



# North Dakota Department of Corrections and Rehabilitation



2013-2015  
Biennial Report

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**NORTH DAKOTA**  
**Department of Corrections**  
**& Rehabilitation**

**Central Office**

PO Box 1898 • 3100 Railroad Avenue

Bismarck, ND 58502-1898

(701) 328-6390 • Fax (701) 328-6651

TDD 1-800-366-6888 • TTY Voice 1-800-366-6889

Jack Dalrymple, Governor  
Leann K. Bertsch, Director

December 1, 2015

THE HONORABLE JACK DALRYMPLE  
Governor of North Dakota  
Executive Office  
600 East Boulevard, First Floor  
Bismarck, ND 58505-0001

Dear Governor Dalrymple:

I am pleased to submit the Department of Corrections and Rehabilitation 2013-2015 Biennial Report. This report provides a summary of the Department's activities for the biennium and a brief synopsis of our growing and vital role in our criminal justice system.

The Department's mission is to enhance public safety, to reduce the risk of future criminal behavior by holding adult and juvenile offenders accountable, and to provide opportunities for change. The comprehensive services provided by the Department to both youth and adult offenders give them the tools they need to turn their lives around once they are back in our neighborhoods. The department strives to return offenders to our communities better prepared to lead honest productive lives than they entered the system.

This report represents the current status of these efforts. I hope it improves the reader's understanding of that we're doing and why we're doing it and reflects the Department's efforts to keep North Dakota a safe place to live, work, and raise our children.

Sincerely,

A handwritten signature in blue ink that reads "Leann K. Bertsch".

Leann K. Bertsch  
Director

# Agency

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The Department of Corrections and Rehabilitation's mission is to enhance public safety, to reduce the risk of future criminal behavior by holding adult and juvenile offenders accountable, and to provide opportunities for change. North Dakota's corrections system carries out its mission by effectively and efficiently managing offenders by addressing offenders' risks and needs that contribute to their criminality. Comprised of institution and community services, the Department provides a continuum of custody, supervision and correctional programming for adult and juvenile offenders. Recognition of the ultimate release of most offenders makes targeted programming, release preparation and planning, and transitioning key.

Effective corrections is about innovation and a willingness to look beyond what has always been done in an effort to find more effective methods of supervising offenders. The past two fiscal years for the North Dakota Department of Corrections and Rehabilitation were a time of significant advances in programs and services. It was also a time of great challenge as our limited resources were stressed by record numbers of people being sentenced to prison and record numbers of people sentenced to probation.

The staggering growth of the prison population is unsustainable. Having just opened and occupied the 250 plus bed expansion to the North Dakota State Penitentiary in June of 2013, we are already at capacity and will again have to start housing inmates out of system. We have already double-bunked every possible area within the new units. The "build it and they will come" phenomena is unfortunately present in our criminal justice system.

The number of people under parole or probation supervision increased substantially during the biennium. That number increased from 5,729 people on supervision to over 7,000, an increase of 23%. Parole and Probation employed a number of strategies to safely supervise offenders in the community and completed a workload study analysis to identify how officers were spending their time, and to direct their focus onto supervision of high risk offenders.

# Overview

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The Division of Juvenile Services (DJS) is responsible for providing effective treatment services to delinquent youth while balancing the need for public safety. DJS has always emphasized a system of community-based management, where delinquent youth are served in the least restrictive and most appropriate environment available. DJS has been able to maintain one of the lowest recidivism rates in the nation with an average of 14.5%. The youth being served by DJS have changed over the past few years. Data shows that mental health involved youth have penetrated into the corrections system in significant numbers. This increase has prompted DJS to make strategic changes in how the youth in care are managed, as their serious mental health challenges play out daily in their behaviors. The presence of these youth puts enormous strain on the service delivery system.

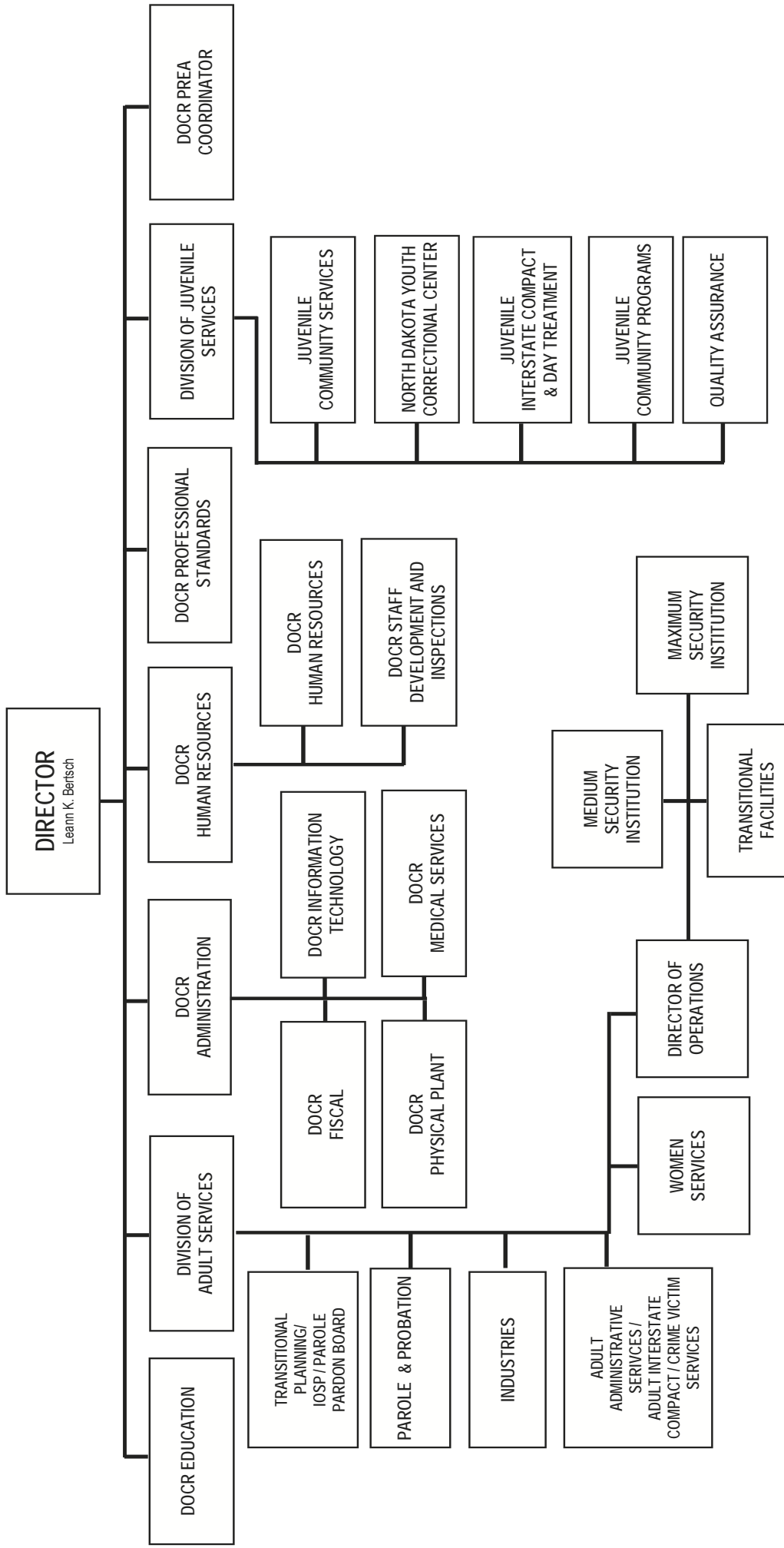
The Department continued its efforts to equip people sentenced to its custody with the tools necessary to succeed upon release. During the 2013-2015 biennium, the Program and Treatment Services division worked diligently to provide evidence-based treatment services to record numbers of people sentenced to prison with significant substance abuse and mental health issues. The Correctional Practices Division continued to train staff in applying the research for effective practices in both community supervision and the institutions. Staff at every level receive advanced training in core correctional practices and behavior modification techniques to facilitate offender change through routine daily interactions. The Education division started a new construction management program at the James River Correctional Center and replaced the welding program at the North Dakota Youth Correctional Center with an agriculture program. ND DOCR Adult Basic Education students working towards their GEDs achieved an 81% pass rate (national average is 66%).

The 2013-2015 biennium was marked by many challenges and accomplishments. The department will be challenged to respond to the record numbers of people coming into our system with ever increasing medical and psychological needs. Limited resources, aging and inadequate facilities, along with high turnover within our correctional officer ranks will add to this challenge.

The hard work and dedication of our Department is apparent in the many accomplishments set forth in this report.

# North Dakota Department of Corrections and Rehabilitation

## DOCR Organizational Chart



Organizational Charts

# Administration

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Central office administration provides a broad array of essential services to the North Dakota Department of Corrections and Rehabilitation. Those essential services are provided through the effective and efficient management of the following functional areas (divisions). Those functional areas (divisions) are what comprise the department's central office administration.

- Financial Services
- Medical Services
- Plant Services
- Information Technology Services

## **Financial Services**

This financial services division serves North Dakota taxpayers and the department by ensuring the accuracy, integrity and timeliness of the department's financial information. Fiscal accountability, compliance with laws and regulations, and sound financial management are the guiding principles of the financial services division.

The clear responsibility of the financial services division is the management of the department's 223 million dollar budget. Other responsibilities include accounting, budgeting, procurement, and grants and contract management. Responsibilities surrounding accounting include the processing of all the department's financial transactions, the maintenance of fixed asset inventory records, the preparation of monthly and year-end financial reports, the processing of payroll, the record keeping of all inmate / resident accounts, and the preparation of inmate / resident payroll. Budgeting includes the preparation of the department's biennial budget request, and the presentation of the budget request to the Governor's Office, the Office of Management and Budget, and the Legislative Assembly. Procurement is responsible for acquiring, in accordance with State law, the goods and services necessary for the operations of the department. Grants and contract management is responsible for the development and oversight of all department contracts and federal grants. The department's 2013-2015 general fund turnback totaled \$3.9 million (2.1% of the general fund appropriation).

## **Medical Services**

The medical services division provides a constitutional standard of health care for adult and juvenile offenders in the care and custody of the DOCR in all four of the DOCR institutions. Services provided include, nursing care, primary care, pharmacy, dental, optometry, and psychiatry. The DOCR pharmacy is a centralized pharmacy dispensing prescriptions to

all four DOCR facilities as well as the Dakota Women's Correctional and Rehabilitation Center and the Burleigh County Jail.

Medical services provide medical evaluations and medical stabilization on all incoming adult male offenders entering the DOCR system. Routine on-going and emergent medical, dental, and psychiatric health care is also provided to all offender housed at DOCR facilities. Many medical emergencies are handled on-site by trained medical staff. Telemedicine clinics for infectious disease, primary care, and psychiatry are hosted and conducted at NDSP between all DOCR adult facilities. JRCC houses the special assistance unit which provides psychiatric and medical care to adult male offenders with mental health or behavioral needs in a correctional therapeutic environment. The medical needs of juveniles under the care and custody of the DOCR are addressed at YCC. Primary and emergent medical and dental care is provided to juveniles in residence.

During the 2013-2015 biennium, chronic care clinics and preventative medicine remain as an emphasis in all DOCR medical facilities. These clinics, which include infectious disease clinic (offering treatment protocols for hepatitis C and HIV), hypertension clinic, diabetic clinic, respiratory clinic, and metabolic clinic (monitoring those offenders receiving treatment with antipsychotic medications) are highly effective measures in monitoring those offenders with chronic medical problems and are conducted by nurses trained in these areas. The immunizations clinics are also highly effective in controlling preventative and infectious diseases such as hepatitis B and influenza. The gardasil, meningococcal, and chickenpox vaccines are also offered at the NDYCC for the students who have not yet completed these highly recommended immunizations.

### **Plant Services**

Plant facilities management is responsible for the design, installation, operation and maintenance of the physical facilities and the equipment used to provide a service.

The Department of Corrections and Rehabilitation (DOCR) is responsible to assure a successful maintenance and building program for facilities requiring a variety of security levels and varying program goals.

The physical plant services provide information and recommendations to respond to the legislative process in determining the potential long-term building needs for the DOCR.

Capital and extraordinary projects are some of the responsibilities of physical plant services, which serves as the liaison between agency director, architects and construction companies.

#### *Facilities and Services:*

The Physical Plant Services exists to provide daily operation and



maintenance at four sites:

- North Dakota State Penitentiary, Bismarck, ND
- James River Correctional Center, Jamestown, ND
- Missouri River Correctional Center, Bismarck, ND
- Youth Correctional Center, Mandan, ND

The four facilities consist of:

- 72 separate buildings varying in age and complexity and range in age from turn of the century (20th) to state of the art construction and operating systems.
- A total of 1,100,000 square feet.
- A total insured value in excess of \$218 million.
- The division is staffed with 25 FTE's assigned to locations based on need and workload. All are tradesmen with individual skills recognized by their trade.

Each of the locations is served by central heating and cooling plants consisting of natural gas fired boilers, mechanical and/or absorption chiller systems and geothermal ground-coupled heating/cooling equipment.

### **Successes:**

Because of the age of buildings and infrastructure, planning for upgrades to existing facilities is one of our primary work activities for the biennium.

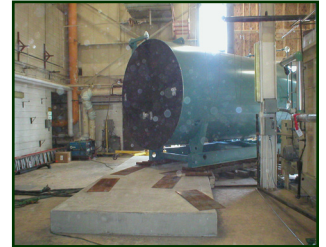
- Each of the four facilities utilizes a 10 year master plan for capital improvements and infrastructure recommendations.
- Improvements are continually being made to the heating and cooling control systems at all four facilities to improve efficiency for energy saving measures.
- The department provides a training program for staff with special emphasis on safety in the workplace.
- Each of the facilities holds weekly safety meetings where work related issues are discussed and accidents and near misses are reviewed.

### **Plant Services Statistics:**

- Completed 13,567 work orders for 2013-2015 biennium.
- Managed a fleet of over 85 automobiles and utility vehicles.
- Plant services staff supervise residents and inmates on daily basis who are employed as a workforce in building maintenance, laundry operations, grounds care, heat plant operations and small construction projects.
  - All plant services work programs are designed to provide meaningful employment, training and supervision.

## Extraordinary Project Completed:

- Youth Correctional Center
  - Road improvement and tunnel cap repair.
- James River Correctional Center
  - ET unit ventilator project completed.
- Missouri River Correctional Center
  - Continued mold remediation in main building.
- North Dakota State Penitentiary
  - Boiler replacement – replaced coal fired boiler with two 500hp high pressure natural gas boilers.
  - North gate replacement.
  - Replaced locks and cylinders in North and South housing units.



## Challenges:

The challenges facing the Department in the future continue to center on aging buildings and equipment. Buildings at the Missouri River Correctional Center and the Youth Correctional Center are in desperate need of replacement. Buildings and infrastructure at the James River Correctional Center are in need of major improvements. 70 and 90 year old buildings are the norm with infrastructure replacement many years beyond normal life cycle expectations.

***There is rule of thumb that says:***

*For every dollar you spend in proper maintenance planning you will save at least five dollars in subsequent expenditures.*

## Information Technology Services

The information technology services division is responsible for the administration and management of the department's large and complex information technology infrastructure. The main focus is to provide the department with the resources to effectively and efficiently access and use information, which is crucial to ensuring public safety. Technology employed by the information technology services division makes it possible for not only the department, but also for state and federal law enforcement agencies to have immediate access to department information which is critical to public safety.

During the 2013-2015 biennium, application development and support continue to remain a primary function of the IT division. The following applications were developed / upgraded and deployed:

- ELITE – DOCR offender management system underwent a major upgrade. The upgrade involved and affected both the adult and juvenile divisions of the department.
- FACTS – Facility audit and compliance tracking system. This application assists managers in gathering and reporting on key metrics used to measure operational effectiveness of DOCR facilities.
- BioGuard System – Biometric system installed at NDSP and is used to manage visitation and account for contractors working within the NDSP secure perimeter.
- HR Inventory System – Application used to account for State property issued to DOCR staff.

In addition to application development and support, the IT division is responsible for an ever growing physical information technology infrastructure. This responsibility spans four correctional facilities and 23 regional offices located throughout the state and consists of not only the deployment of IT equipment but also insuring the equipment remains up to date and operational.



**Department of Corrections and Rehabilitation**  
**Schedule of Expenditures (Unaudited)**  
**For the Biennium Ended June 30, 2015**

<b>DESCRIPTION</b>	<b>AMOUNT</b>
<b>Division of Juvenile Services</b>	
Youth Correctional Center	14,462,240
Community Services	8,171,563
Department Administration - Juvenile	5,993,560
<b>Total Division of Juvenile Services</b>	<b>\$28,627,363</b>
<b>Division of Adult Services</b>	
Division Administration	\$5,237,252
Parole and Probation	18,387,508
Transitional Planning	2,487,371
Maximum Security Facility (NDSP)	32,735,601
Medium Security Facility (JRCC)	24,534,618
Transitional Facilities (MRCC & Contract Facilities)	22,899,197
Treatment and Programming	6,222,156
Education	2,439,858
Women's Services (DWCRC)	9,183,052
Rough Rider Industries (RRI)	19,132,582
Department Administration - Adult	42,499,322
<b>Total Division of Adult Services</b>	<b>\$185,758,516</b>
<b>Total Department of Corrections and Rehabilitation</b>	<b>\$214,385,879</b>
<b>General Funds</b>	<b>\$178,475,785</b>
<b>Federal Funds</b>	<b>\$6,463,673</b>
<b>Special Funds</b>	<b>\$29,446,421</b>

# Human Resources

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The Human Resources (HR) Unit within the North Dakota Department of Corrections and Rehabilitation has had an interesting and always changing two years of implementing significant HR work process changes that affect how HR does business for the Department of Corrections and Rehabilitation. Significant changes have occurred on how DOCR HR Unit fills vacated positions both internally and externally. With over ninety plus assigned job classifications and an FTE count of 814 for the previous biennium of 2013-2015 and 836 FTE's for the 2015-2017 biennium, including close to 115 temporary staff filling positions, DOCR HR was and still is in a constant process of filling and promoting staff into various positions. With other responsibilities such as; enforcing State and Federal personnel regulations; advising managers on personnel matters within the DOCR; recruiting for positions; hiring personnel; processing payroll and benefits; reclassifying positions with Human Resource Management Services and implementing payroll plans for various legislatively approved compensation packages the DOCR HR Unit is vital to the department in accomplishing its mission.

## **Accomplishments:**

Human Resource personnel implemented additional hiring module procedures within PeopleSoft which streamlines the process of signing up newly hired employees or those employees which are promoted internally. The module is called Add-a-Hire and it requires an applicant to prefill certain demographic information electronically from their personal computer once they are offered to fill a position. After the applicant completes their portion of the hire process it sends HR a message electronically advising of the completion. Since applicant information is prefilled prior to the employee starting their first day of work it saves time for the DOCR HR Technician in completing the hire process once the employee starts in the position.

Applicants applying for positions in Recruiting Solutions assist the DOCR HR Unit in recruiting. When applicants apply for various positions it stores the applicant information electronically. HR personnel can review those applicants for other vacated positions that they may be qualified in filling. Recruiting Solutions banks internal and external applicants and allows the ability of HR to review those applicants for filling any future vacated positions.

In July 2013 and 2014 DOCR Human Resource personnel assisted various managers in the disbursement of a 3-5 percent performance pay increase and market component pay increase of one or two percent depending on where the employee was located in their first or second quartile of their pay

range. For those personnel that had work performance disciplinary actions the performance portion of the compensation package was reduced to less than 3 percent. During July 2015 HR completed the process of spreading a 2.1 million dollar targeted equity pay package to those staff working as Correctional Officer Supervisors and Correctional Officers.

DOCR with the help of Human Resource Management Services were on a continual basis aligning and updating job position classification and the minimum qualifications to meet the needs of the DOCR. DOCR HR was instrumental in updating several position classifications scope of duties including developing new classifications with Human Resource Management Services (HRMS). Classifications with their scope of duties updated included: Wardens, Principals, Transitional Facilities Contract Manager, Food Service Operations Manager, and the Systems Mechanic. Classifications that were developed included: Security /Safety Manager, Addiction Technician, Director of Facility Operations, and a Treatment Coordinator responsible for adult offender treatment programs.

The Addiction Technician classification was developed in order to recruit employees in the process of training to become licensed Addiction Counselors. There are less and less individuals entering the field of Addiction Counseling. It is very difficult for the DOCR to find applicants to fill vacant counseling positions. The average age for licensed Addiction Counselors in ND are in the mid-fifties. It was imperative to allow individuals that were not licensed as an addiction counselor to be employed by the department as a trainee to practice in the field. Once the Technician completed their education and licensure requirements they could be reclassified to a licensed addiction classification while still employed with the DOCR.

The DOCR continues with the Advance program which completed its fifth year last March and is currently at the midpoint of its sixth year. Advance is a mentor-mentee staff development program intended to enhance employee professional development and address the growing need to spread organizational knowledge to employees at all levels. The program is “mentee-driven” which allows for mentees developing individualized plans and goals that must be completed by them with the assistance of the mentor guiding the mentee towards the goal completion. Since the Advance Program inception 132 employees have participated in the program and a substantial percentage of the mentees have promoted within the DOCR after participating in Advance. This program encourages learning and knowledge sharing and is one program that helps the DOCR in its succession planning as tenured staff retire.



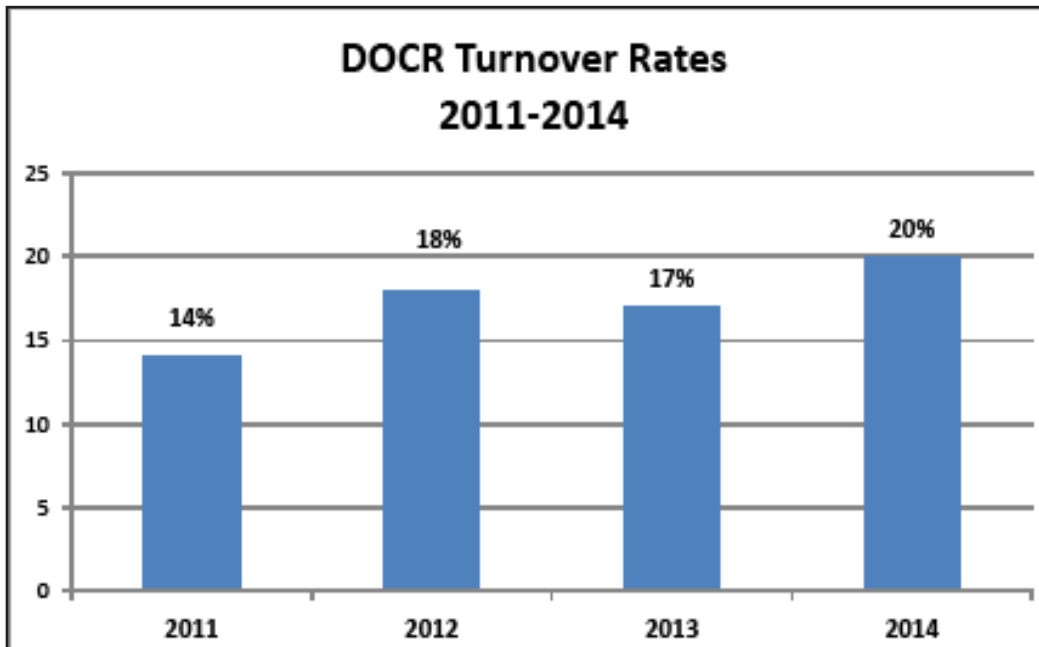
The Prison Rape Elimination Act (PREA) has required specific changes to the DOCR hiring and internal employee promotion practices and DOCR hiring policy updates were completed to comply with those standards. Applicants are required to answer specific questions relating to any possible

inappropriate sexual activity or harassment on others. If a newly hired employee had previous work experience in a correctional facility other than with the DOCR a letter is sent to that employer inquiring if any substantiated allegation of sexual misconduct was committed by the employee while an employee for the correctional facility.

