training in various areas that would help them in creating a program that worked for their individual agency. Topics included:

- roles and responsibilities of an FTO
- learning styles
- personalities
- professionalism and ethics
- cultural issues
- counseling, coaching and disciplining

Every attendee is now the FTO coordinator for his or her agency and will begin to conduct a task analysis for the positions that will be part of their FTO program as well as assist in the next step, which is developing a class on training the FTOs. The summer course schedule is available through the DOC training calendar.

If any staff members want to be involved in creating and retaining great staff, or want to build an FTO program in their area, contact me at [rforseth@mt.gov](mailto:rforseth@mt.gov) or 444-9819 for upcoming class availability or to schedule this class.

## *Training Schedule*

(For more information, contact Geri Miller: [gerimiller@mt.gov](mailto:gerimiller@mt.gov))

MAY	TIME	COURSE TITLE	SITE LOCATION	COST	HOURS
6	6am-10am	Basic First Aid	MSP-Small Classroom	Free	4
16-20	8am-5pm	Essential Skills for New Supervisors	DOC Training Center	Free	40
23-27	8am-5pm	Staff Supervision-Nuts & Bolts	Classroom in Helena	Free	35



# WOW! Monthly Webinar

Beginning in May, the Professional Development Bureau will offer a monthly webinar series on the second Wednesday of each month. The webinar on Wednesdays, or *WOW!*, will be one-hour sessions conducted during the lunch hour that allow participants to learn about a variety of topics and issues such as communication, leadership, Department of Corrections history and legislative updates. The webinars will be hosted by Professional Development Bureau staff, but will utilize experts in the field to provide valuable insight and information to our staff. While

*WOW!* is intended to replace our old “Lunch & Lead” seminar series, the topics will be much more broad and focused on staff at all levels. Please look for future announcements on details and plan on attending our kick-off event on May 11, 12:30-1:30 p.m. Just be careful not to spill peanut butter on your keyboard!

## Mystery

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munication skills, or anything that requires actual hands-on practice with other people, classroom training is certainly preferred. In those cases, we don't intend to substitute classroom training with online learning. However, recent studies have shown that, while classroom learning is often preferred over online training, online learning is often more effective in ensuring information retention. So, for courses where information transfer is more important, we will be looking at online solutions.

**Q: How can I learn at my desk with all of these distractions?**

**A:** This is probably the most common reason people have a difficult time with online learning. Yes, it is difficult to learn in any environment with lots of distractions. I think that's why my teachers made me sit in the corner so much! So here are some tips when you are taking computer-based courses:

- Schedule the time – Set aside the time you need for the course just like you would a classroom course. Put it on your calendar so others know you are unavailable.
- Hang a sign – put a sign outside your office or cubicle letting others know you're in training and not available. That will keep them from knocking or interrupting you during your training.
- No multi-tasking – Forward your phone, turn off the email, close other programs on your computer. Remember this is time for *your* personal and professional development.

**Q: What kinds of online learning classes are available?**

**A:** There are many types of online courses available from many sources. The Professional Development Bureau offers computer-based training (CBTs), video conferencing, webinars and blended learning (mix of online, self study and live training). Each of these kinds of distance learning offer different advantages/disadvantages to meet different training needs. Give them all a try and see what you think.



## Comings

These lists of new and departing employees are for the period from Jan. 29 through March 25. If you notice errors or omissions, please call the *Signpost* editor at [banez@mt.gov](mailto:banez@mt.gov).

**Central Office**  
Carolyn Blasch  
Dayna Gilman

### Montana State Prison

Randall Ayres  
Kelsey Bahr  
Golda Beaupre  
Sheila Daniel  
Amie Daniels  
Jesse Forster  
Misty Franklin  
Mandie Galindo  
William Haas  
Alisha Hanna  
Brandon Hennelly

Steve Hicks  
James Knudsen  
Steven Mullens  
Heather Ryan  
Everett Sheets  
Briana Stonehocker  
Dawn Woods

### Montana Women's Prison

Kelly Kirwan  
Camille Moore  
Trevor Sherman

### Pine Hills

John Caylor  
Patrick Finan  
Christopher Taylor  
Russell VanDyke

### Probation and Parole

Katerina Kuhr, Havre

## Goings

Jeri Anderson  
Dave Blaz  
Scott Campbell  
Ann Charleboix  
Robert Cirolia  
Sheila Daniel  
Eric Danowski  
Melvin D'Arcy  
Ed Duelfer-R

Terry Durkin  
Tom Forsyth-R  
Amy Gault  
Wes Hardy  
Joelle Johnson  
Linda Kahm  
John Kroll  
Karen Kuchinski  
Amber Masolo

Wilda McGraw-R  
Kimberly McNamara  
Camille Moore  
Brian Noll  
Jacqueline Richter  
Shelley Shellenberger  
Destany Smith  
Spencer Stump  
Leslie Snovelle

Sharon Tuggle  
Denise Wilder  
Cory Williams  
Karen Vaughn  
Terry Young

R=retired

## Bills

FROM Page 2

SB423 – Developed by members of the Senate Judiciary Committee, this repeals the medical marijuana law enacted by voters in 2004 and replaces it with new regulations that severely limit the number of people able to use marijuana for medical purposes. Among its provisions is one that prohibits offenders under supervision or custody of the Department of Corrections from legally using medical marijuana. **The bill passed both houses and is before a joint conference committee to resolve House-Senate differences.**

HB446 – The bill encouraged the Department of Corrections to help offenders leaving correctional programs find stable housing, recognizing that homelessness makes it more difficult for offenders to become and remain law-abiding citizens. The sponsor acknowledged that corrections already do a lot to assist offenders in finding places to live, but that the bill clearly states that such efforts are the policy of the state. **The bill passed the House 51-47 and died in the Senate.**

HB519 – This legislation sought to force Montana Correctional Enterprises to cancel a contract with Rocky Mountain Timber Products to process wood into a specialty product. The bill was introduced at the request a Rocky Mountain competitor, J&R Planing, who claimed the contract provided Rocky Mountain an unfair advantage by giving it access to inexpensive inmate labor. Opponents of the bill warned that it violates the constitutional bans on special legislation designed to benefit one party and on bills that impair contracts. **The House Judiciary Committee killed the bill.**

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