In the summer of 2015 PREA audits were conducted on the James River Correctional Center and the North Dakota State Penitentiary. Auditors analyzed hiring practices for both facilities. Audit finding ranked the facilities as meeting standards to exceeding standards.

Filling vacant positions with the DOCR is a continual task for DOCR HR personnel. Classifications with the highest turnover rates are with our largest classification; Correctional Officers and Juvenile Institutional Residence Specialist within the Youth Correctional Center-Division of Juvenile Services. In a study completed by HRMS for the 64th Legislative Session in year 2014 turnover rates for the Correctional Officer was close if not over 40%. For the Juvenile Institutional Residence Specialist classification turnover rates were very similar. At this point in year 2015 turnover rates for the DOCR are trending higher.

The following graph illustrates turnover rates for years 2013 - 2014 within the DOCR and encompasses all employee positions.



The DOCR continues with Oil Impact differential payments to personnel working in the Oil Impacted areas. Human Resources makes application for funding through the State Agency Energy Development Impact Fund Pool based on guidelines developed by the Office of Management and Budget (OMB). The application is sent to OMB with final approval by the Emergency Commission. The DOCR has close to thirty-two personnel that receive some type of rental or oil patch differential pay assistance on a monthly basis to assist with alleviating the costs of living in those areas.

The DOCR continues to prepare personnel for promotional positions and

as part of the DOCR succession planning. A three day tiered training curriculum for DOCR mid-level managers has been developed by Training and HR personnel within the DOCR. The training curriculum consists of courses on personnel laws such as FLSA, FMLA and ADA, employee disciplinary process, leadership development plans, employee engagement and sections of the Prison Rape Elimination Act which has affected the way correctional facilities throughout the country do business.

### **Trends:**

State agencies are in a continual process of hiring personnel and have a tendency to compete against each other for applicants to fill vacant positions. It will be important in the future that ND State Agencies collaborate together to share staff to serve the needs of the clients they serve. Position classifications such as personnel working in fields dealing with the mental, chemical addiction and medical health are particularly hard to fill and recruiting efforts will need to expand to other regions of the country.

### **Human Resource and Staff Development Goals for the Future:**

*Recruiting Solutions:* US Labor Department information has advised talent gaps are emerging. These gaps will be increasing over the next several years. There will be fewer workers to fill positions throughout the US. The current labor market is very competitive for external applicants and the DOCR will need to find different ways of recruiting. When placing external posting on the job seekers website with HRMS, DOCR HR personnel have made recommendations to HRMS to link those external posting to several other types of social media websites such as LinkedIn, Facebook, and Twitter. At the present time a Facebook account for the DOCR is being developed and will be administered by designated HR personnel. Information on job vacancies and other topics will be posted on the website to enhance recruiting efforts. Social media websites are an effective and influential way in conveying a department's reputation and mission.

*Continuing Education:* Continue to develop and promote the Advance Program to increase skill levels of employees for higher levels of responsibility by matching mentees with tenured mentors. Enhance the manager level training curriculums for staff to increase their skill level and knowledge in preparation for further promotional opportunities into positions with additional responsibility. Encourage staff to obtain higher education levels and ask for assistance by applying for college tuition reimbursement as dictated by DOCR policy.

*Automated Time and Labor Reporting:* DOCR Business Office and HR personnel have been working with ITD on implementing an automated time and labor module which will replace the hardcopy time sheets. Hopefully, staff will be able to sign in via access through their desk top computer. All calculations of pay and overtime for the employee would be calculated electronically thus saving staff time in auditing time sheets and calculating overtime or other types of compensation. It would make the whole process



of monitoring compensation and calculating time employees work much more efficient.

*Physical Fitness Testing:* In 2015 DOCR employees working in position classifications with the responsibility of working with offenders or juveniles will have mandatory physical fitness testing. Staff will be tested on the essential physical standards of their specific position as developed by Sanford Occupational health. The testing will occur annually and will be administered by DOCR Training Officers. Those position classifications which will be tested are: Correctional Officers, Parole Officers, Security Officers and Juvenile Institutional Residence Specialist.

*Compensation Pay Compression of Employees:* Continue to address pay compression in the pay ranges for DOCR personnel. Increase the entry level wages in 2016 for those personnel working in the Correctional Officer classification to compete with entry level salaries offered by Regional/ County Jails.

# Staff Development & Facility Inspections

- Design of training programs and systems
- Analysis of training programs and systems
- Provide pre-service training to all DOCR staff
- Provide in-service training to all DOCR staff
- Provide staff instructors to ND Law Enforcement Training Academy Peace Officer Training Program
- Serve as State PREA (Prison Rape Elimination Act) Coordinator
- Provide pre-service and in-service training of North Dakota State Hospital (NDSH) Secure Services Staff
- Inspection of facilities
- Provide technical assistance to county correctional facilities
- Training of all county correctional staff
- Provide security audits in state and county facilities
- Provide Risk Management assessments
- Provide compliance monitoring of federally mandated programs in state, county and city facilities
- Achieved full PREA compliance

The Staff Development and Facility Inspections division is concerned with preparing staff for duty, providing staff with pertinent in-service training, and providing our state's county correctional facilities inspections services. It involves the research, design, presentation, and evaluation of training programs to provide a safe and secure environment for staff and those we serve. The Department of Corrections and Rehabilitation (DOCR) is responsible to assure that all county facilities in our state are staffed with properly trained staff and are managed and operated in compliance with state and federal laws and guidelines.

The division strives to continually improve services and add value to all staff through effective evidence based training techniques.

The division provides information and recommendations to respond to the legislative process in determining the potential future and long-term training and inspection needs of the DOCR.

The division provides technical assistance to county facilities in order to achieve compliance and has enforcement authority to assure a safe and secure environment for those incarcerated in county facilities

The Staff Development and Facilities Inspections division exists to provide daily training and inspection services to staff at the following sites:

- North Dakota State Penitentiary, Bismarck, ND
- James River Correctional Center, Jamestown, ND
- Missouri River Correctional Center, Bismarck, ND
- Youth Correctional Center, Mandan ND
- Eight (8) regional Division of Juvenile Services Offices statewide
- 16 regional Probation and Parole Offices statewide
- 34 county operated Adult and Juvenile Correctional Facilities
- 100 city, county and state non-secure law enforcement agencies

The training needs of the state and county facilities staff served by the department include:

- Provide 40 hours of orientation training to all DOCR staff.
- Provide 120 hours of pre-service training to all county corrections and juvenile detention staff.
- Provide 56-160 hours of pre-service training to all DOCR institutional staff.
- Provide 16-75 hours of annual in-service training to all DOCR staff.

- Provide specialized training to all county, state correctional, and law enforcement agencies throughout our state.

The division accomplishes its goals through the efforts of four full-time training officers. These training officers coordinate the schedules of over 100 practitioner instructors across all departments in the division.

During the 2013-15 biennium the division has:

- Provided initial training to 188 new DOCR staff and 179 county jail employees.
- Provided 4,146 classroom based training sessions for DOCR staff.
- Utilized 3,317 man hours of instructor time to deliver those training sessions.
- Increased the number of web based training classes offered by 200%.
- Provided 3,784 classroom hours of training.
- Provided 240 classroom hours of training for NDSH Secure Services staff.

### **County Facilities and Inspections:**

The DOCR awarded full compliance to 32 of 34 county adult and juvenile correctional facilities in North Dakota. There are currently two facilities under non-compliance orders. These facilities are being monitored on a weekly or daily basis with one facility having a monitor in place due to non-compliance. Nearly all county correctional facilities in North Dakota are near or at capacity. The DOCR encourages Sheriff's and Administrators to consider alternatives to incarceration in order to manage inmate populations in order to avoid possible DOCR sanctions for exceeding rated capacity. The DOCR inspections unit has responded to 11 major incidents in the 2013-2015 biennium. These incidents include in custody death, escapes, and escape attempts. Correctional facilities in North Dakota are defined by North Dakota Century as in the following manner.

Currently there are 34 state, multi-county, county or city operated secure correctional facilities in North Dakota. Correctional facilities in North Dakota are classified as:

- Grade one.
- Grade two.
- Grade three
- Grade four.
- Juvenile Detention Centers.

A grade one facility may hold an adult inmate sentenced or presentenced for not more than one year.

- There are 15 grade one facilities in North Dakota.

A grade two facility may hold an adult inmate sentenced or presentenced for not more than 90 days.

- There are eight grade two facilities in North Dakota.

A grade three facility may hold an adult inmate, sentence or presentenced for not more than 96 hours. There are currently no grade three facilities operating in North Dakota at this time. This is due to the creation of a grade four facility by the Sixty-third Legislative Assembly.

A grade four facility may hold an adult arrestee for not more than eight hours. These non-residential facilities are defined as court holding and police lockup facilities. These facilities are designed for the processing of arrestees prior to transfer to a grade one or two facility or temporary holding during court proceedings. There are seven grade four facilities in North Dakota.

A juvenile detention center is a publicly maintained correctional facility for the detention of juveniles. The term does not include the North Dakota Youth Correctional Center. However, local detention services are provided by the Youth Correctional Center and the facility is inspected annually by the DOCR and the US Marshal Service for compliance. Currently there are four juvenile detention centers in North Dakota including the detention portion of the Youth Correctional Center. Juvenile detention centers are subject to all adult correctional facility rules. In addition, rules specifically designed for the supervision of youth in a correctional setting are in place. These rules include more frequent staff observations, more required telephone calls at time of detention, authorization for school work to be bought in for detained youth and a physical setting designed not to look like a correctional setting.

#### Total overnight bed capacity

- Grade one - 1,569 beds.
- Grade two - 105 beds.
- Grade three - 0 beds as there are no grade three facilities
- Grade four - No overnight capacity.
- Total adult bed space available statewide - 1,674
- Juvenile Detention Centers - 55 beds

Correctional facilities in North Dakota are experiencing increased populations and many are operating at or near capacity. Some Sheriff's and Administrators have developed alternatives to reduce this increased population. By utilizing electronic monitoring, diversion programs and alternative housing many Sheriff's and Administrators have successfully dealt with this reality. Currently plans are in place to add correctional bed space in Burleigh, Williams, McKenzie, Mountrail, Ward and Mercer Counties.

#### **PREA**

In the 2013-2015 biennium, the DOCR achieved full compliance with the requirements of the Prison Rape Elimination Act of 2003 (PREA). Since being signed into law in 2003 the DOCR has prepared to be compliant

with the law. The final rules were release in 2012 and the first round of audits began August 2013. Each facility must be audited every three years by a Department of Justice Certified Auditor and all audits of the first round must be completed by August 20, 2016. The DOCR facilities, Youth Correctional Center (YCC) and the Missouri River Correctional Center (MRCC) completed PREA Audits in July 2014 and are in full compliance with the act. The North Dakota State Penitentiary (NDSP) and the James River Correctional Center (JRCC) were audited in July 2015. All DOCR facilities are in full compliance with the PREA within the first two years of the three year cycle. Copies of the PREA audits for the MRCC, YCC, JRCC and NDSP are available on the DOCR website. In addition Dakota Women's Correctional and Rehabilitation Center (DWCRC) and Tompkins Rehabilitation and Corrections Center (TRCC) are fully compliant with PREA as well. This means that all North Dakota facilities under the Governor's certification to the Department of Justice have been audited and are in compliance with the PREA. North Dakota is among the very first states to be in full compliance with the act.

While the DOCR has experienced very few substantiated PREA allegations every allegation is thoroughly investigated and appropriate follow-up is provided. The DOCR is committed to a policy of zero tolerance toward all forms of sexual abuse and sexual harassment on inmates and youth by other inmates, youth, staff contractors or volunteers.

#### **Successes:**

The Staff Development and Facility Inspections division initiated an assessment and feedback system. The division uses an online survey service to obtain feedback on the content and quality of the classes offered, as well as the knowledge, skills and abilities of the instructors.

In addition to the direct feedback on the classes and instructors the division implemented an annual customer service survey, with the purpose of discovering if we are providing the services our stakeholders' value and in a manner that promotes positive working relationships.

The division has been working to improve the overall efficiency and effectiveness of the training delivered. We have been able to achieve a 200% increase in the number of web-based, training-on-demand type classes. These classes allow our staff to access training as their schedule allows either from their work environment or via the internet from any location.

We have successfully launched a training model that integrates web-based, classroom, and experiential simulation-based training. This model has been specifically targeted for training staff working our high risk/high liability posts.

We have consolidated the core curriculum for the Correctional Officer Basic Training and have implemented this core across the adult institutions.

## **Concerns and Issues:**

The division continues to strive to meet stakeholder needs and has identified numerous areas that would benefit from improvement.

The division is working to review and refine the current curriculum. We have identified a need to provide additional training to the practitioner instructors to accommodate the necessary reviews. All instructors are currently employed in full-time positions across the ND DOCR and would need to be taken away from their primary duties in order to instruct and conduct topic research and reviews.

Implementation of the combined core curriculum requires oversight to ensure consistency in presentations and fidelity of the overall training program. The division currently has only four full-time training officers whose primary responsibility is the oversight of the training program for one particular area. Providing effective oversight to the overall training program would require a full-time staff member dedicated to that endeavor. Ensuring fidelity of the training program could be made simpler by instituting a single Corrections Academy for the state.

The division has identified the need to develop and implement supervisory/ leadership training, as well as several job-specific training courses. We are finding it a difficult challenge to complete the research and development for these programs with limited staff resources.

# Juvenile Services

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## Operational Overview

The Division of Juvenile Services (DJS) provides intensive case management for youth committed to the agency's care, custody and control. Juvenile Courts operating within the District Courts are able to transfer custody to DJS as a disposition option for delinquent youth. Once committed, youth undergo a thorough assessment process in order for the agency to make informed decisions related to services and placement.

Each youth under agency custody is assigned a Juvenile Corrections Specialist (JCS). The JCS supervises the case and works to further the goals of the treatment plan. The JCS develops a community placement agreement for youth who remain in their home or arranges for a suitable out-of-home placement somewhere along the continuum of care. The continuum of care includes foster homes, treatment foster care, residential care, psychiatric residential care, psychiatric hospitalization, and inpatient substance abuse and dependency treatment.

DJS also supports Day Treatment programs and Intensive In-Home Therapy, intervention services for youth that may not be under the agency's custody. Together with the juvenile court, funding is provided for Intensive In-Home family based therapy. Intensive In-Home Services uses high quality professionals to provide family-based services that will strengthen the family unit and promote self-sufficiency. The program has been viewed positively by families and has a high success ratio based on the prevention of out-of-home placements and/or further involvement with the juvenile justice system.

Day Treatment Programs are co-funded with local school districts. Day Treatment Programming provides school-based treatment for students who are at-risk of out-of-home placement or more restrictive placement because of their behaviors. The program provides assessment, counseling, anger management, social skills training, behavior management, and academic remediation. These programs provide needed services that prevent youth from entering or further penetrating the juvenile justice system, or on the "back side" as youth re-enter their home communities following an out-of-home placement.

The state juvenile correctional facility, the North Dakota Youth Correctional Center (YCC), is part of the DJS. YCC provides rehabilitative and educational programming in a secure setting for youth under DJS custody as well as

Data shows that at commitment, 71% of youth minimize their consequences and 77% blame others or the situation.

youth placed by the Federal Bureau of Prisons (BOP) or tribal court. It also serves as the local detention facility for pre-adjudicated youth. Over the course of their treatment, youth may require the use of a number of programs in multiple levels of care. DJS operates under the philosophy that services should be provided in the least restrictive environment consistent with the practice of assuring safety of society and the well being of the youth.

In addition and by statute, DJS manages the Interstate Compact for Juveniles (ICJ). The ICJ is a federal act which establishes the procedures for cooperative supervision of juveniles on probation and parole between the 50 states and several US territories. DJS is responsible for training, requests, legal documents and interpretation of the rules and regulations in accordance with the ICJ.

**1,723 Youth Supported**

<b>AGENCY CUSTODIAL SERVICES</b>  Committed Youth = 474	<b>NON-CUSTODIAL SERVICES (YCC)</b>  Detention Placements = 191 BOP/Tribal Placements = 14	<b>COMMUNITY THERAPEUTIC SERVICES</b>  Day Treatment = 271 Intensive In-Home = 173* *651 family members	<b>INTERSTATE COMPACT</b>  Compact = 600
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*DJS has been able to maintain one of the lowest recidivism rates in the nation with an average of 14.5%.*

**Juvenile Corrections Practice**

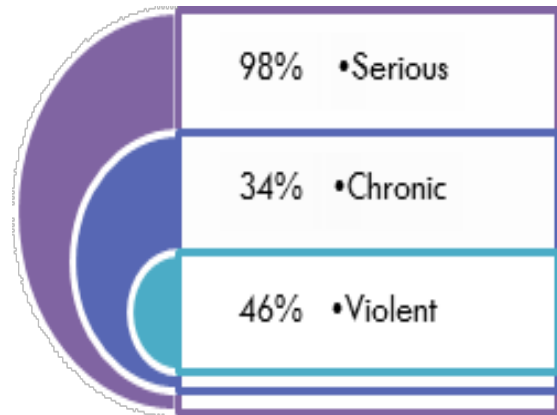
Even just a few years ago, there was little in the way of research that pointed to effective strategies, practices and programs for delinquent youth. As the research unfolds, it supports all of the practices that North Dakota has funded, both in terms of the structure of the service delivery system and in the specific programs delivered. Prominent in the research is evidence that long stays in institutions do not decrease recidivism. Furthermore, community-based supervision is as effective as incarceration for youth who have committed serious offenses. The DJS has always emphasized a system of community-based case management, where delinquent youth are served in the least restrictive and most appropriate environment available. Effective case management is based on a comprehensive case plan, and case planning depends on thorough assessment.

Youth committed to the DJS undergo a 14-21 day assessment period at the youth assessment center, located on the YCC campus. The Assessment Center provides a centralized point for processing, evaluation, and case plan development. The outcome of the assessment process is a comprehensive treatment plan that best links the juvenile to services and interventions that will provide them the treatment, skills and competencies to live a crime-free life. The assessment period concludes with a staffing to discuss the assessment findings and present the Treatment and Rehabilitation Plan. Families, the case manager, and Assessment Center staff attend the staffing.



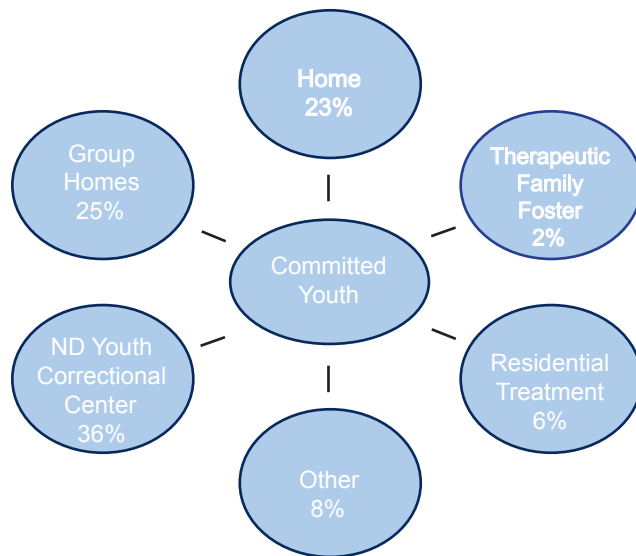
This plan is submitted to the committing court and a progress report follows every 90 days. The development of the plan takes into account the principle of responsivity, referring to the fact that youth respond differently to different treatments. Since the wrong treatment could exacerbate a problem, careful matching of youth to specific treatment services is a paramount consideration.

During the assessment process, DJS uses an automated risk and needs assessment tool established specifically for juvenile offenders. It is designed to take advantage of recent research on factors most strongly linked to juvenile delinquent behavior. The tool creates a typology for each youth that is linked to specific responsivity and matching of interventions to measured risk and need. Typology data indicates that the majority of youth under DJS custody could be categorized as serious delinquent offenders based on



their risk and needs assessment. More than one third of those youth are chronic offenders, meaning that if left unsupervised they would continue to commit crime. In addition, almost half are considered at risk of being violent. This emphasizes the importance of matching youth to specific treatment interventions that research has shown to be effective.

Case management services operate through eight regional offices across the state. The Juvenile Corrections Specialist (JCS) works collaboratively with the local juvenile court, county social services, law enforcement, private human service agencies and schools to provide individualized rehabilitative programming for youth. In order to individualize support the individualized treatment plans developed during Assessment, it is critical that staff have a range of placement services from which to choose.



Much of the youth profile data has remained fairly constant over the past two years. However, data shows that mental health involved youth have penetrated into the corrections system in significant numbers. This increase has prompted DJS to make strategic changes in how the youth in care are managed, as their serious mental health challenges play out daily in their behaviors.

It is important to frame this discussion in terms of the national conversation, as the over-representation of youth with mental health disorders has reached epidemic proportions in other state's corrections systems as well. Approximately 70% of juvenile justice youth nationally meet the criteria for at least one mental health disorder. Evidence suggests that 27% of juvenile justice youth nationally have a serious mental health disorder, and more than half meet the criteria for at least two diagnoses. Rates of mental health disorders amongst youth in the juvenile justice system are three times higher than that of the general youth population.

In the North Dakota population, like the population of juvenile justice youth in other states, youth are most commonly diagnosed with disruptive, impulse control, and conduct disorders. Secondly, they have substance abuse and addictive disorders. Many have trauma and stress-related disorders, and are anxious and depressed. There is a growing group of youth who are beginning to exhibit schizophrenia spectrum and other psychotic disorders, as well as neurodevelopmental disorders.

In addition to all of the normal problems of adolescence (the lack of impulse control, poor judgment and decision making), these youth have significant behavioral health problems that stem directly from their very poor mental health. When they arrive, they are explosive, assaultive, and demonstrate very poor self management. Often, these youth have experienced multiple traumatic events, significant child neglect and abuse, and have elevated levels of suicidal thoughts coupled with significant histories of suicide attempts.

The presence of these youth puts enormous strain on the service delivery system. DJS has concentrated on training staff in adolescent development and mental health issues, as well as strategies for intervening with youth who have significant mental and behavioral health challenges.

Two specific interventions for youth who have experienced significant trauma are utilized for the population placed at the YCC, Trauma-Focused Cognitive Behavioral Therapy (TF-CBT) and Structured Psychotherapy for Adolescents Responding to Chronic Stress (SPARCS). TF-CBT is an evidence-based treatment for adolescents impacted by trauma. Research shows that TF-CBT successfully resolves a broad array of emotional and behavioral difficulties associated with single, multiple and complex trauma experiences. In addition to this model designed for individual youth, a group based model of trauma therapy is also in use.

SPARCS is a group intervention that was specifically designed to address the needs of chronically traumatized adolescents who may still be living with ongoing stress and are experiencing problems in several areas of functioning. These areas include difficulties with affect regulation and impulsivity, self-perception, relationships, somatization, dissociation, numbing and avoidance, and struggles with their own purpose and meaning in life as well as worldviews that make it difficult for them to see a future for themselves. Overall goals of the program are to help youth cope more

effectively in the moment, enhance self-efficacy, connect with others and establish supportive relationships, cultivate awareness, and create meaning. DJS also partnered with the Department of Human Services to expand our psychology services at YCC.

In addition to specific training related to working with youth mental and behavioral health, DJS trains its entire staff to deliver Equip, a cognitive restructuring program that teaches youth to think and act responsibly through a peer-helping approach. All DJS staff are trained to employ Effective Communication/Motivational Strategies (ECMS). ECMS is based in Motivational Interviewing, a strategy that allows staff to be attuned to youth ambivalence and level of readiness for change. Motivational Interviewing is an evidence based intervention. 80% of youth who participate in cognitive restructuring show an increase in their cognitive reasoning after the program. The DJS uses ECMS and Equip to address youth behaviors, attitudes and social skill challenges. At YCC, The Mandt System provides the foundation for the YCC's behavioral management program. Based on over 20 years of research, the Mandt System is a comprehensive, integrated approach to incident prevention and behavioral de-escalation. Mandt teaches the core values of dignity and respect, and allows YCC to manage youth behavior based on those values.

YCC also houses other group and individual interventions that are grounded in research. A licensed outpatient addiction program delivers traditional evaluation and group-based treatment, and YCC offers CBISA as well. "CBISA" is the acronym for Cognitive-Behavioral Intervention for Substance Abuse. Cognitive behavioral interventions are widely regarded as amongst the most effective for justice involved youth. Other interventions employed at YCC include Victim Impact (a group based on restorative justice principles and practices), Pre-Treatment for youth with sexual misconduct, Grief and Loss group, and the Special Management Program for youth with especially complex behaviors.

YCC houses youth in four cottages. Each cottage is staffed with a cottage director and a team of youth counselors who are responsible for the activities, programming and behavioral management. After Assessment, some youth move into a placement status at YCC. These youth typically require considerable programming in order to sufficiently develop the behavioral controls necessary for them to be released to a lesser level of care. Some youth are placed into a less structured residential placement, or even to the home of their family or a relative following Assessment.

YCC also offers "time-out", which provides a brief period of time for youth to regroup and recommit themselves to their treatment goals. This is for those youth who are in the community or a residential setting and their behavior has deteriorated to the degree that their placement is jeopardized.

As YCC also serves as a licensed juvenile detention facility for surrounding counties, youth can be placed at the facility by law enforcement or the courts to be held in detention on a pre-adjudicatory basis. These youth are housed separately from the general correctional population.

A central focus of activity at YCC is educational programming. The elementary, middle and high school is approved and accredited by the ND Department of Public Instruction. In addition, the school has earned the highest level of accreditation recognized by the North Central Association Commission on Accreditation and School Improvement. Educational staff work with many local school districts to gather the necessary information for student school admission. Schedules are designed for each student utilizing transcripts from all the schools the youth has attended, in addition to an academic battery of tests given to students at intake. Scheduling options include: Regular Education Required Courses; Elective Courses (including STEM and STEMLAH classes); Special Education; Career and Technical Education; General Education Development (GED); Credit Recovery Curriculum and Instruction; Career Development Courses; and Work Experience.

### **Quality Assurance**

The internal goals of the Division of Juvenile Services are to reduce the risks posed by delinquent and troubled youth: criminogenic risk to the community and risk of harm to self, and to effect the development of skills that steer youth towards a productive and successful transition to adulthood. There are external goals as well. As a part of the overall juvenile justice system in North Dakota, the DJS shares these collaborative goals with other agencies of state and local government, working closely with the juvenile courts, child welfare, and schools to identify and target relevant issues, provide appropriate services, and build the capacity for youth to succeed. Risk reduction services are provided across the juvenile justice system, balancing the principles of least restrictive, most appropriate placement with the need to ensure public safety. DJS works to monitor the achievement of these performance goals by using data collection and analysis, positive youth outcome as well as recidivism analysis, and internal and external performance auditing.

The community case management system works in collaboration with the state foster care system. Case management activities undergo random case file audits, under the Children and Family Service Review process outlined under federal child welfare regulation. These audits are completed by teams of external auditors, and are conducted annual in each of the eight service regions. Audits are organized under the general topic areas of safety, permanency and well-being, with dozens of indicators for each heading being measured.

In addition, the community case management system completes annual internal audits that include file review, interviews with families and youth, and interviews with system stakeholders. These audits examine quantitative data for policy and standards compliance, as well providing a qualitative analyses that includes quality of relationships and perceptions of youth, families and stakeholders.

The YCC utilizes a system called Performance-based Standards (PbS) to measure outcomes and provide a basis for continuous quality improvement and planning. This system not only gathers critical outcome data for assessment, detention and the long-term care program, but it also allows the YCC to compare itself to other state youth corrections facilities across the country. Using PbS, YCC develops facility improvement plans that modify traditional correctional practices to better accommodate the increasing numbers of youth with serious and multiple mental health and behavioral health issues.

A compelling example of success is the reduction of isolation and restraint, a key indicator of quality of life in youth correctional facilities, which has been dramatically improved through the use of facility improvement plans. Over the past 5 years, isolation has been reduced by more than 80%, and use of physical restraints has dropped by more than 90%. Also, supervision strategies for suicidal youth have been re-tooled.

The increasingly complex population has spurred rapid change across the entire DJS. The constant presence of extremely disturbed youth in all of the buildings at YCC puts pressure on staff, and has contributed to higher rates of staff turnover and higher levels of staff fear for safety. Even with the challenges, rates of serious misconduct amongst the youth at YCC have not increased, nor has there been an increase in injuries to youth, injuries to staff, rates of restraint, or in acts of self-harm.

An annual recidivism rates are calculated, but as processes improve, there is increased ability to measure positive youth outcomes. It is more important to measure what works than who fails, and positive youth outcome measurements are beginning to move us in that more precise direction. In the meantime, the recidivism rate during the first year of the biennium was 13.1%, and was consistent with rates from the previous five years. Recidivism is measured in the number of youth who return to state custody, either a return to DJS or as an admission to the adult DOCR, within one year. A full analysis of the second year is not yet complete, but the five year average is 14.5%.

Also in 2014, the YCC underwent its first Prison Rape Elimination Act audit. Federal Prison Rape Elimination Act (PREA) standard §115.402 specifies that audits shall be conducted by an independent auditor certified through the Department of Justice training process. YCC was deemed to be in compliance with 100% of the audit standards. The Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79) was enacted by Congress to address the problem of sexual abuse of persons in the custody of U.S. correctional agencies.

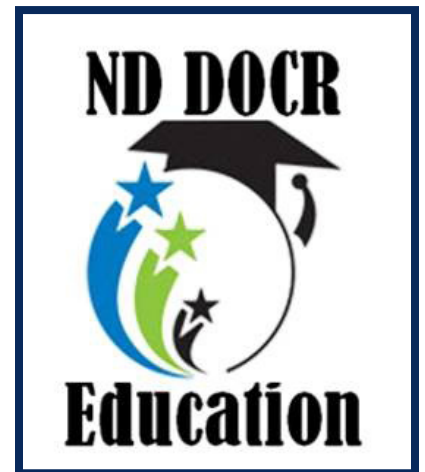
# E ducation

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The North Dakota Department of Corrections and Rehabilitation (ND DOCR) Education Department is directly responsible for delivering education services for each population - juvenile (ND YCC) and adult (JRCC, MRCC, and NDSP). The educators for the two diverse populations are one education department with sharing of resources, strategies, best practices, and supervisors. The department has a Director of Education that oversees all operations and two principals along with two assistant principals - tasked with education day-to-day operations and strategic planning.

The ND DOCR operates under the following vision and mission:

- ND DOCR Education Department's Vision: A Successful Reentry for Every Student.
- ND DOCR Education Department's Mission: Provide Quality Student-Centered Educational Opportunities and Resources.



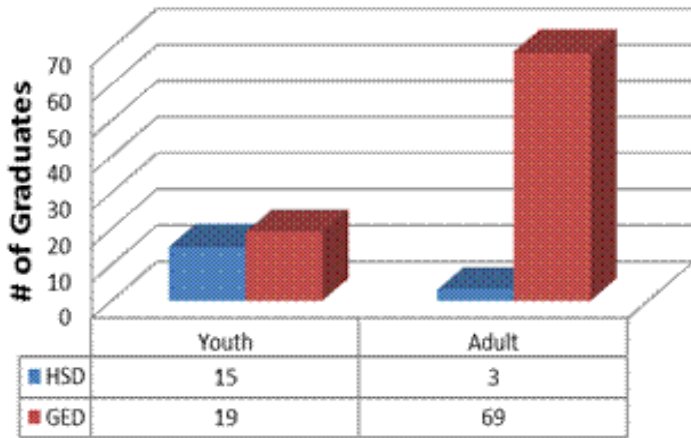
The educators within the ND DOCR share common beliefs that will drive all planning, implementing, and improving of educational standards and curriculum delivery.

## **Department-Wide Accomplishment - Graduates.**

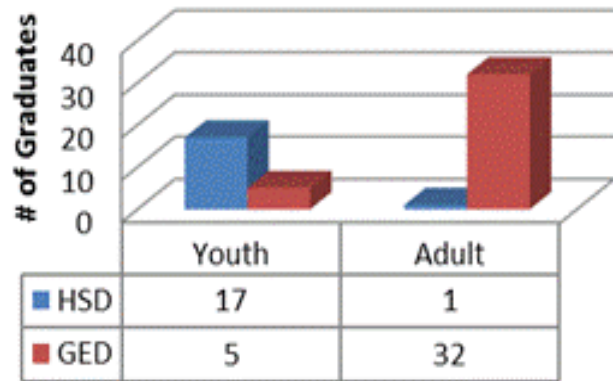
A distance learning model was implemented to use the highly qualified teachers of ND YCC to provide instruction to those inmates between the ages of 18-20 who had transcripts reflecting one or two subjects away from a high school diploma. In this effort, four students received their high school diploma while incarcerated at the North Dakota State Penitentiary and James River Correctional Center.

ND DOCR Education Department provides educational programming in four facilities in separate locations. All four facilities are accredited Adult Learning Centers, GED Testing Sites, and have the ability of offering high school diploma opportunities to those that would qualify through the North Dakota Youth Correctional Center. The diploma from ND YCC is issued through the approval of the ND Department of Public Instruction as Marmot High School. ND YCC is a fully accredited elementary, middle, and high school.

## 2013-14 Graduates



## 2014-15 Graduates

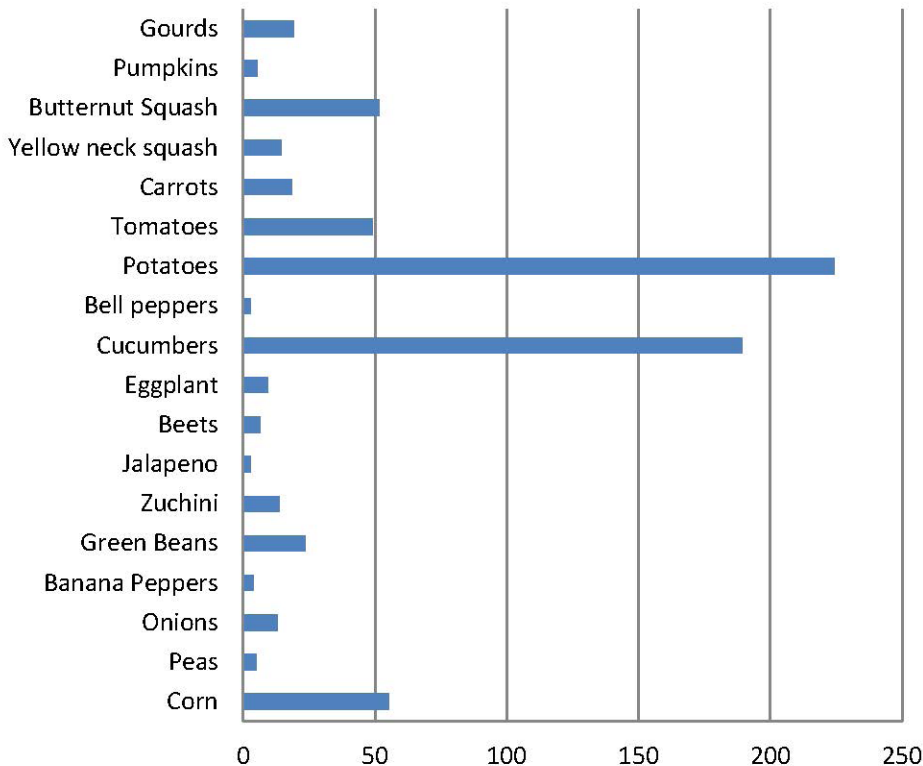


*\*\*GED is General Equivalency Diploma. HSD is High School Diploma.\*\**

## Department-Wide Accomplishments - YCC Garden

The garden project has become a campus-wide project. This biennium there was 1,745.4 pounds of produce harvested from the garden. Many students, staff, and volunteers support this effort. For the school year of 2014-15, there was 708.9 pounds harvested. Below is a depiction of the harvest breakdown. In addition, the garden students grew, transplanted, and maintained the flower beds outside of the school.

### Pounds Harvested from YCC 2015 Garden



## Department-Wide Accomplishments - Read Right

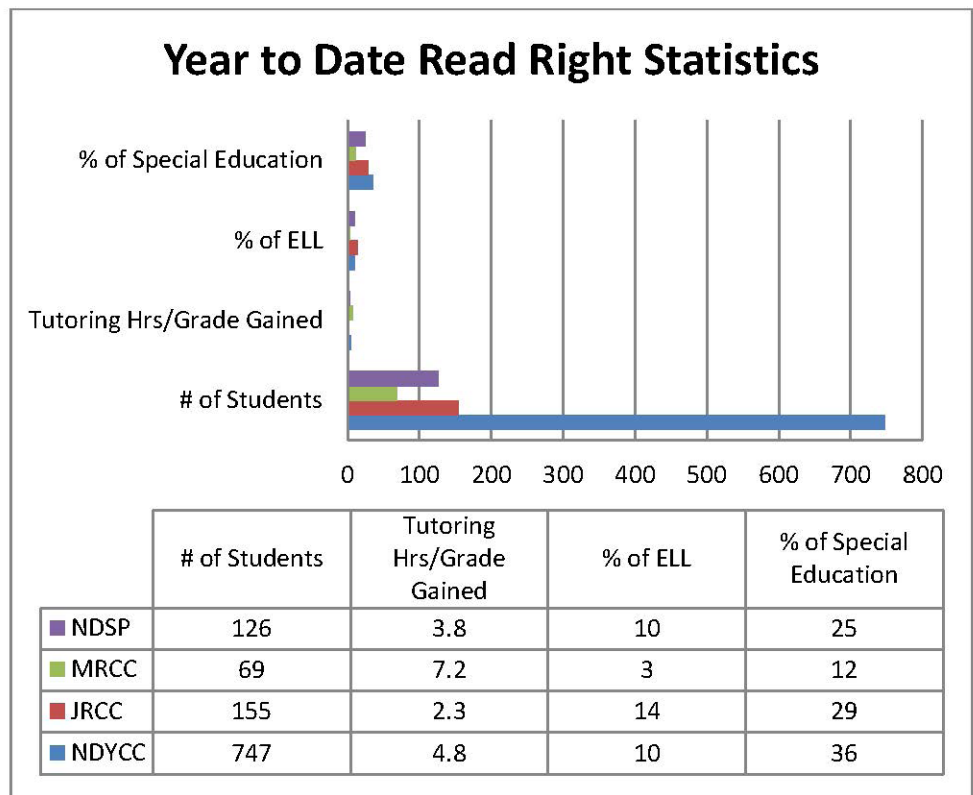
“Since 2005, North Dakota’s Department of Corrections has served 900 teens and adults in a remarkable way,” notes Dee Tadlock, Ph.D., founder of Read Right Systems and developer of Read Right methodology, chosen for use by the ND DOCR. “They are generating reading improvement that literally changes lives with just a few hours of tutoring.”

The data shows that, on average, ND DOCR inmates of all ages—teens through adults—are improving in their reading abilities to levels that can support success in college or in vocational training programs. “It is a very exciting outcome for states seeking solutions,” added Dr. Tadlock.

Read Right tutoring was brought to North Dakota under extraordinary circumstances. A former student of the Youth Correctional Center (YCC) transformed his life and began a successful career. The former student provided a large gift to the YCC that made it possible for it to obtain Read Right training for its staff in 2005. Services in Read Right were implemented in the adult population in 2010. The program has its own trainer that is nationally certified annually along with twelve tutors delivering the programming.

### Read Right Program Since Implementation:

- 1,252 Students have been served
- 25.5% of those students are in the special education category
- 5.45 average tutoring hours per grade-level gained
  - National average of tutoring hours per grade-level gained is 11.9





## Department-Wide Accomplishments

- Launched a new student information management system that is more aligned to the needs of our students within NDYCC. The hope is that it will “speak” with the state SLDS system.
- An agriculture program was started at ND YCC to replace the welding program.
- A construction program was started at JRCC to replace the auto program is no longer offered at MRCC.
- Library services across the DOCR facilities have merged planning and resources to serve an all-time high patron count.
- ND DOCR Adult Basic Education students working toward their GEDs have a 81% pass rate (national average is 66%) with 5% passing at least one subject area in the honors score level (national average is 1%)

## Department-Wide Academic Statistics

### Mandated Programming: GED, Adult Basic Education, and High School Diploma Earners

- 126 GED Graduates for adults located at JRCC, MRCC, and NDSP
- 9 GED Graduates with Honors
  - 1 GED Graduate at JRCC had the highest scores of all ND GED Students
- 409 Adult Students increased their educational functioning level
- 24 GED graduates for juveniles located at ND YCC
- 32 High School Diploma earners for juveniles located at ND YCC
- 4 High School Diploma earners for adults located at JRCC, MRCC, and NDSP
- 1,207 Total High School Credits earned for juveniles at ND YCC

### Special Education and Accommodations:

- ND YCC Students arrive on average 2.91 grades behind their age group
  - Approximately 32% of students have special education needs
    - Compared to the statewide average of 21%

### Specialty Statistics:

- ND YCC
  - 121 ND School Districts were served of 187 total of ND YCC
  - 404 students enrolled in elective job training courses
  - 39 students enrolled in post-secondary education
  - Average Length of Stay = 107.4 days
  - Average Age of Students = 16.5 years old
  - Average grade levels behind age equivalency = 2.4 grade levels
- Division of Adult Services
  - 518 students were enrolled in elective job training courses
  - 141 students enrolled in post-secondary education
  - Average grade levels of functioning = 4.3 grade levels
- Libraries
  - ND YCC total patrons per year = 12,870
  - DAS (3 Libraries) total patrons per year = 37,984

### Total Students Served in Education:

- ND YCC → 721 students
  - 208 Native Americans
  - 3 Asian
  - 59 Black, non-Hispanic
  - 58 Hispanic
  - 382 White, non-Hispanic
  - 535 male students
  - 186 female students
- Adult Services → 1,421
  - 569 Native Americans
  - 8 Asian
  - 71 Black, non-Hispanic
  - 135 Hispanic
  - 638 White, non-Hispanic

### Department-Wide Concerns

- Higher turnover rates for those faculty serving adult populations has increased at an alarming rate.
  - Three vacated positions have proven hard to fill with one position still vacant and on its sixth re-post.
  - More than half of the DAS faculty are full time temps on an hourly wage with no benefits.
  - Pay equity in comparison with the educators of ND YCC is deficient by \$6,000-\$10,000 for the DAS Instructors who:
    - Work 12 months versus 9 months
    - Are required to hold the same licensure, credentials, and training
    - Are governed by the same teacher handbook
    - Are supervised by the same credentialed administrators
  - **DAS faculty turnover rate is 82%.**
    - Exit surveys of leaving faculty report:
      - 98% of those DAS faculty left for a public school position that paid them in nine months what the DOCR DAS position pays in twelve.
      - 99% reported that they would return to work for the DOCR Education department if:
        - Pay was higher
        - DAS faculty had an academic calendar that mirrored ND YCC
  - Our ability to continue to staff faculty will get increasingly more difficult with the state-wide teacher shortage due to the number of staff we are hiring at the full time temporary status.
  - There are eight teachers at ND YCC and two teachers for DAS who will be eligible for retirement in the 15-17 Biennium.

## Department-Wide Research Focus & Improvement

The adult inmate students that we serve are coming into the education department reading, on the average, at the second grade fourth month (2.4 GLE). Having grown adults reading at such a low level makes all the academic preparation based deeply in strategies within teacher instruction.

If our students are, in fact, handicapped readers, they, in turn, become less confident due to a lack of understanding with vocabulary as well as conceptual knowledge. Leone, Meisel, and Drakeford (2012) referenced the negative impact and life-long effects on incarcerated students who are both academically and socially behind their non-incarcerated peers:

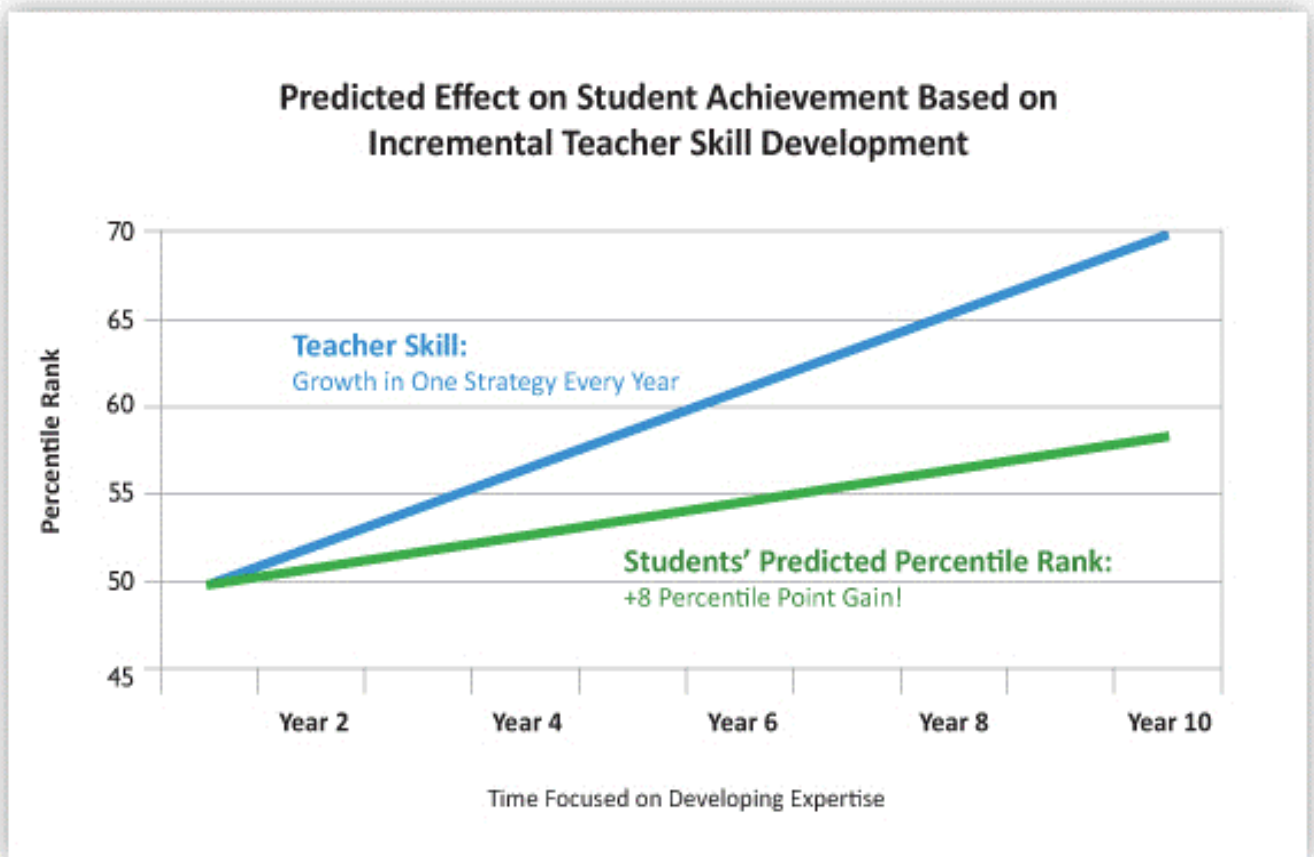
Helping incarcerated students acquire educational skills is one of the most effective approaches to the prevention of delinquency and the reduction of recidivism. Literacy skills are an essential component of education to meet the demands of a complex, high-tech world. Higher levels of literacy are associated with lower rates of juvenile delinquency, rearrests, and recidivism. (p. 46)

Reading, according to Leone et al., is a basic skill that adjudicated youth will need in order to function in society. Unfortunately, adjudicated youth who return to the community and cannot demonstrate a minimal level of reading proficiency are not likely to find success in school or employment. This piece of literature did not offer what would be a “minimal level” for reading proficiency, but one could predict the minimum grade equivalency would be close to fifth to sixth grade since that is what most newspapers are written. *(Information courtesy of “Special education programs for incarcerated students with disabilities in corrections:” by Leone, Meisel, & Drakeford from the Journal of Correctional Education.)*

Within the 2015-17 Biennium, the ND DOCR will take a more stringent look at evidence based practices within all aspects of its programming. To work toward our mission of providing quality student-centered educational opportunities and resources, the ND DOCR Education Department will begin to focus our efforts within the following areas (in all facilities):

1. Curriculum Selection and Implementation Processes defined and implemented with standard-based mapping and grading systems
2. Career Readiness Practices pilot program through the office of Career and Technical Education where students will be receiving integrated instruction within all classrooms and performance measures are given in monthly feedback to the students

3. Monthly data health feedback to be given to all instructors to ensure that progress is being measured and decisions are being driven based on what the evidence is reporting in student progress. After nearly five decades of study around effective teaching and learning practices, Dr. Robert Marzano launched this evaluation model. For the first time, a research-based teacher evaluation model which identifies the direct cause-and-effect relationship between teaching practices and student achievement now works in alignment.



# Transitional Facilities

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Transitional Facilities are a group of Transitional Facilities encompasses minimum custody facilities providing housing and programming for male and female offenders and are a part of the North Dakota Department of Corrections and Rehabilitation (DOCR). Transitional Facilities continue to support its mission teaching and practicing skills necessary for people to successfully transition in to the community. This is achieved through participation in evidence-based services that assist in recidivism reduction.

Transitional Facilities are comprised of the Missouri River Correctional Center and the following contracted facilities throughout the state:

- Bismarck Transition Center, Bismarck ND
- Centre Inc., Fargo ND
- Centre Inc., Grand Forks ND
- Centre Inc., Mandan ND
- Lake Region Residential Re-Entry Center, Devils Lake ND
- Heart of America Corrections & Treatment Center, Rugby ND

Transitional Facilities staff works with offenders to better prepare them for a successful reintegration from prison back to their communities. Offenders who are not doing well in the community may also be diverted into a transitional facility for a variety of assessments and an opportunity to participate in risk-reduction programming. This option keeps our communities safe by placing offenders who are not abiding by probation or parole conditions in a more secure setting thus providing an increased level of supervision.

Transitional opportunities are an integral part in successfully implementing the re-entry phase of the Transition from Prison to Community Initiative (TPCI). Transitional Facilities staff works collaboratively with community partners to enhance re-entry opportunities for offenders and develop an effective continuum of correctional services. Evidence-based programming and services assisting in recidivism reduction and targeting criminogenic risk and needs are provided at all transitional facilities.

For programming assessments, the DOCR continues to use the Correctional Program Checklist (CPC) assessment developed by the University of Cincinnati's Corrections Institute. The CPC emanates from the extensive body of literature on the principles of effective correctional management. The objective of this assessment is to conduct a detailed review of programming and services offered at a facility, and comparing it to the practices with the research literature on best practices in corrections. A number of Transitional Facilities providing substance abuse and cognitive behavioral programming were audited during this biennium.

The Release and Integration (R&I) program for severely mentally ill offenders continues to provide services for offenders returning to their communities from prison. The staff overseeing this program is part of the Transitional Facilities work group. This staff coordinates for all DOCR offenders meeting the criteria a continuum of care with community resources to ensure aftercare needs are met.

A major initiative of Transitional Facilities this biennium was the implementation of the Prison Rape Elimination Act requirements. The Prison Rape Elimination Act (PREA) was passed by congress and signed by President George Bush in 2003. The purpose of the act was to “provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, and recommendation and funding to protect individuals from prison rape.” (Prison Rape Elimination Act 2003). The act also created the National Prison Rape Elimination Commission and charged it with developing draft standards for the elimination of prison rape. The standards were published in June 2009 and were turned over to the U.S. Department of Justice for review and passage as a final rule. That final rule became effective August 20, 2012. As a result all DOCR facilities, to include contract facilities, were required to complete a PREA audit. The audit required the substantial compliance with over 180 standards. In order to obtain this, revisions to policy, the development of documents, electronic databases and contractual agreements was implemented. In the fall of 2014 the Missouri River Correctional Center as well as all contracted facilities passed their PREA audits.

During the 2011 legislative session, there were revisions to the DUI laws. As a result of the changes in law, Transitional Facilities has entered into contracts with various community facilities to facilitate an approved alcohol treatment program. When offenders are sentenced under the qualifying criminal charges and are completed with the treatment program they are discharged to their mandatory probationary term. As of October 2015, over 200 offenders have been successfully discharged from their qualifying offense. The North Dakota Department of Corrections & Rehabilitation continues analyze best practices regarding the management of the offenders sentenced under the law as well as to analyze the impact of the legislation on the department.

### **Missouri River Correctional Center (MRCC)**

The Missouri River Correctional Center (MRCC) is a minimum custody facility located in South Bismarck that houses male inmates sentenced to the North Dakota Department of Corrections and Rehabilitation. MRCC was established in 1943 and is nearing 75 years of existence. The main housing facility was built in 1992 and is comprised of 12 dorms surrounding the control center, in a wagon-wheel design, with a capacity of 151 inmates. Inmates housed at MRCC must meet minimum custody requirements.

As part of the Transitional Facilities group, MRCC supports the mission of protecting the public by providing a safe and healthy environment for minimum security inmates to apply themselves to the task of rehabilitation.

This is accomplished by maintaining proper custody, work, education, and treatment programs, which encourage residents to make the needed changes to be law abiding and successful in society.



During this biennium the Inmate Canine Assistance Program (ICAP) was initiated at the Missouri River Correctional Center that permitted 15 new inmate jobs. A team of staff members from Transitional Facilities met with Service Dogs of America in order to effectively implement the program. As of July 1, 2015,

five Labrador retriever puppies have moved onto the grounds of MRCC to begin the ICAP. The puppies will be initially trained in basic commands and are assigned to inmate teams. Each team consists of three inmates who will share responsibilities of caring for and training the dogs. Along with the inmates, staff will be able to assist in the program such as socializing the dogs during public outings. After completion of the training the service dogs are given to those in need.

As part of the effective transition process the Missouri River Correctional Center continues to facilitate the work release program. This program permits offenders to obtain community employment while still maintaining housing at the Missouri River Correctional Center. Residents are required to budget their income and are visually accounted for while at their place of employment. Financial responsibilities such as: child support, restitution, court fines and fees are required to be paid. Selection for participation in the work release program is based on established criteria. Residents meeting criteria are then able to apply for participation through the work release committee. The committee includes several case managers, behavioral health staff as well as the deputy warden. The committee makes a recommendation to the Warden of Transitional Facilities and Director of the DOCR for final approval. The program is authorized for inmates to participate in the last 180 days of incarceration.

The Missouri River Correctional Center sustained significant damage during the summer of 2015 due to storms. Due to roof damage caused by the storms several areas of the facility flooded to include the kitchen and staff offices. As part of the repair services all gutters had to be removed and replaced. The entire roof over the kitchen area was repaired as well as several interior areas. Mold remediation was also conducted that included air testing and removing several sections of walls.



The overall maintenance regarding physical plant of the Missouri River Correctional Center continues to expend a significant amount of staff resources. Several projects are being conducted at MRCC with inmate labor utilized when appropriate.

The DOCR continues to collaborate with the North Dakota Game and

Fish Department instituting an archery hunting season on land owned and managed by the DOCR. The benefits of this program are that it offers another hunting opportunity for the public, and also reduces the herd populations which will help reduce the negative effects on neighboring residential properties and the potential of car collisions. In addition, the Game and Fish department may utilize the MRCC property to host archery training events for beginners, focusing primarily on children and women.



The inmate garden, encompassing approximately one and a half acres, has been used to offset the budget. The inmate garden is overseen by three inmate laborers with minimal staff oversight. The inmate workers have taken on a sense of pride and accomplishment with their work. Thousands of pounds of produce have been grown and consumed within the NDSP and MRCC inmate dining rooms.

MRCC continued its partnership with the Bismarck Tribune, Dan's Supermarket, Mini's Storage and Salvation Army in the Play Pen Project. MRCC provides staff supervision and inmate labor to fix used toys that are donated at drop locations at Dan's Supermarkets in Bismarck. The toys are fixed and cleaned and then taken to the Salvation Army for low income families at Christmas.

The Missouri River Correctional Center re-classified a captain's position to a unit manager position. This was conducted to better enhance case management services for the offenders. The unit manager will be responsible for supervision of the three case managers at MRCC. Due to the increased level of supervision several quality assurance measures will be initiated regarding structured contacts with the offenders as well as obtaining consistency with release services.

All inmates at MRCC perform work functions. Assignments are based upon the need of the facility enlisting janitors, laundry, food service personnel, outside work crews and recreation directors. Those meeting specific criteria may also work on the North Dakota State Penitentiary grounds. In addition, Rough Rider Industries employs several MRCC inmates in the fabrication facility on MRCC property as well as delivery personnel in the community.

### **Bismarck Transition Center (BTC)**

The Bismarck Transition Center is a contract facility composed of a professional team of individuals who promote safety, preserve the rights of victims, fulfill the mandates of the criminal justice system, and address the individual needs of adults. BTC began providing services in August 2002 and expanded to 162 beds for adult offenders in June 2006. The Bismarck Transition Center is owned and operated by Community, Counseling, and Correctional Services Inc. BTC is accredited by the American Correctional Association as well as compliant with all Prison Rape Elimination Act standards.



The Bismarck Transition Center utilizes a screening committee comprised of members from the community for the selection process of appropriate clients. In addition, the Advisory Board consists of local community leaders to provide direction and input regarding the facilities daily operation. A multi-disciplinary team approach is used to make referrals and recommendations for offenders. The team develops a reintegration plan focusing on the offender's needs for a successful transition to the community.

The Bismarck Transition Center's goals and objectives are:

- Provide residents with a structured living and work environment through staff supervision and monitoring;
- Provide residents with a Case Manager responsible for development and constant assessment of an individualized case management plan;
- Provide designated residents with Cognitive Behavioral Therapy and/or Substance Abuse Services;
- Provide residents with weekly individual contact with their designated Case Manager;
- Provide residents with evidence based core correctional programming, which includes the eight principles developed by the Transition from Prison to Community Initiative, in collaboration with the ND DOCR;
- Provide residents with community based support groups to be held within the facility;
- Provide residents opportunities to access community based programming, including spiritual and religious activities;
- Provide residents the opportunity to participate in recreational activities;
- Provide residents opportunities for re-integration into their family and community, which includes weekly visitation and passes;
- Provide opportunities for full-time employment and/or continued education.

The security and control, effectiveness of Core Correctional Programming and reduction of future criminal behavior is monitored through continual Quality Assurance efforts of the Bismarck Transition Center; Community, Counseling and Correctional Services (CCCS) and North Dakota Department of Corrections and Rehabilitation (ND DOCR).

The Bismarck Transition Center accepts individuals on inmate, parole and probation status.

### **Centre Incorporated**

Centre, Inc. is a North Dakota nonprofit agency formed as a small halfway house in Fargo in the mid-70's. Over the years, Centre has expanded into what it is today: a community corrections agency that provides research-based, cost-effective rehabilitative programs and services to individuals to achieve social re-integration. Centre operates transitional facilities in Fargo (124 beds halfway house and 30 beds quarterway house), Mandan (76 beds), and Grand Forks (18 beds). The DOCR contracts with Centre for transitional services serving adult male and female offenders on parole, probation, or inmate status at their facilities. The contract includes services

for an assessment center, re-entry program, halfway house, quarterway house and inmate transition. The Fargo and Mandan facilities maintain accreditation by the American Correctional Association and are licensed by the State of North Dakota to provide substance abuse treatment.

Centre, Inc. Fargo is currently in the planning stages of expanding their female bed capacity. A new facility is being constructed which will house only female residents. This will allow for their current location to house only male offenders.

Centre's entire program is designed to decrease unwanted anti-social behaviors and increase more desired, pro-social behaviors. Centre staff is trained to engage the offenders in their own plan for change, enhance their motivation, teach new skills and new ways of thinking, set limits and sanctions for unwanted behaviors, and reward pro-social behaviors and accomplishments.

Some of the risk areas Centre's programming targets are substance abuse, criminal thinking, and lack of problem solving and coping skills. Group curricula have been designed and tested by researchers to get results in the offender population. Staff is trained to facilitate the groups in the manner found to be most effective, which is cognitive behavioral and skill practice.

Another major component of the Centre's programming is to increase protective factors. Protective factors are the positive aspects that offenders can develop and are known to offset their risk for criminal behavior and provide an incentive to desist criminal activity. Protective factors include such things as employment, attitude toward employment, family connections, involvement in a pro-social support system, and pro-social leisure and recreational activities.

### **Heart of America Correctional and Treatment Center (HACTC)**

The Heart of America Correctional & Treatment Center (HACTC) continued to provide contracted services for the DOCR. The primary service line was housing as the facility is not offering treatment programming at the current time.

HACTC provided 30 beds to DOCR-controlled inmates.

### **Lake Region Residential Reentry Center**

The Lake Region Residential Reentry Center (LRRRC) is a branch of the Lake Region Law Enforcement Center and has provided an important piece of the transitional process for offenders releasing to Devils Lake and its surrounding communities. The LRRRC has a capacity for 20 male and 8 female residents. Residents typically have no problems finding and maintaining meaningful employment.

The LRRRC has a contract with the DOCR to house approved inmate-status offenders, as well as parolees and probationers. Parolees can be

paroled into the Reentry Program which is monitored by the Lake Region Reentry Team. The team is comprised of members from the Lake Region Human Service Center, ND Parole and Probation, Vocational Rehabilitation Services, Dakota Prairie Community Action, North Dakota Job Service, Devils Lake Police Department, Lake Region Community Service and LRRRC staff. Having active participation and input from these various agencies helps simplify the process for those offenders transitioning back into the community. The benefit of having contacts to these agencies readily available and willing to assist inmates gives them the best opportunity to succeed in their transition.

# Medium Security Facility

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The James River Correctional Center (JRCC) is a medium custody facility that houses males sentenced to the North Dakota Department of Corrections and Rehabilitation. The mission of JRCC is to protect the public by maintaining custody of inmates in a safe, secure, and healthy environment; to offer the best rehabilitative programs possible; and to encourage inmates to make the needed changes to be law abiding and successful in society.

The JRCC began operation in 1998 and is the result of renovating buildings previously used by the North Dakota State Hospital. The main inmate housing building is the former medical hospital for the State Hospital. It is a six story structure built in 1936 with 87,530 square feet. This building contains inmate dormitory housing with dayrooms on second through sixth floor with medical facilities, detention cells, and staff offices on first floor. The fifth and sixth floors of the building were not operational when JRCC opened in 1998. These floors were renovated and utilized beginning in 2001. Since then, additional dorms were created on each floor and a total of 50 bunk beds were also added to meet the needs of increased inmates into the system.

The Special Assistance Unit (SAU) is a housing unit at JRCC for inmates with mental health problems, self-harmful inclinations, or other unique needs which require greater intervention and services. The SAU has 24 beds and provides a structured environment encouraging interaction between staff and inmates in a safe and secure setting. Individualized plans are developed for the SAU inmates to help them achieve a higher level of functioning. SAU has a higher ratio of staff to inmates than general housing units and consists of Correctional Officers including Sergeants, a Case Manager, Human Relations Counselors, and a Psychologist. These staff meet with the inmates throughout the day and implement the many programs offered in SAU. Psychiatry services are also an integral part of the SAU programming.

JRCC offers inmate work, education, and treatment programs.

Inmates are given job assignments that are not only necessary for the efficient operation of the facility but also serve to provide inmates with a meaningful way to occupy their time. Through these job assignments the inmates develop work related skills and habits that they can benefit from after release. Job assignments at JRCC include Roughrider Industries (RRI) cut and sew, RRI commissary store, kitchen, laundry, maintenance,

various janitorial positions, and dog trainer with the Inmate Canine Assistance Program (ICAP).



ICAP is a collaborative venture between JRCC and Great Plains Assistance Dogs Foundation. Teams of carefully selected inmates care for and train dogs brought into JRCC by the Foundation. The dogs are taught obedience and basic commands while being socialized in the facility. This provides a service to the Foundation and provides the inmates with a

sense of pride for helping others. There are currently nine dogs at JRCC in the program.

JRCC offers educational programs to inmates. Those inmates who have not yet earned their High School Diploma or GED are assigned to the education department to work toward earning this. JRCC began a Building Maintenance and Construction Program for qualified inmates this biennium. This program teaches inmates basic building construction skills like drywall installation and repair, framing, minor plumbing and electrical repairs, and flooring. Qualified inmates can also pay for and pursue approved college courses while at JRCC.

JRCC offers the following treatment programs for inmates: Cognitive Behavioral Interventions for Substance Abuse (CBI-SA), Thinking for a Change (T4C), Conflict Resolution Program (CRP), Alternatives to Violence in Relationships Program (AVRP), and Cognitive Behavioral Interventions for Sex Offending (CBI-SO). Inmates are assigned to these programs based on the results of assessments given to the inmates upon arrival with the Department of Corrections and Rehabilitation. These programs are designed to lower inmates' risk of reoffending by addressing thinking patterns and by teaching social skills.

JRCC partners with the State Hospital in sharing services to reduce costs. As part of this sharing, JRCC provides the food service for the State Hospital patients. All of these meals are prepared in the JRCC kitchen from a State Hospital specific menu and then the meals are delivered to the patients. JRCC also provides laundry service, staff training and support for the sex offender program, and emergency security support to the State Hospital. This cooperation between these State agencies has created significant savings to tax payers in not having to duplicate services.

JRCC staff focused attention and effort during the biennium to ensure compliance with the Prison Rape Elimination Act (PREA). This included developing policies and procedures as well as the education of staff and inmates to meet the expectations of all of the PREA standards. As PREA is intertwined in nearly all aspects of prison operation, this work was very far reaching. By the end of the biennium, the facility had thoroughly addressed each standard and was prepared for a facility PREA audit.

The perimeter fence detection system was upgraded during the biennium. This system will detect someone climbing on the fence or if the fence is cut. This upgrade required new equipment and expert installation. The new system is more accurate and consistent with fewer false alarms.



JRCC went through a significant leadership change during the biennium. The previous Warden was promoted to Director of Facility Operations within the DOCR Central Office. The Warden position was filled with an internal applicant who had been the Deputy Warden. This triggered numerous promotions and each position was filled with other internal applicants.

There were no in-custody deaths and no escapes or attempted escapes during the biennium. There were 34 assaults on staff with 8 of these incidences requiring medical treatment.

Staff recruitment and retention was difficult throughout the biennium. A strong economy with many lucrative jobs available, a regional shortage of workers, combined with the challenging duties and responsibilities of a correctional officer resulted in consistent vacant positions at JRCC.

# Maximum Security Facility

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The North Dakota State Penitentiary (NDSP) is a maximum custody facility that houses male inmates sentenced to the North Dakota Department of Corrections and Rehabilitation. The mission of the NDSP is to provide inmates with the opportunity to change by addressing criminal thinking and holding them accountable.

During the 2013 – 2015 biennium, NDSP has been in a state of change. In June 2013 a 64 million dollar expansion was at substantial completion and we began occupying the new housing units. This increased occupancy forced significant changes to the facility schedule, which needed updating on a regular basis. NDSP had significant changes in leadership. The Chief of Security retired after serving over 30 years in his position. Over the course of the biennium, there were three different Wardens in place. The previous Warden resigned; an interim Warden was assigned and then promoted to Director of Facility Operations when the new Warden was hired.

The expansion brought the security technology for NDSP into the 21<sup>st</sup> century. The newly built master control has the capability of operating nearly the entire facility and is located outside the secure perimeter. In turn, this reduces the likelihood of inmate access during a major disturbance. There were over 400 cameras installed that are monitored by the control room staff. These cameras provide a forensic tool that was not available prior to the expansion and have proven to be extremely valuable during prison investigations.

In addition to upgrading the security systems through master control, we improved and repaired the perimeter by standardizing the fencing configuration for a maximum security prison. The technology of the fence was also in desperate need of repair. The perimeter fence detection system was failing and sending false alarms. Continued false alarms create complacency with staff and ultimately a lack of trust in the system. The detection system was upgraded with new equipment and completely re-worked to ensure a safe perimeter. In addition, a sixteen hour perimeter officer post was reallocated from an existing post to respond to alarms and



post during any breach of the perimeter by staff. This has been a very long process, but we are confident in our current perimeter detection system.

Even with the expansion, NDSP has had to double bunk in many areas due to the influx of inmates coming to our facility. The original plan for the new East Unit was 180 beds for general housing, but we have added over 40 beds in this unit and currently have 221 beds available. We added 28 beds to the original plan of the 120 bed reception and orientation unit for a total of 148 beds. In addition, an older general housing unit has increased from 87 to 107 beds by making temporary double bunking into permanent beds. At the end of the 2009 - 2011 biennium NDSP had 533 inmates; we currently have over 800 inmates living at NDSP. Even with all the additional beds provided during the 2009 legislative session, we are already out of space.

NDSP is comprised of nine housing units. The general housing units are comprised of the West (120 beds), South (107 beds), North (75 beds), and Medium Transition (60 beds). The primary focus of these units is to house inmates who are currently involved in work programs within the facility which include but are not limited to food, janitorial and laundry services as well as Rough Rider Industries. All these work programs provide a valuable service to the operations of NDSP as well providing inmates with structured time. In addition to these services, inmate labor provides significant operational cost savings to the tax payers by limiting the number of full time employees needed to ensure that many operational services are met.

The East Unit (221 beds) is also a general housing unit, but primarily houses inmates who are not yet involved in work programs, but may be involved in other rehabilitative programming or those who are currently waiting for job placement as employment opportunities come available. The goal in this housing approach is to better manage the inmate population with different privileges associated with the housing unit the inmate resides in, primarily recreation time.

The administrative segregation unit (108 beds) houses DOCR inmates that pose a serious threat to life, property, self, staff or other inmates, or to the security or orderly running of the institution. Inmates requesting protective custody may also be placed in administrative segregation. The design of the new administrative segregation unit took into consideration both security and programming needs. Inmates residing in this unit have the opportunity to participate in education and treatment programs. In addition, inmates earn additional privileges by demonstrating good decision making skills and pro-social behaviors.

The medical infirmary (16 infirmary beds, 4 observation cells and 2 isolation cells) allows NDSP to provide medical services to inmates which in the past were more difficult as a result of the physical plant, primarily in the form of chronic care for inmates with long term illness. NDSP has become the primary medical facility for the adult male facilities.

One of the biggest challenges facing NDSP is recruiting and retaining staff during this very tight job market. Similar to national trends, corrections agencies in North Dakota have a high staff turnover rate. Recruitment and retention of employees continues to be a major focus. The training of new staff is very expensive and taxing on our tenured staff. During the



2015 legislative session, an equity package for the correctional officers was approved. We are very hopeful this will help in attracting new employees and retaining our tenured officers.

Food Services staff made significant changes to the menu over the biennium, focusing on reduced calories and heart healthy food choices. This has been very challenging and not necessarily a popular decision from those who reside at NDSP. The challenge has been met and we are currently providing an accurate, 2,800 calorie per day menu.

Staff from the James River Correctional Center, the Missouri River Correctional Center and the North Dakota State Penitentiary worked together to develop a new unified inmate pay grade system. The team also examined the inmate job descriptions and created work performance evaluations. These changes were necessary to promote motivation and increase production of inmate workers. The revised program provides information on an inmate's responsibility and work performance to the inmate, which better prepares the inmate for a job in the community after release.

NDSP has invested a great deal of time and training into staff development focusing on core correctional practices. These core practices are based on evidence that will reduce the likelihood of an inmate returning to prison by focusing on criminogenic risks and developing new pro-social skills. The skills are developed through education, modeling, role plays and practice. Case managers focused on structured contacts which were developed to guide the case manager and inmate through the process of learning and practicing newly developed skills. Correctional Officers were primarily developing their skills of effective use of authority, effective disapproval and effective reinforcement to change behavior. We will continue to develop and train staff in utilizing these practices, so each encounter with an inmate is meaningful and risk reducing.

The National Institute of Corrections sponsored training for staff in Incident Command Systems for Corrections. The training developed DOCR trainers on how to prepare facility staff to respond to events as they occur and to develop a standard operating procedure. The training empowers staff to take control of situations as they occur and quickly assess and develop a coordinated response to the incident as it evolves. NDSP has successfully integrated the training into how we respond to incidents in the facility and will continue to refine this process. In the event that outside resources are needed, DOCR incident command structure is compatible with other emergency services, ensuring continuity of command while maintaining public safety.

The 2015 legislative session funded a construction project in the West Unit. This project will present challenges because we will have to temporarily move inmates to another area of the prison during the project. The project will address security issues by replacing an outdated locking system with a new electronic system. In addition, we will install security cameras and remodel the offices and dayrooms.

During this biennium, we will be focusing on changes in our restrictive housing or administrative segregation unit. We recognize that restrictive housing needs to be used only in extreme cases and limited in duration. In order to meet these objectives, we are limiting the use of disciplinary detention as a disciplinary sanction. For those inmates placed in administrative segregation, we will be increasing our efforts to educate and develop skills to reduce the risk of the inmate being placed in administrative segregation again. We are also developing a transition period where inmates can demonstrate the skills learned during their placement and are given time to acclimate back into general population.

# Parole & Probation

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The mission of Parole/ Probation is to protect society by ensuring that the community-placed offenders are provided responsible supervision that requires them to be an active participant in their rehabilitation.

The Department of Corrections and Rehabilitation (DOCR) Parole and Probation Division supervises offenders released on probation and parole and into the community. We also complete Pre-Sentence Investigations for the Courts, supervise sex offenders released on community civil commitment orders, and participate along with fellow stakeholder agencies across the state to enhance the opportunities for successful offender re-entry into the

community. Our primary focus is to monitor offender behavior in an effort to keep our communities safe, and to provide offenders with the opportunities and skills for positive behavior change.

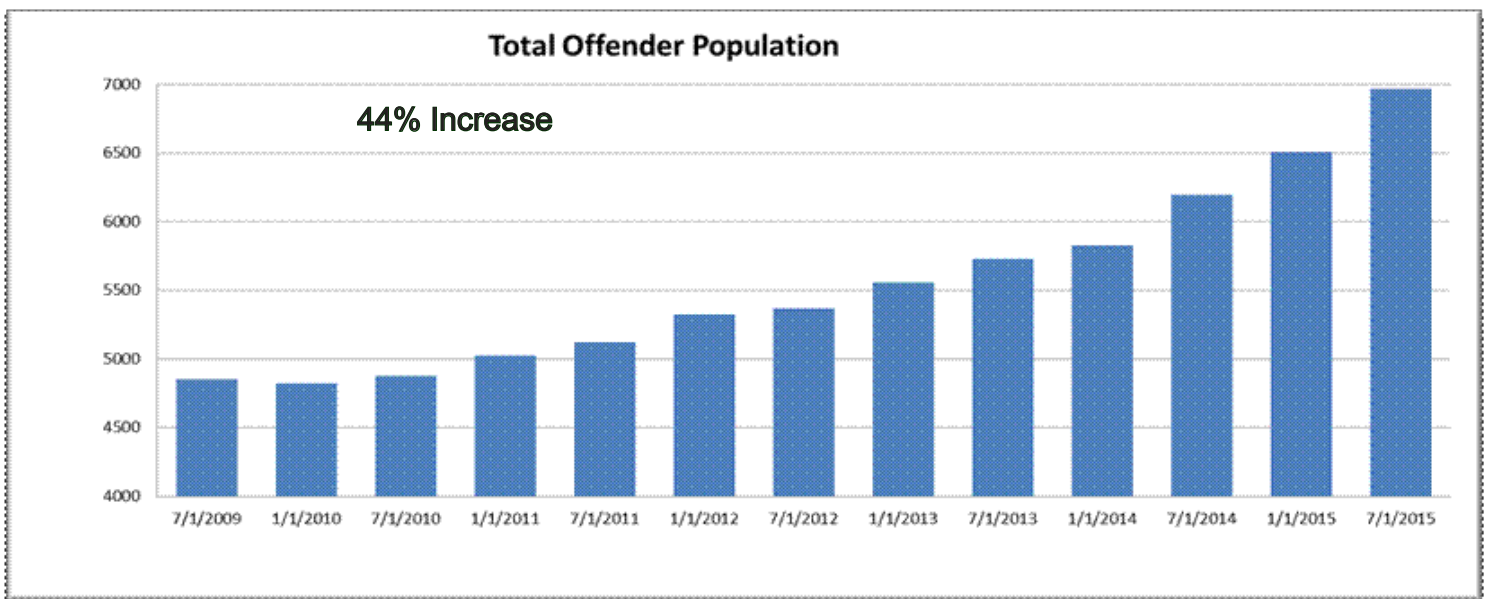
Probation and Parole has ninety-five (95) total staff of which seventy-five (75) are sworn law enforcement officers. To most effectively supervise our caseloads, we have officers that specialize in supervision of specific offender caseloads. We have nine (9) Sex Offender Specialists, five (5) Drug Court Officers, two (2) Re-entry Officers, five (5) Parole Specialists, one (1) Female Re-entry Officer, one (1) Fugitive Task Force Officer, and four (4) Officers working with domestic violence offenders. We have offices in sixteen (16) districts throughout the state: Bismarck, Mandan, Washburn, Beulah, Jamestown, Oakes, Wahpeton, Fargo, Grand Forks, Grafton, Devils Lake, Rolla, Bottineau, Minot, Williston, and Dickinson.

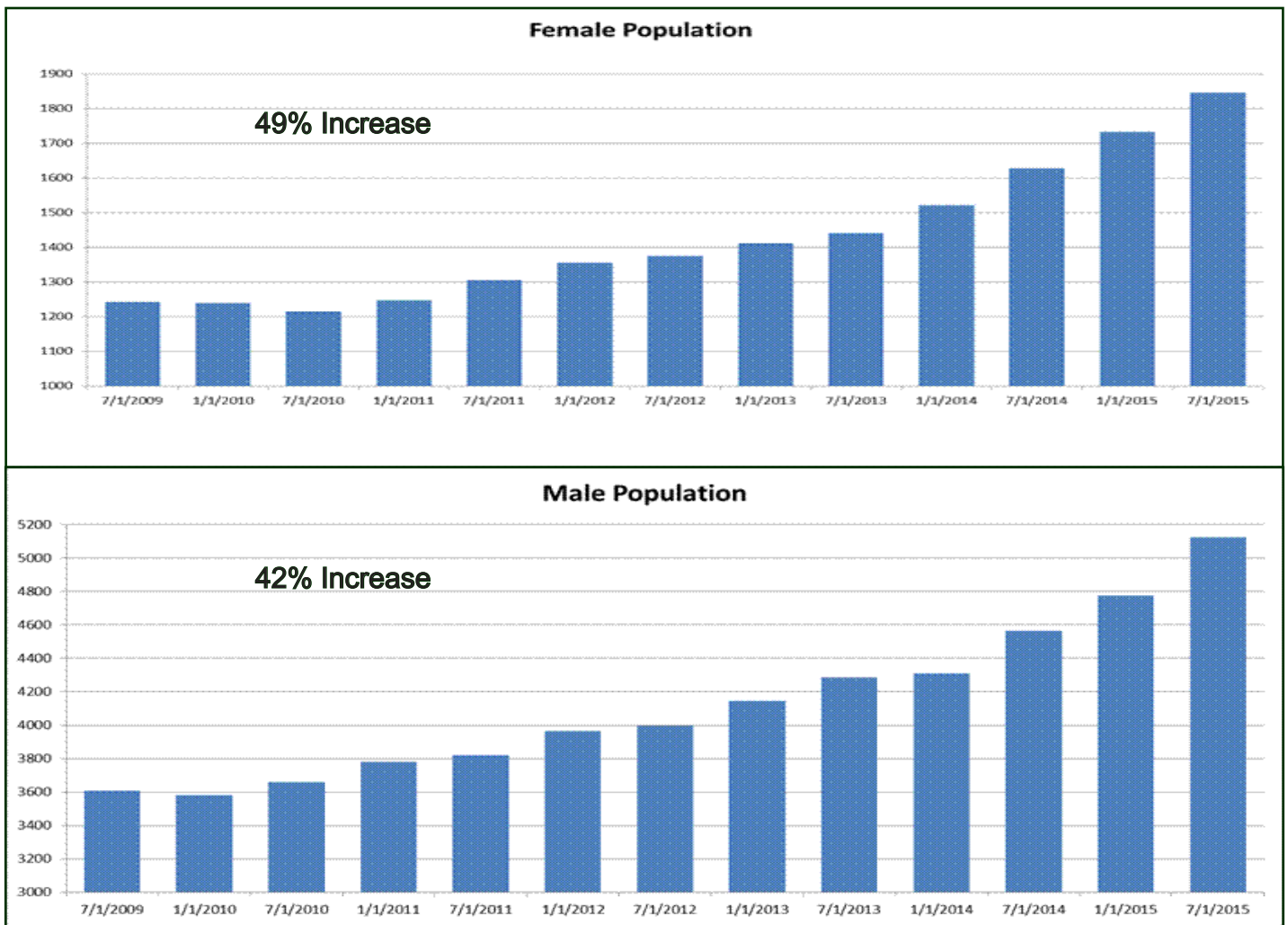
The number of offenders under supervision has skyrocketed and caused many challenges for the division. Parole Officer caseloads have risen to over 130 offenders in some areas, and staff has struggled to keep up with the workload increases. The total number of offenders under supervision has increased during the biennium from 5,729 to 6,969, a 22% increase in just two years. The growth is even more evident when looking at the numbers over the past three biennia where we have seen the numbers increase from 4,852 offenders to 6,969, a 44% increase. These increases have been reflected in both our male and female offender populations. The male population has increased over the biennium from 4,287 to 5,123, an increase of 20%. The female population has increased from 1,442 to 1,846, an increase of 28% in just two years. The western part of the state saw the greatest impact in numbers due to the oilfields, but the increase in caseloads were evident in every district office throughout the state.

Due to the increased workloads, the 2015 Legislature authorized Parole and Probation sixteen (16) additional staff. These additional officers are being assigned as follows:

- The Williston office received two (2) additional Parole Officers, and one (1) additional Sex Offender Specialist. These staff will focus on offenders in the northwest area of the state.
- The Minot office received three (3) additional Parole Officers to assist with caseloads in the north central area of the state.
- The Dickinson office received one (1) staff that will work as a Sex Offender Specialist. This will address the increase in our sex offender population in the southwest area of the state.
- Two (2) of the staff will be assigned as Mental Health Specialists in the Fargo and Bismarck offices. These officers will concentrate on a growing and demanding population of offenders dealing with serious mental health issues.
- Two (2) officers will be assigned to the Grand Forks District Office. These will assist with caseloads in the northeast part of the state.
- One (1) officer will be assigned to the Devils Lake office and will assist with caseloads in the north central area of the state.
- One (1) officer will be assigned to the Jamestown District office and will assist with caseloads in south central North Dakota.
- One (1) officer will be assigned to the Fargo District to assist with caseloads in that area.
- One (1) officer will be assigned to the Mandan District office to assist with caseloads in the west central part of the state.
- One (1) officer will be assigned to the Bismarck District office to assist with caseloads in the south central area of the state.

The Department completed 650 Pre-sentence Investigations (PSI's) during the biennium. All staff completing PSI's have been trained using risk assessments and provide evidence-based recommendations to the Courts. These reports are critical to give the courts the information necessary to make good decisions regarding sentencing, determine what alternatives are available for the offender, and suggest conditions for supervision that are appropriate.





## Case Management and Supervision

The ultimate goal of Parole and Probation is community safety. Parole Officers are licensed law enforcement officers responsible to enforce the conditions of supervision. In addition, we train officers in Effective Communication/Motivational Strategies and the Core Correctional Practices to enhance the skills of working with offenders to positively change behavior. It is a delicate balance for the officers to ensure the safety of the public, while doing whatever possible to assist the offender to change their behavior and to live successfully in the community. It is long-term behavior change that will have a significant impact on keeping our neighborhoods safe.

When an offender is placed on supervision, they meet with an officer who completes a comprehensive risk assessment; Level of Services Inventory – Revised (LSI-R). The LSI-R is used to identify the risk factors that will be addressed in an effort to reduce the risk to reoffend. They complete a comprehensive case management plan that address these risk factors, as well as any special conditions that may be imposed by the courts or Parole Board. Supervision levels are assigned based upon the score of the risk assessment, and the type of offenses involved. The number of contacts and frequency of home visits is driven by the risk level assigned. The department attempts to place our time and greatest resources monitoring the highest risk offenders.

## Accomplishments

- We have trained all staff in the use of Effective Communication/Motivational Strategies (ECMS) and Core Correctional Practices (CCP). Both of these skills focus on more effectively dealing with our offenders, and providing opportunities for positive change in behavior. Our focus in the CCP has been completing behavior chains and skill building.
- The Department was part of a multi-agency effort to sponsor the 2<sup>nd</sup> Chance Career Fair in Fargo in the springs of 2014 and 2015. The effort is designed to assist people who deal with various barriers to finding employment.
- Major changes were made in our case management system. We developed a matrix whereby offenders supervised by Parole Officers are assigned a risk level of high, moderate, or low. These levels are assigned based upon the risk score of the offender, and the offense they committed. Contacts officers have with the offenders are dictated by the assigned supervision levels.
- All district offices have evaluated their safety protocols and developed plans in what to do in the event of an active shooter.
- We have worked closely with the District Court in Cass County on a pilot program to provide pre-plea risk assessments on offenders. These assessments provide the court with additional information to use when sentencing offenders.
- Even though caseloads have risen dramatically, staffs have been successful in continuing to provide effective supervision and consistent revocation rates.
- We assigned a staff as training officer, and have seen tremendous improvement in our overall training program. This includes developing a Parole Officer Academy that is for all new officers and focuses on skills necessary to be an effective Parole Officer.
- Trained all of our staff in Correctional Fatigue to Fulfillment. This training focuses on helping staffs deal with many of the psychological stressors that they are faced with in their daily work.
- Officers were equipped with new body armor and vests that will identify them as a Parole Officer when working in the community.

## Collection of Financial Obligations

Parole and Probation is tasked with collecting financial obligations as ordered by the Courts. Cases closed during the 2013-2015 biennium collected a total of \$5,665,091.26. The breakdown of the obligations collected is:

- Restitution \$3,059,177.75
- Court Costs \$52,568.24
- Fines \$395,125.62
- Court Fees \$1,690,651.12

Most offenders are also required to pay supervision fees that are assessed at \$55.00 per month. Offenders requesting a transfer of their supervision to another state pay a \$150.00 transfer fee. In addition, offenders requiring a travel permit to another state are assessed a fee of \$10.00. During the

2013-2015 biennium, we collected a total of \$2,957,293.58 in supervision and transfer fees.

The department was also awarded \$29,674.70 in asset forfeiture money. These funds are obtained when officers confiscate items that are illegal, obtained by fraudulent methods, or against the terms of the parole or probation conditions.

## **Drug Courts**

There are five Adult Drug Courts in the State of North Dakota and Parole and Probation has one officer assigned to each court. There are two Drug Courts in Fargo, and one in Bismarck, Minot, and Grand Forks. Drug Courts attempt to divert offenders from entering the correctional system by providing intensive supervision and treatment services. Each court has a drug court team consisting of a Judge, States Attorney, Treatment Staff, and a Probation Officer. Every offender accepted into the Drug Court meets with the team weekly in court, as well as frequent contact with the assigned Probation Officer. Any offender violations are dealt with swiftly and aggressively, and the team works closely with the offender to assist them in any way possible. During the 2013-2015 biennium there was a total of 203 new participants into drug courts, putting the total active participants during this biennium at 298. Of that number, 119 participants graduated during that time-frame and 91 were terminated for program violations. Drug Courts have shown consistent results and have proven to be an effective alternative for offenders that are willing to make the commitment. These programs have made a significant impact on the number of offenders that may have potentially entered the DOCR correctional system.

## **Re-Entry Programs**

There are two re-entry teams in the state of North Dakota that are located in Grand Forks and Devils Lake. These are community programs, and Parole and Probation has staff assigned to work cooperatively with these teams in each community. Re-entry involves inmates being released from incarceration and formulating a plan to successfully reintegrate them back into society. These teams consist of several community stakeholders such as Job Service, Treatment, Housing, Education, Law Enforcement, and others to truly assist the offenders. The officers assigned to re-entry work as part of the team and provide intensive case supervision to what is typically a high risk population.

## **Sex Offender Management**

The Parole and Probation Division has seen an increase of over 100 sex offenders on supervision throughout the state in the past two years, and currently supervises a population of about 560 sex offenders. There are nine sex offender specialists throughout the state in Bismarck (4), Fargo (2), Minot, Grand Forks, and Jamestown. In addition, each district office that does not have a sex offender specialist has at least one staff member trained

as a sex offender liaison. These officers provide intensive supervision of the sex offenders and work to meet their goal of “no new victims”.

Determining levels of risk and need are extremely important so that all sex offenders under the umbrella of Parole and Probation are provided supervision and appropriate referrals to reduce their risk to reoffend. To this end, officers continue to use the following assessment tools: LSI-R (Level of Supervision Inventory-Revised), Static 99-R, Stable and Acute. Parole and Probation’s assessment tools are also incorporated in material provided to the Attorney General’s SORAC (Sex Offender Risk & Assessment Committee) meetings to help determine levels of risk for all sex offenders required to register. North Dakota has three levels of risk for those sex offenders needing to register: Low risk sex offenders register for 15 years, Moderate register for 25 years and High risk sex offenders and/or those with more than one sex offense are required to register for their lifetime.

Housing for sex offenders continues to be a serious problem around the state. Homeless offenders are a serious concern for staff as that is a significant risk factor that can increase the likelihood of reoffending. Bismarck has available a trailer on the grounds of the North Dakota State Penitentiary that homeless sex offenders can reside until suitable arrangements can be made. This has proven to be a valuable and often used resource. Since opening in 2009, the trailer has housed 78 sex offenders with an average length of stay of 115 days. Other areas of the state lack any type of housing that allow for sex offenders and this is a big obstacle for the officers and offenders.

### **Fugitive Task Force**

Parole and Probation has an officer assigned as part of a multi-agency Fugitive Task Force that is operating in the Fargo area. Frequently, offenders under supervision will abscond and not report as required to their probation officers. These offenders are at high risk to commit new crimes, and seeing that they get apprehended as soon as possible is a top priority. This officer also works closely with the Cass County Drug Task Force, and is a great resource for sharing information on our offender population in the Fargo area.

### **GPS Program**

Global Position Satellite (GPS) is used to assist with the supervision of offenders, primarily high risk sex offenders. We currently contract with Satellite Tracking of People, LLC (STOP) to provide equipment and services for the program. Use of GPS has been increasing, and we currently average about 65-70 offenders being monitored daily. With GPS, the officers can track their offenders via the internet, and are advised of serious violations as they occur by STOP. We utilize on-call officers that respond 24/7 to any violations that may require immediate attention. Many local law enforcement agencies also can access the GPS data should they have activity that would suspect a sexual offender. Although GPS is only a tool to



monitor offenders and not a magic bullet to stop crimes, it has proven to be a valuable. Officers have been able to use the information obtained through the GPS tracking to assist with investigations and provide information to law enforcement investigators.

### **SCRAM (Secure Continuous Remote Alcohol Monitor)**

SCRAM has been a valuable tool utilized by the officers to monitor an offender's use of alcohol. The SCRAM bracelet is attached to an offender's ankle, and has an advantage over breath alcohol testing as it monitors continually for consumption. SCRAM has been utilized mainly in parole cases and for offenders who violate the terms of supervision by consuming alcohol. The daily average for SCRAM has ranged between 60 and 70 offenders, with a total of 392 having been placed in the program during the biennium. SCRAM has proven to be a valuable tool with over 66% completing the program with no identified violations such as consuming alcohol or tampering with the bracelet. Even in cases where violations were identified, many were able to complete the program with no further court or parole board action.



### **Training**

Parole and Probation is committed to offering our staff the training and tools necessary to work safely in the field. We teach staff the skills to effectively communicate with offenders and to deescalate potentially dangerous situations. We have worked to incorporate the Core Correctional Practices into our daily work, giving offenders the opportunity for positive behavior change. Firearms skills are practiced routinely and four mandatory shoots are scheduled annually. We utilize the facilities at Camp Grafton for our annual training exercise where staff works on shooting skills, weapon retention, searches, and scenario training. All sworn staff is certified in the use of tasers, and has made them available in all district offices. We train to minimize the risk of possible violent interactions, but to be prepared should a situation go bad.

The addition of a training officer has been a huge benefit to our department. With sixteen district offices, the need was there to make training more consistent and available to everyone. We were also able to develop a two week Parole Officer academy to train specific to our work. This has proven to be very successful and valuable for our new staff.

### **Goals**

Parole and Probation continues to strive to more effectively manage offenders in the community. We work to keep our communities safe, while giving the offenders the opportunity to positively change their behavior. To continue to move forward, the division has several goals for the future:

- The use of Effective Communication/Motivational Strategies (ECMS) and Core Correctional Practices (CCP) is critical to eliciting positive change in our offenders. We must continue to train and support staff in the development of these skills.
- Our current data management system (DOCSTARS) is in need of updating. Staff are working on a redesign to make for a more efficient system.
- We are looking to provide more mobile and current technology for our staff. Tablets will be issued that can be utilized outside the office, and voice recognition software added that will make staff more efficient.
- We were awarded sixteen new officers for the 2015-2017 biennium; training will be critical and a challenge.
- We will pilot a project to look at more effective ways to deal with our youthful offender population. Part of the focus will be front-end placement into Thinking for Change programs.
- Work with NDSU to evaluate the effectiveness of providing pre-plea assessments to the court. If the project is proving effective, develop strategies to enhance the project. Part of this discussion must include looking at developing a pre-trial program in the state.
- Upgrade our radios to provide for better communication with fellow law enforcement agencies thereby providing additional safety for staff.
- We will be assigning a staff person in Fargo and Bismarck to work with our Severely Mentally Ill offender population. It will be necessary to develop stakeholder groups in each town that will work in a cooperative effort to help manage this difficult population.
- Develop strategies that can help to reduce the number of offenders that abscond from supervision.
- Continue to monitor the research on “what works” in probation and parole.
- Strive to maintain or reduce our revocation and recidivism rates.
- Provide all the skills and tools necessary for the staff to safely conduct their work.

## Challenges

There are many challenges we face as we move into the next biennium.

- The increase in the number of individuals being sentenced to probation or released on parole will continue to impact our workload. Considerable resources have been placed into additional law enforcement officers who will further impact the numbers potentially placed under supervision. Maintaining manageable caseloads will be critical.
- Organized crime and gangs have continued to grow. Staff deals with these offenders daily which make supervision challenging and dangerous.
- The increased presence of methamphetamine and heroin statewide is a serious issue. Offenders under the influence of these chemicals tend to illicit erratic and violent behavior.
- There is a shortage of drug/alcohol addiction services available in the community. This is primarily evident for those offenders requiring intensive, long-term treatment programs.
- We have seen an increase in offenders suffering from severe mental illness. There are few resources available for this population in the community.
- Slowdowns in the oilfield will lead to employment and financial problems for some offenders.
- Housing for offenders convicted of sex crimes has been difficult in many areas of the state.
- Upgrading our data management system will be a major change and require considerable training for staff.
- Recruiting and retaining quality staff will be an on-going challenge.

# Correctional Practices: Putting the “R” in DOCR

*Around the country, criminal justice staff and offenders alike have a common saying about their Department of Corrections & Rehabilitation (DOCR). The saying goes, “This is the DOC. The ‘R’ is silent.”*

Michael Santos’ 2006 biography, “Inside: Life Behind Bars in America” he intimates that rehabilitation is not truly the goal of any DOCR, otherwise offenders would be released once they had been rehabilitated and would not be released if they hadn’t been rehabilitated. Santos offers an insight that is hard to argue, but complicated to apply due to both our emotion about crime and the dynamic nature of behavior change.

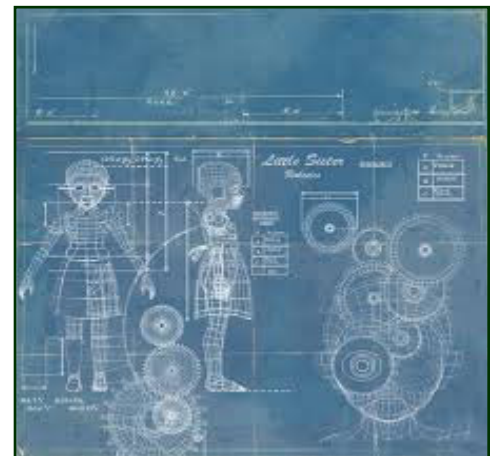
While we can’t control our product as easily as a car manufacturer, we can follow the blueprint laid out by the ‘what works’ research to rehabilitate and reduce the risk of future reoffending and make sure the ‘R’ isn’t silent at the ND DOCR.

## Step 1: Identify the Problem

The behavior that brings offenders to the DOCR is **crime**.

## Step 2: Clarify a Goal

Reduce the likelihood of future crime once offenders leave ND DOCR supervision and custody in order to keep the public safe. Reduce risk using evidence of ‘what works’ and do it well.



## Step 3: Identify Steps toward Goal Using Sound Research

All behaviors are learned and changed the same way. Objectively apply elements of effective intervention to crime.

**MOTIVATION:** I want to

→ **ABILITY:** I know how to

→ **PRACTICE:** I get good at it

→ **REINFORCEMENT:** I get good things when I do it

→ **CONSEQUENCE:** I lose things when I don’t

## Step 4: Develop a Realistic Plan

**What:** Target the top predictors of reoffending: criminal thinking, antisocial peers, and impulse control.

**Who:** All DOCR staff that interact with offenders in prisons or the community.

**How:** Teach staff job-specific ways to implement the elements of effective intervention.

**MOTIVATION:** Staff utilizes motivational interviewing skills and enhances offenders' desire for change.

**ABILITY:** Staff teaches offenders to identify risky situations, risky thinking, and new behavioral responses.

**PRACTICE:** Staff prompts offenders to practice new skills at a high frequency.

**REINFORCEMENT:** Staff identifies target behavior progress and reinforces these behaviors.

**CONSEQUENCE:** Staff identifies target behavior regression and disapproves of these behaviors.

## Step 5: Implement the Plan

**Special Assistance Unit:** In 2015, a pilot was launched to redesign practices of the Special Assistance Unit (SAU) located at James River Correctional Center. The goal of the pilot is to utilize skill building and reinforcement to stabilize and equip offenders with skills to function with reduced risk. SAU houses the most severely mentally ill and difficult to manage offenders. The pilot seeks to identify specific behavioral targets that make functioning in less restrictive housing a risk for the offender and staff and equip the offender to gain the skills necessary to function at a lesser risk. Treatment, Case Management, Security, and Psychologists trained in Core Correctional Practices ('what works' research) work in tandem in this unit to engage offenders in behavior change activities and reinforce progress frequently.

Data at two week and two month check points indicated offender improvement up to 55% in specific target behaviors that inhibit ability to function in less restrictive housing such as medication compliance and aggressive behavior towards staff. The continued plan is to extend the pilot and include more offenders in the unit and continue to collect data to inform next steps for a unit-wide behavior modification rollout to more adequately transition offenders to less restrictive housing.

**Administrative Segregation:** In 2015, North Dakota State Penitentiary has begun planning for an Administrative Segregation redesign to shift the utility of this unit from punishment for chronic misbehavior to a more focused unit intended to separate, evaluate, and equip the most dangerous offenders with the skills to manage risky situations with less dangerous behavior displayed. The goal is to set individual behavior plans linked to the behavior that inhibits an offender's ability to safely

function in general population. The offender learns and practices pro-social responses to risky situations with all correctional staff from treatment providers to unit staff and has to demonstrate progress towards behavioral goals in order to transition to less restrictive housing. Staff will receive advanced training in Core Correctional Practices and behavior modification techniques to facilitate offender change through routine daily interactions.

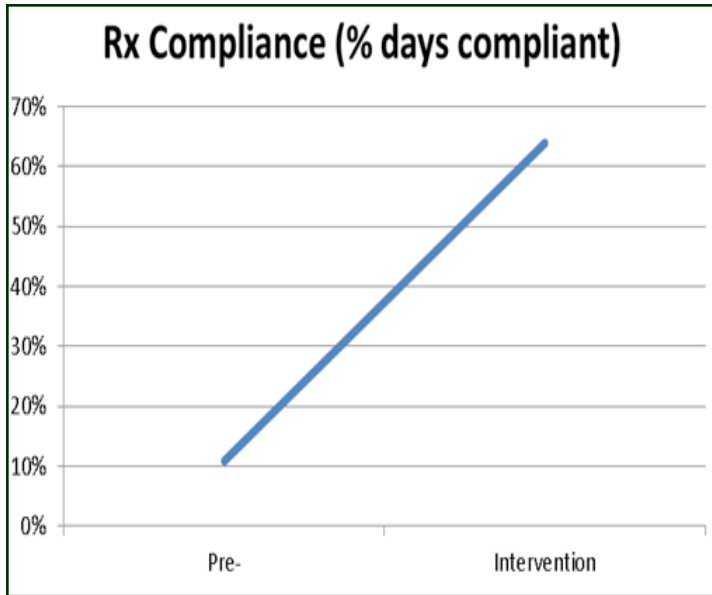
**Parole & Probation Services:** Staff are trained in Effective Practices in Community Supervision (EPICS) which is a proven recidivism-reducing strategy that structures regular offender contacts to focus not only on monitoring and compliance with special conditions, but also on equipping offenders with the abilities needed to respond to risky situations without engaging in risky behaviors on and off supervision. All probation officers are trained to deliver high fidelity EPICS sessions with high risk offenders and receive observation and feedback on their skill delivery. EPICS applies the concrete risk reducing interventions from Cognitive Behavioral Treatment and Motivational Interviewing into sessions between officer and offender giving the offender a higher and continued dosage of 'what works' to reduce reoffending.

**Institutional Case Management:** Following the research on effective case management practices, institutional case managers are taught the principles of effective intervention and how to complete a structured, skill-equipping contact for offenders on their caseloads. Case Managers take the offender's supervision plan and facilitate how goals and strategies are met through the teaching and practicing of tools aimed at the thoughts and actions that lead to crime and rule-breaking behaviors. Case Managers not only manage the offender's case plan but also lead the unit staff in focused behavior modification strategies to improve inmate behavior in the housing units.

**Institutional Behavior Modification:** Staff members at every level of offender interaction play a role in conditioning offender behavior. Regardless of station, staff that interacts with offenders will at the very least observe offenders making pro-social or antisocial choices and can respond to these behaviors using the proven Core Correctional Practices of Effective Reinforcement and Effective Disapproval. Staff members hold offenders accountable for rule-breaking behaviors by responding with Effective Disapproval to reduce unwanted behaviors. Staff also look for and respond to when offenders demonstrate progress towards rule-following and pro-social behavior and deliver Effective Reinforcement and positive behavior reports to increase these desirable behaviors. Staff receive new hire training on the theoretical model of criminal behavior change as well as annual skill workshops to improve skill delivery and results.

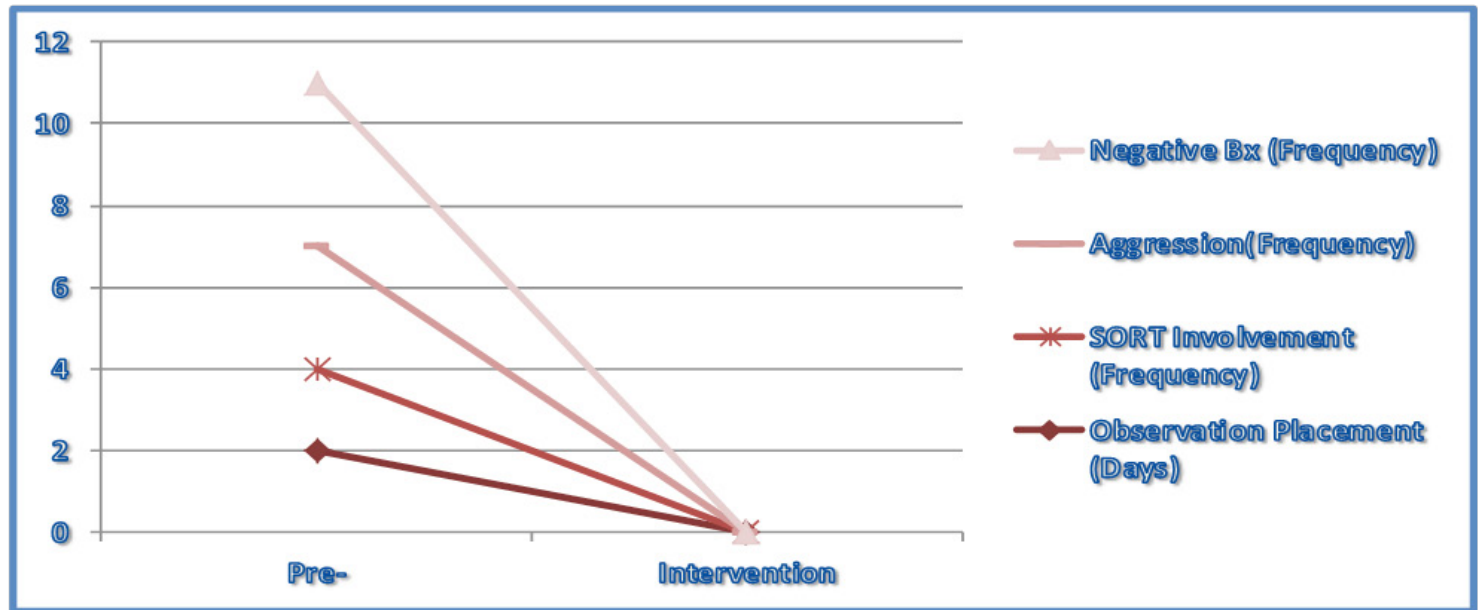
## Step 6: Evaluate the Plan

While many elements of the plan are in their infant stage of implementations making it difficult to meaningfully evaluate, we have promising data supporting efforts in both the Special Assistance Unit and Institutional Behavior Modification programs.

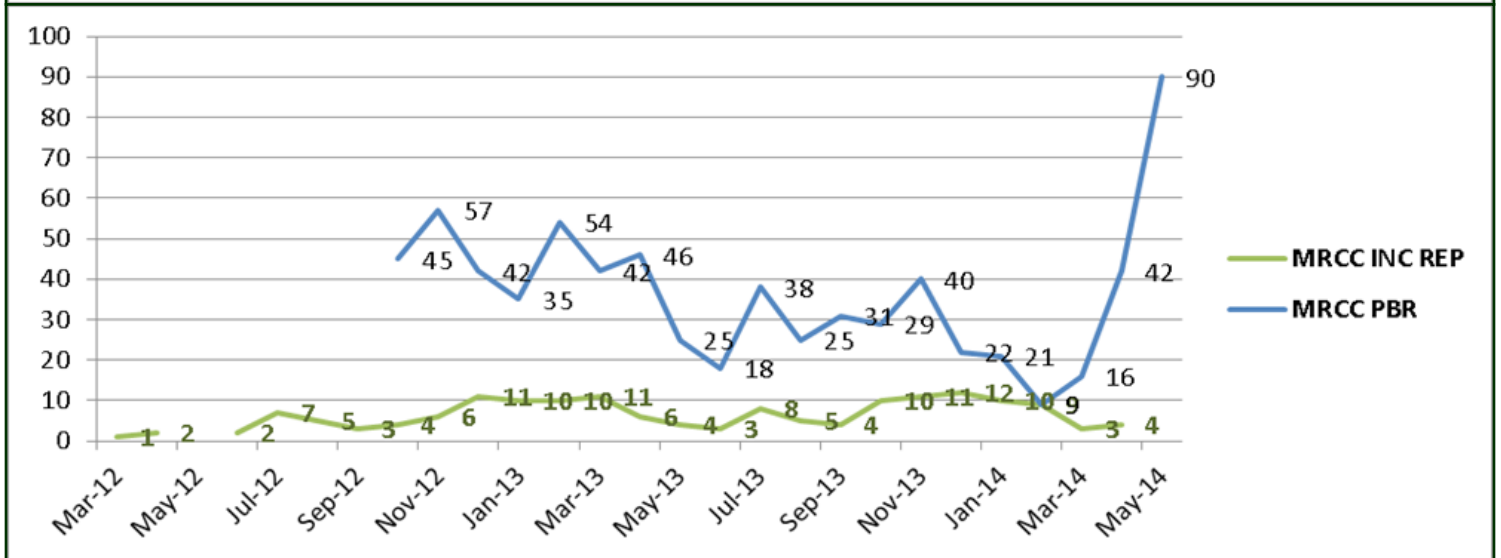
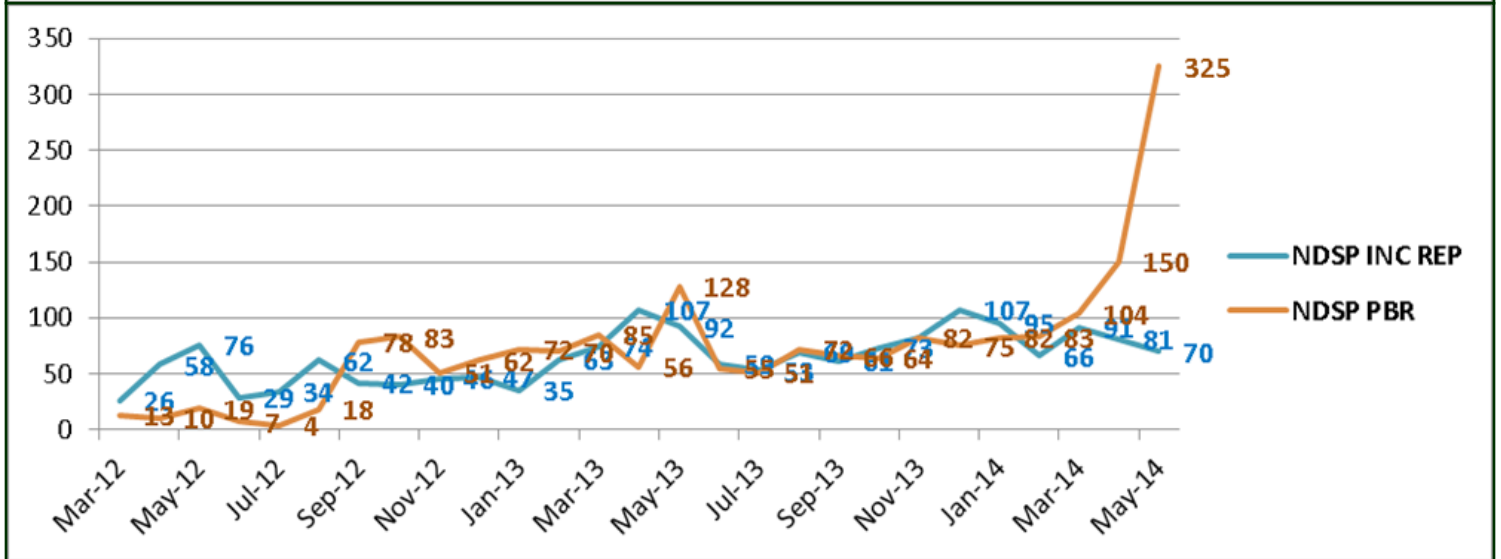
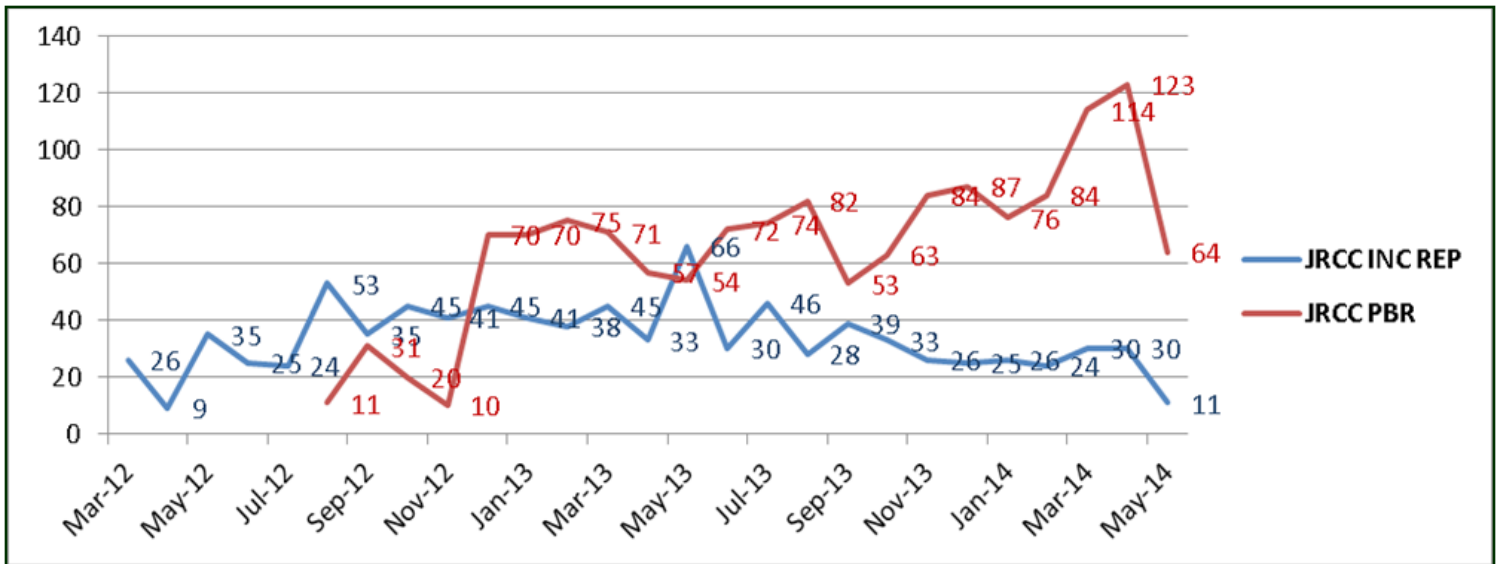


When applying the evidence of 'what works' to reduce recidivism and utilizing the sound research of behavior change, we see improvements in critical areas of offender behavior. Below are two examples of offender behavior change when their Motivation, Ability, Practice, Reinforcement, and

Consequences are attended to strategically by staff.



Additionally, when reinforcement (PBR for positive behavior reports) increases for an offender institutionally, we consistently see reductions in negative behavior and negative incident reports that impact the safe and secure functioning of institutions indicating the institutional behavior modification program is working.





# Programs & Treatment Services

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Programs and Treatment Services Mission: Provide quality treatment in an environment that fosters respect, growth, and opportunity for change while assisting with community integration and reducing recidivism.

The Programs and Treatment Services department provides interventions to affect change and reduce the risk of recidivism in the criminal offender population. This is accomplished through high fidelity implementation of evidence-based correctional practices targeting each offender's identified criminogenic risk and need areas.

During the 2011-2013 interim, the department began a comprehensive program redesign focused on implementation of the Risk-Need-Responsivity Model. The 2013-2015 interim saw a continued focus on program development and evaluation, along with engagement of community stakeholders and infrastructure building. This upcoming biennium will include ongoing quality assurance and outcome measurement, as well as implementation of evaluative feedback. We will also work with community leaders to develop effective, evidence-based interventions to improve the transition from prison to community and reduce the number of individuals with serious behavioral health needs who are sentenced to incarceration.

Programs and Treatment Services include clinical and administrative staff that manages the provision of behavioral health services at the three male prison facilities. Such services are also provided at transitional facilities, the Dakota Women's Correctional and Rehabilitation Center, and in outpatient treatment settings by contract agencies. At each prison site, the facility Warden and Clinical Supervisor collaborate in overseeing the clinical staff, with the DOCR Clinical Director (a licensed clinical psychologist) managing clinical supervision and program development across all three facilities. The Clinical Director also assists contract sites in program development and implementation. Additionally, NDSP and JRCC each employ a psychologist under the direct supervision of the Clinical Director to provide psychological evaluation and individualized intervention services.

The DOCR utilizes the following five core group intervention programs to reduce risk for criminal recidivism:

Program	Target	Length	Referrals*
Thinking for a Change	Criminal thinking and behavior	13 weeks	50%
Cognitive-Behavioral Interventions for Substance Abuse	Substance abuse	14 weeks	75%
Conflict Resolution Program	Aggression and violence	16 weeks	10%
Alternatives to Violence in Relationships	Domestic violence	16 weeks	13%
Cognitive-Behavioral Interventions for Sexual Offending	Sexual offense recidivism	26 weeks	6%

\*Denotes the average percentage of new admissions per month referred for the program in 2015 through August 2015.

Mental health status continues to be a key Responsivity issue for offenders in targeting criminogenic risk in that it influences the effect of evidence-based interventions on an individual level. Fifty-four percent of male inmates are diagnosed with a behavioral health disorder in addition to substance use or personality disorders. Fifty-eight percent of those diagnosed are prescribed psychotropic medications which equates to 32 percent of the overall male inmate population receiving ongoing psychiatric treatment. With the 2015 average daily male inmate count hovering around 1,350, this means over 400 men are being treated psychiatrically by DOCR prescribers.

Among female inmates, 56 percent are diagnosed with a behavioral health disorder in addition to substance use or personality disorders. Of those given an active diagnosis, 71 percent receive treatment with psychotropic medications. Forty percent of the overall female inmate population receives psychiatric medication treatment which is around 55 women at any given time.

**Goals for the upcoming biennium include the following:**

- Collaborate with community partners to create an APPIC and APA accredited psychology pre-doctoral internship program;
- Develop quality assurance strategies that evaluate staff adherence to procedure in addition to reviewing the content of their documentation;
- Identify additional short-term outcome measures that will determine whether interventions have been successful;
- Expand the JRCC Special Assistance Unit pilot program to all offenders residing in the unit and incorporate it into unit procedure and daily operations;
- Launch a behavior modification pilot program in the NDSP Administrative Segregation Unit to help offenders reintegrate more effectively into the general prison population and reduce the use of restrictive housing;

- Further engage stakeholders to provide effective, efficient interventions that adhere to the Risk-Need-Responsivity Model to offenders in their home communities;
- Continue to build partnerships with local universities to conduct assessment validation and program outcome research to inform service delivery.

## **Successes**

- In her report of statewide behavioral health needs, Renee Schulte cited the Department of Corrections and Rehabilitation among “the best news”, describing the department as “a great example of cutting edge programming”.
- The Special Assistance Unit at JRCC launched a behavior modification pilot program to identify target behaviors and increase the use of reinforcement in helping offenders with serious mental illness make positive changes. Preliminary data suggests this project has been highly successful at decreasing harmful behaviors and improving quality of life for offenders.
- The DOCR utilizes a mental health care level system to identify those who present the most acute and chronic risks to themselves or others due to behavioral health concerns. The care level guides the frequency of individual follow-up and transitional planning services.
- Dr. Andrew Meyer at North Dakota State University has partnered with DOCR to complete a local validation of the Static-99R assessment of sexual recidivism risk. A similar project was undertaken in 2003 and the re-validation is expected to be complete in early 2016.
- The DOCR has contracted with Sex Offender Assessment and Treatment of North Dakota (STAND) to ensure continuity of care for high risk sex offenders who have completed sex offender treatment while in prison as they reintegrate into their home communities. The STAND program received an Effective rating on the Correctional Program Checklist audit after being in operation for only 10 months.
- Behavioral health staff work diligently to ensure even the most challenging offenders identify motivating reasons for change and meet the requirements of their recommended treatment programs. As a result, average program completion rates are above 70 percent. Over 450 individuals are engaged in treatment programming at any given time in DOCR and contract facilities.
- The DOCR continues to focus on inmate safety as evidenced in part by zero completed suicides in custody since 2004. Nationally, suicide accounts for 6% of all inmate deaths per the Bureau of Justice Statistics most recent research.

- All behavioral health staff positions are filled with well-qualified employees, despite workforce shortages across the state.

## **Challenges**

The increasing prison population presents challenges as behavioral health staff work to meet the programming and service needs of offenders. Additionally, the barriers offenders face in accessing the housing and services they need in the community presents concerns for successfully reentry. This is particularly true for individuals with sexual offenses and those with serious behavioral health needs.

First, there simply are not enough affordable housing options, residential treatment options, substance abuse treatment providers, or psychiatry and extended care services available. The shortage of qualified psychiatric providers not only impacts community clinics, but the corrections system as well. As stated above, DOCR continually houses about 450 people in need of psychiatric services at varying levels of intensity. Second, recent research suggests that simply linking individuals with serious mental illness with mental health services does not reduce the likelihood they will commit a new crime. Transitional planning for offenders with serious mental illness is most effective when the individuals have access to programs that target criminal thinking, both in institutional and community settings. Such programs are available within DOCR facilities, but are not generally available in outpatient settings.

Many community behavioral health providers work with individuals involved with the criminal justice system, but there is a lack of outpatient programs in numerous areas (SMI as described above, substance abuse, domestic violence, sex offender treatment) that focus on criminogenic risk and needs. Such programs are not effective in reducing criminal recidivism, which creates difficulties in continuity of care for people transitioning from prison to community and perpetuates the cycle of crime and incarceration.

# Industries

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## **How We Fulfill Our Mission:**

At Rough Rider Industries (RRI) our mission is to provide appropriate educational, vocational, employment skills and training opportunities allowing offenders pathways to reenter the community successfully thereby reducing recidivism. To accomplish this RRI provides monthly jobs to roughly two hundred inmates throughout all three facilities and had a total of five hundred twenty-eight workers enrolled in our industries program during this past biennium. This was an increase of forty workers over the previous biennium. RRI provides skills training in the production of furniture, metal, and tag plants, sign shop, CAD department, cut-n-sew, upholstery, plastic bag manufacturing, commissary operations, warehousing, delivery and installation, and support services.

With ninety-seven percent of the inmate population being released at some point, it is imperative that RRI provide the necessary job skills training which will help increase their chances of finding gainful employment. Obtaining employment upon release is an important piece in the re-entry process and lessens the chance to recidivate. Many of our inmate workers have never held a job. RRI's goal is to teach both soft and vocational job skills to our inmate labor force. Soft skills taught include getting up in the morning and going to work, taking pride in your work, and working well with other individuals, along with learning a vocation. RRI's production environment allows us to teach the soft skills and involves the use of equipment and machinery which helps us train inmates on the safe use and precision settings for different types of equipment. Inmates learn hard skills such as welding, assembly, touch up and repair, staining, powder coating and painting, and sandblasting which is necessary for vocational learning. Other skills taught by our program involve the different methods of sign making, state of the art software designing from our CAD department, upholstery and sewing techniques, warehousing and store operations, and clerical services. Many of these skills are in great demand in the private sector and are necessary tools helping inmates to make a smoother transition back into the community.

## **Projects:**

Upon completing the prison expansion project during the last biennium, Rough Rider Industries (RRI) took on a new challenge in 2014 helping North Dakota update the look of the State's license plate. During the 2013 legislative session it was decided that it was time for a change in both graphics and license plate style so in 2014 RRI joined forces with the Department of Transportation in helping create a new design and procuring new license plate manufacturing equipment. A design was chosen which kept many of the existing landmarks from our current plate, and equipment

and sheeting vendors were selected. An estimated 2.4 million plates are going to need to be produced during the 2015-2017 biennium with actual production beginning in August 2015 and new plates travelling the North Dakota roads later that fall.

Rough Rider Industries took on another new challenge in 2014, helping complete the new North Dakota Heritage Museum. This project was very large in nature and was unique in that it was RRI's first large sale and installation of Modular System Furniture which was added to our product line last biennium. This project utilized our inmate CAD employees in designing the cubicle layouts for the panel systems and also required workers from our upholstery department in applying material coverings to the privacy panels. The project challenged RRI with producing wood cabinetry, shelving, other office furniture, and custom built exhibit displays. The project was divided into three different installation phases and required RRI staff to work very closely with the Heritage Center personnel in coordinating installation readiness. This project allowed RRI to employ and teach our inmate workers many valuable vocational skills. It also involved the planning, designing, production, warehousing, and installation of products and materials from our CAD, furniture, upholstery, warehouse, transportation and installation departments. The entire project was an excellent training opportunity which helped aid in the inmate rehabilitation process.

Part of RRI's mission statement reads to employ inmates to produce quality goods and services. In keeping with our mission of providing services, RRI was contacted during the fall of 2014 by the Bismarck Parks & Recreation District requesting our ability to help replace the hockey boards at three of the Bismarck skating rinks. This project required RRI to prepare the boards in our manufacturing facility and provide the on-site labor and oversight for installation. Our service proved to be very valuable to Parks & Recreation as winter was soon approaching and time was of the essence. RRI was able to fully complete these projects in a three week time frame from start to finish and enabled Parks & Recreation to open the skating rinks on time as planned.

During this past biennium, RRI partnered with the Independent Community Banks of North Dakota (ICBND) to design and provide office furniture to Horizon Financial Bank's new office branch located in Bismarck. This project was the first large project partnered with ICBND and was a great way to showcase our work to the banking industry along with generate funding for ICBND as one of our retail partners.

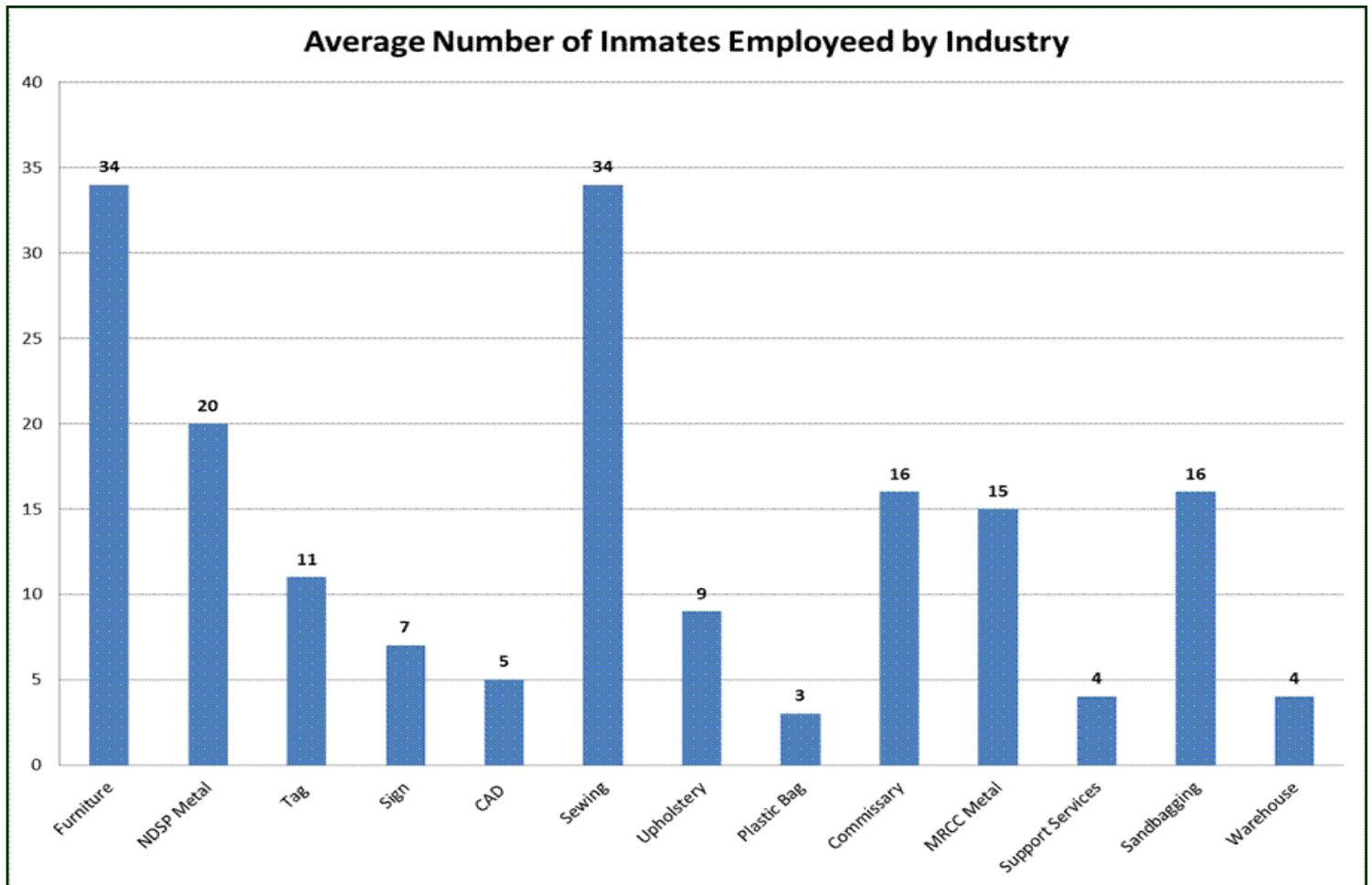
These were a few projects which proved the capabilities of RRI staff and our inmate labor force. They provided us with many learning and training opportunities, and allowed RRI staff to instill a sense of pride and accomplishment in our inmate workers and staff alike.

### **Operations:**

Change is a constant variable in any operating entity and RRI is no different.

The turnover of many long serving employees is always a challenge that has to be addressed. During this past biennium, RRI had five staff members that had either met their retirement rule or reached their retirement age. We continue to plan for these departures by evaluating each position as opportunities present themselves, always looking for more efficiency without sacrificing our work safety and security. Reclassifications or department reorganization is always taken into consideration when an opening presents itself.

From a financial perspective, RRI had another successful and profitable biennium with our furniture shop and sewing operations being the largest inmate employer having up to fifty workers employed in each industry when we are at our busiest and our metal shop being the most profitable with dumpster manufacturing and cattle gate panels driving this segment. We continue to search for new opportunities in each industry helping us in our mission of employing inmates in a self-funded manner. Listed below is a breakdown of the industries offered and the number of inmates working in these particular trades:



### New Product Line:

Inmate counts continue to rise at each facility and the need for RRI to create more work opportunities which are profitable in nature is always one of our main goals. In January of 2014, RRI found one such opportunity and was able to meet a need of the State. RRI worked with the North Dakota Office of Management and Budget (OMB) in coming up with a solution to their

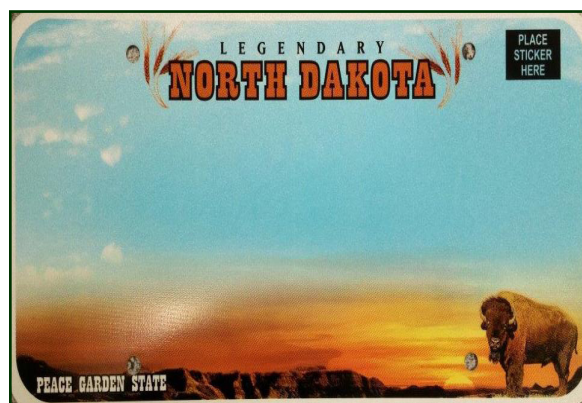
plastic garbage bag problem. State agencies had been receiving poor and inconsistent quality from their garbage bag provider and approached RRI for a solution. RRI was able to identify an equipment and material supplier which would enable RRI to create five additional work opportunities and meet OMB's desire for a quality product. In January 2014, RRI incorporated this new industry into our current facilities at JRCC. This created a tighter work space area for our upholstery and sewing shops along with space constraints for managing our raw material storage but we were able to add this industry with no additional supervisory personnel.

In 2013, RRI began a partnership with the North Dakota Department of Transportation (DOT) in an effort to help create a custom design work jacket for their DOT field staff. These jackets were designed with input from DOT every step of the way. DOT employees asked RRI to address problem areas with their previous garment as well as incorporating items they would like to see in a new jacket product. RRI produced jackets for the 2013 season and made a slight modification to the design in the 2014 product model.

### **New Technologies:**

RRI upgraded our Macola manufacturing software during this past biennium and went fully operational in July of 2014. Our previous version of Macola software was purchased in 1998 and had gone through many updates and changes along the way and was no longer system supported. Our newly purchased software version is more user-friendly, and most RRI staff now fully understands how to use this software and the program's capabilities. This new system gives us real time data which is essential in making informed day to day business decisions.

Along with our Macola software upgrade it was also decided that we were in need of an upgrade to our Customer Relations Management (CRM) program which is used to help manage our customer base and product pricing, and was a separate software module offered by our Macola manufacturing software provider. This program is much more user friendly than our previous CRM and allows our sales team remote access to customer files and pricing data which help make their sales calls more efficient.



As mentioned earlier, new production equipment was procured during the summer of 2014 to help North Dakota make the conversion from embossed license plates to digitally printed flat plates. The equipment needed for this change includes a digital printer which will enable RRI to teach inmate workers new print technologies using the latest printing equipment and expands our offerings



to our sign shop customers. This change also required the purchase of a new sheeting applicator for license plate making. The previous applicator was leased from our sheeting provider with the charges for its use included within our sheeting price. The long term cost to this method of equipment access is substantially higher over time than actual ownership. This new equipment was able to be incorporated into our existing production area and is fully owned by RRI. It also allows us more price negotiating flexibility with sheeting suppliers as we aren't locked in to one provider and can negotiate better material pricing.

### **Future Goals:**

RRI will continue to face many challenges over this next biennium with the license plate reissue project being one of our largest projects. Another important challenge will be to create more jobs to accommodate the increasing inmate population. RRI must find a way to give these offenders an opportunity for work, whether that is by way of creating a new industry, or by increasing our current business lines. One of the obstacles preventing RRI from achieving the above stated goal is finding more physical manufacturing plant space. Currently, all three facilities useable shop space is in very short supply. The addition of a new industry is not possible and the addition of new manufacturing equipment would also be very difficult as it would create an unsafe work environment for both inmate workers and staff due to space limitations. To increase employment opportunities, these space limitations will need to be addressed in the future.

During the last legislative session RRI put in a budget request to install an air conditioning unit at our James River Correctional Center (JRCC) manufacturing facility. This budgetary item was approved and contractors are being solicited for an early 2016 project begin date. Working in a temperature controlled environment will not only be easier on staff and inmate workers alike, but it will also help increase productivity and be less harmful on the equipment and working materials.

RRI is always looking to upgrade our technology offerings to our inmate workers to better prepare them for life after incarceration. RRI is planning on making such an advancement in our sewing operations by purchasing a digital scanner and plotting equipment which will scan and electronically save existing patterns, along with help develop and size new pattern designs. This equipment will provide a more secure way of storing our patterns and help us produce a more consistent product.

Producing goods and services that are environmentally friendly in nature is always a goal of RRI. One such product that we are excited about and plan to conduct future test marketing with, is on a new mattress core material that is made from 100% recycled plastic. This product is environmentally friendly, washable, 100% breathable, can be recycled up to five additional times, and lasts twice as long as polyurethane foam. This product is currently in use by the U.S. military and we plan on test marketing this product to managed care facilities and higher education in 2016.

# Administrative Services

## Interstate Compact for Adult Offender Supervision

Both the Interstate Compact for Adult Offender Supervision and the National Interstate Commission were created to promote public safety and to protect the rights of victims. Both the Compact and National Commission provide uniform rules and procedures that assist with the management of offender movement between states for those offenders placed under community supervision that meet established interstate transfer criteria.

In addition to providing guidance and training opportunities the National Commission also assists states by monitoring compliance with the Compact rules and when necessary also initiates interventions to address and correct noncompliance. In both 2013 and 2014 the National Commission conducted their compliance of North Dakota. North Dakota continues to mark high in achieving compliance guidelines; in fact we mark above national averages in every compliance category.

### ND Interstate Compliance Measures: 7/1/14 - 6/30/15



During this biennium the ND Interstate Compact Office conducted several site visits with our district offices. An Instate Compact Steering Committee was formed; one of the outputs from this committee was the creation of the Interstate Compact Violation Templates, which were created to assist staff with reporting significant violations to sending states. The National Office has recognized these templates as a best practice.

ND continues to have more outgoing Interstate Compact cases than incoming, however over recent years the gap has narrowed. The below numbers are for *accepted* incoming and outgoing cases.

## Total Active (Accepted) Offenders on Interstate Compact:

	6/30/11	6/30/15	% Increase
Incoming	513	682	33%
Outgoing	693	773	12%

While the number of accepted cases is relevant, the activity associated with each incoming case may be more significant as not all cases are accepted yet staff time to complete investigations for transfer requests and reporting instructions is still needed.

## Incoming Interstate Compact Case Activity:

	2011	2014	%Increase
Reporting Instruction Replies:	330	399	21%
Transfer Request Replies:	573	705	23%

## Crime Victims Compensation Program

The Crime Victims Compensation (CVC) Program provides compensation to innocent victims of criminal acts who have suffered physical or emotional injury or death. During the 2013-2015 biennium \$1,501,838.97 was issued to 797 victims with an average claim of \$1,884.37. Additional program statistics:

Applications received during the biennium	999
Applications approved this biennium	797
Applications denied this biennium	202

During the 2013-2015 biennium, staff have been working on administrative rules for CVC. The goal is to have administrative rules for this program finalized and published by June 2016.

There were significant changes this biennium to the mandated federal performance measures. Mandated federal reporting increased from one annual report to an annual report plus quarterly reporting. In addition to the increased reporting, there were also changes made to the required performance data. At this time our current system is only able to capture 10-15% of the new mandated data requests. Our goal in the next biennium is to implement a new CVC database; grant funds have been applied for to assist with this project.

## Federal Victims Of Crime Act (VOCA)

The Federal Victims of Crime Act (VOCA) was established in 1984; as part of this act the Crime Victims Fund was also established. The Crime Victims Fund provides financial support for eligible crime victim assistance programs. During the 2013-2015 biennium, \$2,721,602 was issued to 37 North Dakota domestic violence and sexual assault agencies, victim advocates and child advocacy centers. These agencies provided direct services to 32,610 victims.

**Agencies / Programs That Were Awarded VOCA Funding  
2013 - 2015 Biennium (Fiscal Years 2014- 2015)**

<b>Program</b>	<b>City</b>	<b>Amount</b>
Abuse Adult Resource Center	Bismarck	\$305,338
Abuse Resource Network	Lisbon	\$23,264
Abuse/Rape Crisis Center (CVIC)	Grand Forks	\$235,205
Abused Persons Outreach Center	Valley City	\$87,366
Bismarck/Burleigh Co. V/A	Bismarck	\$85,414
Cass Co. V/W Program	Fargo	\$60,762
Crime V/W Program (CVIC)	Grand Forks	\$121,972
Dakota CAC	Bismarck	\$51,150
Domestic Violence Program	Stanley	\$38,464
DV & Abuse Center	Grafton	\$72,353
DV & Rape Crisis Center	Dickinson	\$105,300
DV Crisis Center	Minot	\$156,804
Family Crisis Center	Bottineau	\$47,365
Family Crisis Center V/W Program	Bottineau	\$26,920
Family Crisis Shelter	Williston	\$83,043
Fort Berthold Coalition / DV	New Town	\$17,011
Kedish House	Ellendale	\$58,668
McLean Family Resource Ctr.	Washburn	\$43,873
ND C.A.W.S.	Bismarck	\$12,770
ND DOCR (Adult)	Bismarck	\$97,999
ND DOCR (Juvenile)	Bismarck	\$51,150
Northern Plains CAC	Minot	\$51,460
Pembina/Cavalier V/A Program	Cavalier	\$35,100
Rape/Abuse Crisis Center	Fargo	\$310,879
Red River CAC	Fargo	\$51,460
S.A.F.E. Shelter	Jamestown	\$71,672
Safe Alternatives for Abused Families	Devils Lake	\$67,683
Stark Co. V/W Program	Dickinson	\$65,912
Stutsman Co. V/A Program	Jamestown	\$48,011
Three Rivers Crisis Center	Wahpeton	\$48,546
Traill Co. V/W Program	Hillsboro	\$20,302
Turtle Mt. Band of Chippewa	Belcourt	\$54,379
Walsh Co. V/A Program	Grafton	\$37,326
Williams Co. V/W Assistance	Williston	\$29,186
Women's Action/Resource Ctr.	Beulah	\$53,032
		<b>\$2,721,602</b>

During this biennium 22 VOCA site visits were conducted. All of these agencies were in compliance with the VOCA federal requirements.

This biennium mandated federal reporting requirements also significantly changed for VOCA. Administrative funds will be utilized from the VOCA Victim Assistance Award to procure a new database. The current system is not sustainable and must be renewed to adhere to the new mandated federal performance measures for the 2015 federal fiscal year. The goal is to have a web-based system implanted in the next biennium that meets the mandated federal performance measures.

## **Crime Victims Account**

The state Crime Victims Account (CVA) was established in 1991. Legislatively mandated, the agency that was designated by the Governor to administer the victims' assistance grants under the Federal Victims of Crime Act of 1984, was to administer a Crime Victims' Account in the state treasury. The money in the account must be distributed through grants to the Crime Victims Compensation program; private, nonprofit domestic violence or sexual assault programs; and to victim and witness advocacy programs whose primary function is to provide direct services to victims of and witnesses to crimes. \$200,000 in CVA grants was issued to 26 domestic violence and sexual assault agencies and victim advocacy programs.

## **Case Planning**

In 2011 Administrative Services assumed responsibility for chairing and coordinating the Adult Services Case Planning Committee.

The case planning committee initiates a case plan that coordinates a systematic response to match the offender with a continuum of resources to increase successful community integration and reduce recidivism.

Every inmate sentenced to the custody of the DOCR goes through a four week orientation process in which they are assessed for medical, psychological, substance abuse, educational, other criminogenic risk and needs. At the end of the four week orientation, each inmate's case is reviewed by the Case Planning Committee to develop a plan for the inmates' path through their incarceration. This case plan is based on each inmate's unique needs, and is created with the objective to increase successful community integration and reduce criminogenic risk. The case plan is then used by case managers to develop specific goals and strategies for the inmate that coincide with that plan. Case managers review and update the plan to ensure the plan is meeting the goal of recidivism reduction.

# Women Services

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The 2003 Legislative Assembly passed House Bill No. 1271, which directed the North Dakota Department of Corrections and Rehabilitation to contract with county entities for the housing of female inmates sentenced to the DOCR. The Southwest Multi-County Correctional Center was awarded the contract and has been housing DOCR-sentenced female inmates at their facility in New England (Dakota Women's Correctional and Rehabilitation Center) since November 2003. DWCRC is a 126-bed women's prison, consisting of a 70-bed minimum unit, a 40-bed medium unit, a five-bed special management unit and a 16-bed orientation unit. DWCRC has 70 employees, with an additional 5 staff shared with the Southwest Multi-County Correctional Center in Dickinson. DWCRC's average daily population for the first year of the biennium was 119 and 128 for the second year of the biennium. DWCRC completed a construction project in 2011 that included a new lobby, control room, receiving area, visiting room, and increased office and kitchen space at a cost of 1.3 million dollars. Currently being discussed are the expansions of the special management and orientation units. The proposed construction would add 12,000 square feet to the facility and include the following; 14 individual cells, an 18-person orientation unit, and additional program and office space.

All DOCR-sentenced female inmates are received at DWCRC. Following a period of orientation and assessment at the prison, female inmates are classified and designated to the appropriate housing units. Approximately 75% of female inmates are serving sentences for non-violent offenses, allowing for large numbers of female inmates to serve their sentences in minimum security housing at DWCRC, halfway houses, or Tompkins Rehabilitation and Corrections Center (TRCC), which is a DOCR-funded program at the State Hospital providing residential substance abuse and cognitive behavioral treatment programs for DOCR inmates and community offenders. The halfway houses utilized for the female inmate population include the Lake Region Reentry Center, the Bismarck Transition Center (BTC) and halfway houses in Mandan and Fargo operated by Centre, Inc. Halfway house placements provide alternatives to direct release from correctional institutions so inmates can secure employment and housing, as well as remain involved in treatment programs while residing in a structured living environment. Among the programs offered at the halfway houses are Thinking for a Change, Aftercare, Motivational Enhancement, employment skills, transitional skills, Seeking Safety, Level I Recovery Skills, in addition to Level II.1 substance abuse treatment groups. BTC and Centre also operate female assessment centers that provide assessments and treatment services for probationers under the supervision and management

of the ND DOCR who otherwise would be subject to revocation of probation and incarceration. There are currently 92 halfway house beds available for female inmates, parolees, and probationers. The facilities housing female inmates provide separate housing units and programming for this population.

There were 565 admissions at DWCRC during the biennium, 501 of those being new arrivals. This is a significant increase over the 388 inmate admitted during the previous biennium. While the female prison population has been steadily increasing over the past three decades, records were set by the end of the biennium with female inmate counts of 220. This is in sharp contrast to female inmate counts ranging from 155 to 171 in November and December of 2013. In order to accommodate these high numbers, the DOCR increased the use of halfway house beds, placed female inmates at the Heart of America Correctional and Treatment Center in Rugby, and restricted the use of TRCC beds to inmate status individuals. DWCRC operated over their 126-bed capacity 83% of the time during 2014 and converted a dayroom and chapel into dormitories to hold the overflow. The average female inmate population for the biennium was 185 offenders.

DWCRC offers a variety of therapeutic groups and strives to implement programs specific to the needs of female inmates. Substance abuse treatment groups, Thinking for a Change, Conflict Resolution, Houses of Healing, Seeking Safety, Coping Skills, Moving On, an eating disorder group, and sex offender treatment are some of the treatment programs made available to inmates at DWCRC during the biennium.

DWCRC offers a number of programs in order to address the educational needs of the female inmate population, as well as assist inmates with personal and career development. The following programs are available through the education department at the prison; GED, Read Right, Career Readiness, computer programs, a welding program, parenting classes, correspondence classes and college courses through the use of interactive television. DWCRC was approved as a GED test site and switched to computer based GED testing in January of 2014. Additionally, work and education release are available to eligible inmates nearing the end of their sentences.



Prairie Industries is the correctional industries program at DWCRC. The program provides up to 25 inmates with the opportunity to develop job skills necessary for success in the workplace following release. A cut and sew operation is located on-site that produces manufactured items such as clothing. Prairie Industries also provides services to a number of local manufacturing businesses in Dickinson through apprenticeship and other work programs,

allowing for the development of marketable skills that will increase post-release employment prospects.



During the summer of 2015, DOCR staff developed a treatment group for the DWCRRC inmates that incorporated elements from Thinking for a Change (a cognitive behavioral skill building program that targets criminal thinking), coping skills, conflict resolution, and trauma group into a single manualized program. Currently in the pilot phase, the program has received very favorable reviews from the inmates and staff at the prison. There are plans to implement the program in all facilities housing DOCR female inmates in 2016. Throughout the system, there was a focus on incorporating uniform core correctional practices and the use of positive behavior reports (effective reinforcement) for the inmate population. Work continues on the implementation of effective communication strategies for staff at DWCRRC, TRCC and the halfway houses.

### **Mission Statement:**

The staff of SWMCCC commits to provide rehabilitative environments that are physically and emotionally safe, being mindful of the obligation to the victims and public. Our mission is to facilitate successful adaptation of offenders into society. This is accomplished through the self-empowerment of staff and offenders to grow emotionally, educationally, spiritually, and culturally. We will focus on consistency, responsibility, and accountability toward the development and modeling of pro-social values through the community.



# Transitional Planning

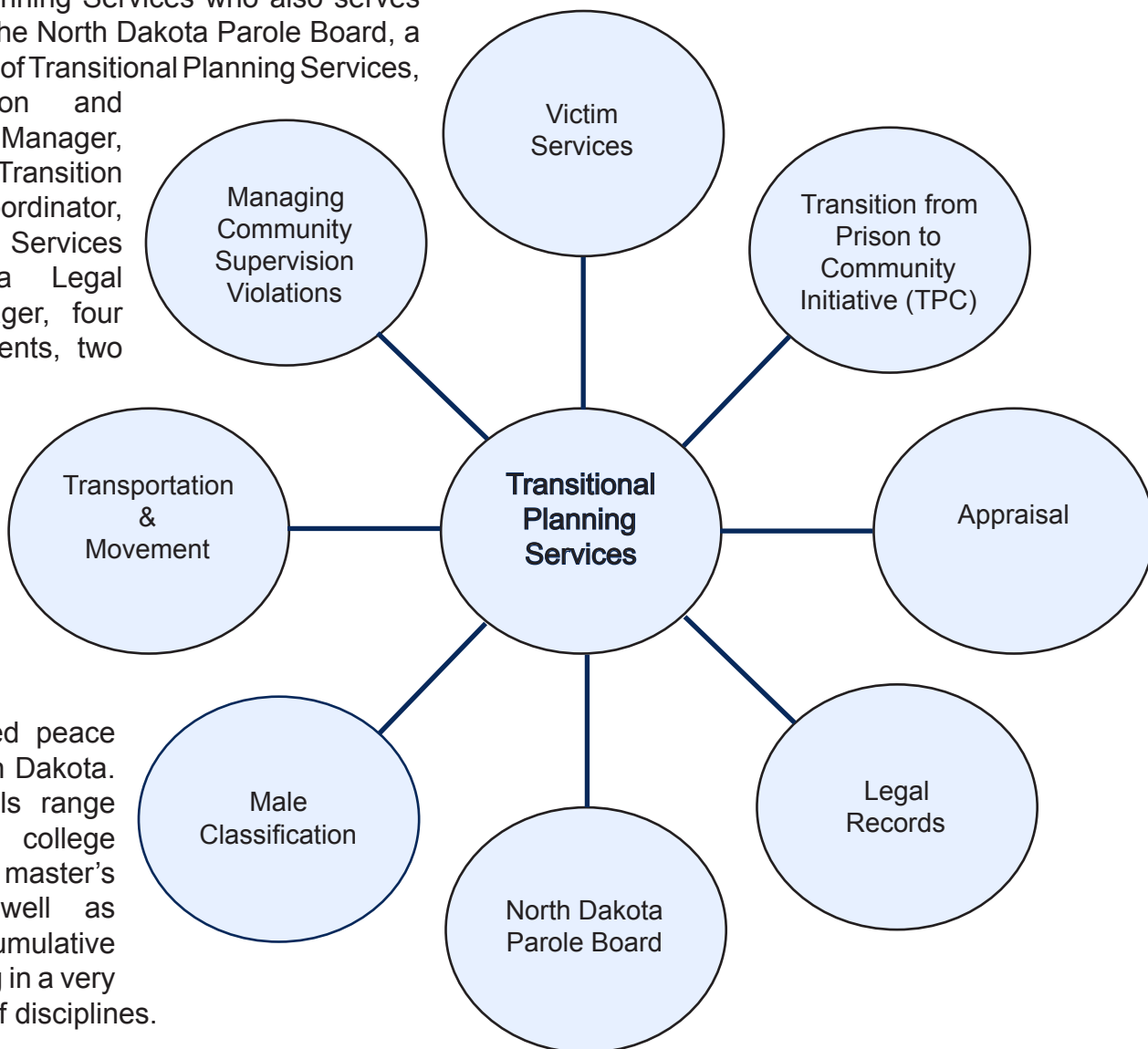
## Mission Statement:

Transitional Planning Services is a team collaboration whose mission is to effectively plan, monitor and advance department's efforts to reduce offenders' risk of recidivism as they transition throughout our correctional system in order to ensure public safety and preserve the rights of victims.

Transitional Planning Services was established within the DOCR Division of Adult Services on October 1, 2007. Transitional Planning Services is responsible for promoting the utilization of evidence-based practices and to assist with coordinating the most effective utilization of DOCR resources as people move into, through and out of the state correctional system.

The staff is comprised of a Director of

Transitional Planning Services who also serves as the clerk to the North Dakota Parole Board, a Deputy Director of Transitional Planning Services, a Classification and Transportation Manager, an Intensive Transition Program Coordinator, a Victim Services Coordinator, a Legal Records Manager, four Corrections Agents, two Administrative Assistants and five Transportation Officers. All of the staff members are certified correctional officers and ten are licensed peace officers in North Dakota. Education levels range from some college coursework to master's degrees as well as thousands of cumulative hours of training in a very diverse range of disciplines.



Transitional Planning Services (TPS) performs many functions within the division. The primary areas of responsibility include: Victim Services, Transition from Prison to Community Initiative (TPCI), Offender Appraisal, Legal Records, North Dakota Parole Board, Male Inmate Classification, Transportation and Movement and Community Supervision Violations.

## **Victim Services Program**

### **History**

The Victim Service Program (VSP) was instituted during the 1997-1999 biennium as a means for the Department of Corrections and Rehabilitation to remain in accordance with the North Dakota Fair Treatment Standards for Victims and Witnesses, N.D.C.C. 12.1-34. The DOCR was awarded a Victims of Crime Act grant (VOCA); however, at that time the DOCR was not awarded a full time employee position. Throughout the first year of the program, the DOCR contracted the Victim Service Program Coordinator with Lutheran Social Services. During the next biennium, the DOCR was awarded a full time position, and the Victim Coordinator became a full-time employee. The Victim Service Program continues to be co-funded by the VOCA grant and the state each year.

The VSP provides post sentencing services to victims whose offenders are in the custody of the DOCR. Throughout the incarceration and supervision period of an individual, it is important for victims to be able to express their concerns or thoughts regarding the impact the crime had on them as well as to be able to ask questions. Services include notifications regarding specific movement and status changes of offenders, referrals for services, safety planning, and coordinating parole and pardon board appearances.

The VSP is a member of the North Dakota Victim Advocate Association and communicates with victim witness advocates within the state's attorneys' offices and community victim advocates to provide a seamless wrap around system of services for victims and witnesses of crime before and after the individual's sentence with the DOCR. The VSP works to educate DOCR employees and the community regarding victim and witness related laws and policies to ensure their rights are being upheld. Also, as a member of the Post-Conviction Victim Services Network, the VSP networks nationwide with other post-conviction victims' programs to continue improving services.

The VSP collaborates with Lutheran Social Services Restorative Justice Program to provide victims and the offender the opportunity to meet face-to-face with a trained facilitator leading the entire conferencing process. The primary goals of the conference are to allow the victim to have some closure with the crime and the offender to have the opportunity to take responsibility for their actions and recognize the impact their behavior had on others.

Another helpful service provided by the VSP is a website containing information about state and national victim resources as well as information and an application for Crime Victims Compensation. The website provides easy access to ND SAVIN link, a link to the Fair Treatment of Victims and

Witnesses contained in N.D.C.C. 12.1-43 and numerous victim and witness programs throughout our state. All this information can be found by going to the DOCR website: <http://www.nd.gov/docr/programs/victims.html>

The VSP continues to work closely with the ND Criminal Justice Information Sharing on maintaining the North Dakota Statewide Automated Information and Notification System (ND SAVIN). Victims can utilize ND SAVIN as a way to be notified by phone, text or email of states changes regarding a specific offender. ND SAVIN is not only a great source of information for victims but also the general public, employers and law enforcement agencies. The DOCR continues to develop and improve the information and notifications provided via ND SAVIN.

### **Total Registrations and Notices Provided via ND SAVIN from 7/1/13-7/30/15**

On-line site searches:	912,609
Information phone calls:	109,401

### **DOCR Institution:**

New Registration:	4,254
Notification Phone Calls:	4,552
Notification by TTY:	8
Notification Phone Text:	6,753
Notification by Email:	16,969

### **DOCR Probation & Parole:**

New Registration:	3,707
Notification Phone Calls:	2,100
Notification by TTY:	2
Notification Phone Text:	3,424
Notification by Email:	9,186

### **Annual Victims' Rights Week**

Every year the nation recognizes victims of crime during a dedicated week in April. In 2015, the DOCR obtained grant funding to promote public awareness during this week. Billboards were posted in portions of central and western North Dakota to raise awareness in the oil impacted areas of the state which have seen a dramatic increase in crime.



### **Types of Victimization**

Child Physical Abuse	67
Child Sexual Abuse	85
Domestic Violence	84
DUI Crashes	2
Adult Sexual Assault	166
Survivors of Homicide	90
Assault	292
Robbery	100
Other (Aggravated Assault, Harassment, Menacing, Reckless Endangerment, Kidnapping, Terrorizing, Theft of Property, Burglary, Unlawful Imprisonment, Felonious Restraint, Arson, Criminal Trespass & Mischief, Unlawful Entry MV)	1,540
<b>Total Crime Victims Served</b>	<b>2,427</b>

### **Types of Services Provided**

Criminal Justice Support/Advocacy	1,707
Follow-Up	672
Other	829
Telephone Contact/Info Referral	173
<b>Total Service Provided</b>	<b>3,382</b>

### **Offender Re-entry & Transition from Prison to Community Initiative**

Transitional Planning Services continues to facilitate practices to promote successful inmate reentry back to North Dakota communities. These practices are consistent with the National Institute of Corrections Transition from Prison to Community Initiative (TPC). TPC consists of three foundations:

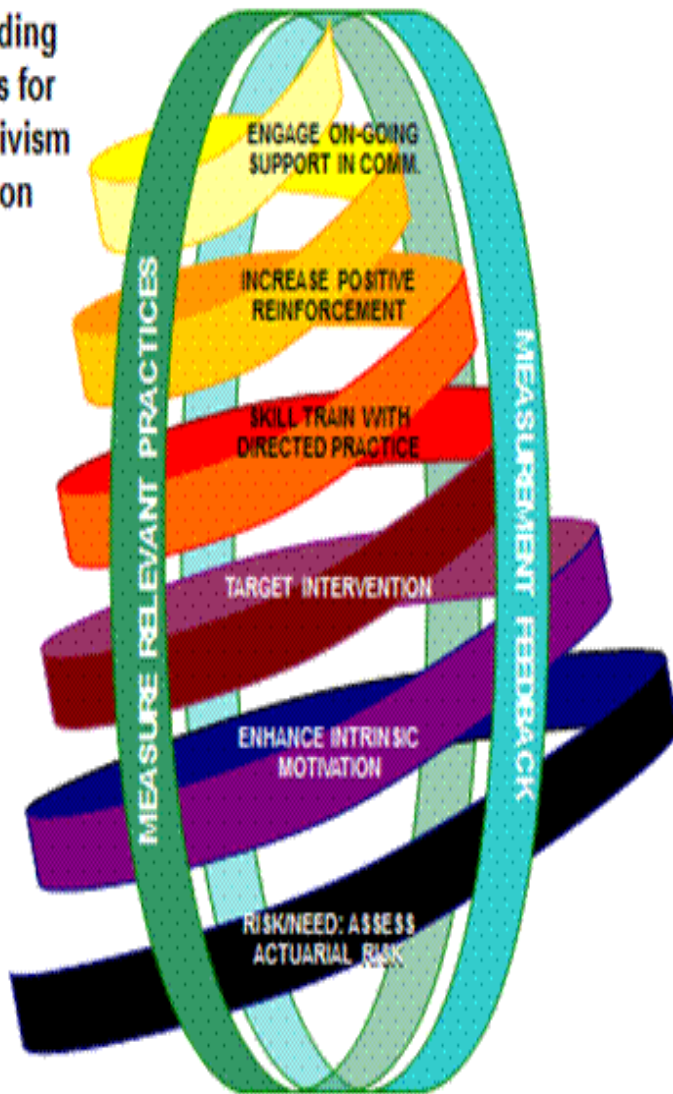
- Collaboration: The DOCR working closely with state, local, and private agencies that have a stake in public safety to craft evidence-based policies.
- Organizational Development: Empower staff throughout the agency to develop their skills in working with offenders to improve outcomes and reduce recidivism.
- TPC Model: Utilize the model (below) to improve outcomes at each decision point of an offender's movement through the system.

Transitional Planning staff have lead inter and intra – departmental efforts during the 2013-2015 biennium to continue to support these foundations. The Transition Steering Committee, a multi-agency committee of public safety stakeholders met throughout the biennium to craft strategies to enhance public safety and mitigate systematic barriers to successful offender reentry. The Steering Committee received data feedback from the Grand Forks and Lake Region Reentry Teams and provided guidance on best practices. Additionally, the Steering Committee acted as a sounding

board for the department to discuss ideas for statute changes presented to the Commission on Alternatives to Incarceration.

TPS staff continue to support the empowerment of department staff, contractors and stakeholders to implement practices in their day-to-day work that research supports to reduce recidivism, as depicted in the graphic below. Working very closely with the Treatment Department, TPS staff continue to influence the redesign of the department's cognitive-behavioral treatment programs. Work in this area is described in detail in the Treatment Department section of this report.

### Eight Guiding Principles for Risk/Recidivism Reduction



TPS staff help conduct training and quality-assurance for the Levels of Services Inventory-Revised (LSI-R), the department's actuarial risk assessment. The LSI-R is a 54-item assessment for use with adult offenders. It identifies criminogenic risk and need areas in an offender's life and predicts risk of recidivism. Additionally, TPS staff lead the ongoing effort to validate the Static-99R to the North Dakota offender population. The Static-99R is a ten-item actuarial assessment instrument for use with adult male sexual offenders. It is the most widely used sex offender instrument in the world. The purpose of the validation study is to provide significant

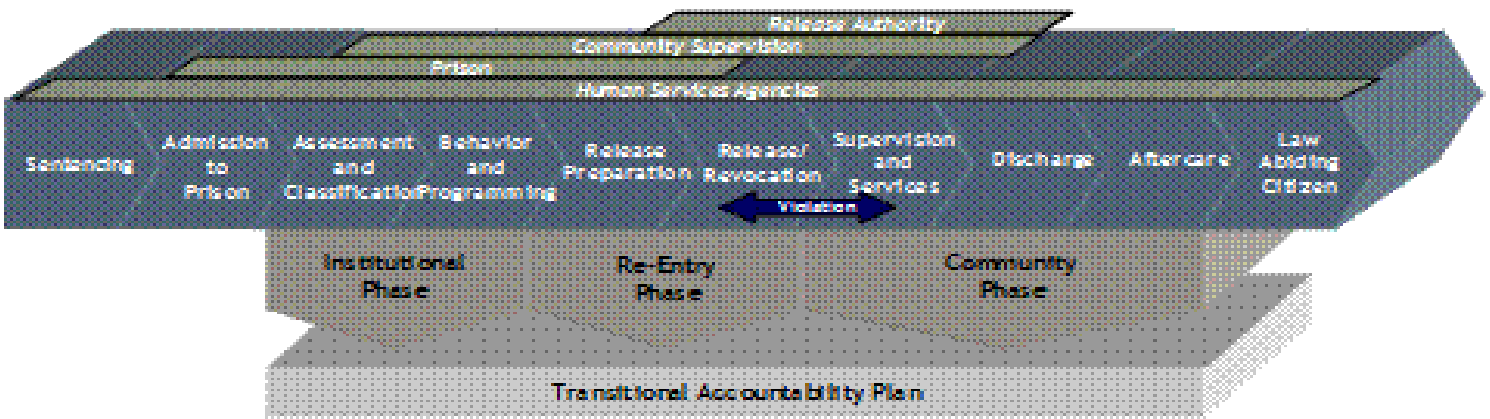
statistical probability to sexual recidivism and establish score cut-off levels. The department has contracted with Dr. Andrew Myer, Associate Professor at NDSU to perform the study, which should be complete in the fall of 2016.

TPS staff participated in a committee to better respond to individual offender learning styles and needs, otherwise known as responsivity. Lead by Dr. Sara Durbin of the Treatment Department, the Responsivity Committee conducted an extensive survey of offender motivation needs and influenced the department to make changes in order to enhance offender motivation to participate in work, education, and treatment services.

Finally, TPS staff monitor and provide data feedback to several areas of the department, specifically to the Parole and Probation Division. TPS staff gather revocation data in several areas and provide an extensive report to the Parole and Probation Director, as well as the Director of the DOCR.

The DOCR continues to work toward implementation and enhancement to the Transition from Prison to Community Model, as seen by the graphic below.

# The TPCI Model



## Transition from Prison to Community Initiative

The department's effort to implement a system-wide case plan, known as the Transitional Accountability Plan (TAP), took a different path this past biennium. The TAP is the plan for each offender under DOCR custody and supervision to describe where and when an offender will receive risk-reduction services and what other supervision strategies are in place to

facilitate pro-social behavior change. The department's inmate management system, Itag went through a significant upgrade from the vendor to a system called Elite. The department saw this as an opportunity to integrate the community offender data management system (Docstars) with Elite. TPS staff led a year-long effort to document, study, and investigate the viability of this opportunity. Unfortunately, the department did not receive the funding to integrate the systems and efforts continue to implement the Transitional Accountability Plan.

## **Offender Appraisal**

The DOCR completes a sentencing report on every person sentenced to a DOCR facility based upon the Addiction Severity Index (ASI) and the Levels of Service Inventory Revised (LSI-R) hybrid appraisal.

The sentencing report is a document whereby contract staff interview a new inmate upon arrival using the LSI-R/ASI and entering the information into a report format. DOCR staff complete the remainder of the report with required information as outlined in the sentencing report policy. The sentencing report becomes a dynamic document and is updated with information as the individual moves throughout the correctional institution system.

The report includes basic demographic a listing of criminal offenses for which the individual is incarcerated as well as their projected good time release date, prior criminal record, a snapshot of the individual's life including such areas as their education and work history, family background, alcohol and drug history and attitudes towards society and laws. Lastly, the report compiles programming the offender has been involved in while incarcerated, institutional adjustment reports completed by case managers and a record of institutional misconduct. The report is used throughout the DOCR to make management and release decisions.

During the 2013-2015 biennium, the division completed 2,732 sentencing reports, an increase of 20% compared to the 2011-2013 biennium. Transitional Planning Services staff also facilitate quarterly quality assurance meetings to ensure all staff responsible are inputting accurate and timely information.

## **DOCR Honor Guard**

The mission of the North Dakota Department of Corrections and Rehabilitation (DOCR) Honor Guard is to provide a positive image for the DOCR staff so they can be recognized for their hard work and dedication to the State of North Dakota.

The DOCR employs two Honor Guards- Honor Guard East and Honor Guard West. Each team is responsible for services in their respective half of the state. The Honor Guards were formed in 2007. Services offered by the Honor Guards include:

- Color Guard - Posting and retiring of Colors. The Honor Guard will provide this service to functions that provide a positive image to the



DOCR, as determined by the coordinator. These services may consist of: presenting and/or retiring Colors in a parade, meetings, athletic events, or any other event deemed appropriate by the coordinator or captain.

- Funeral services - Funeral services will be available for current and retired DOCR employees upon request. Ex-employee funeral service requests need to be approved by the DOCR/Division of Adult Services (DAS) Director. Funeral services include:

- Casket watch
- Ramp guard
- Funeral attendance
- Burial detail
- Casket escort/vehicle procession
- Flag presentation
- Special ceremonies, events and award presentations as determined by DOCR Honor Guard is available to assist other Honor Guards upon request and approval by the coordinator.

## Legal Records

The Department of Corrections and Rehabilitation (DOCR) processes almost 6,000 criminal judgments each year for adults sentenced to the custody or supervision of the department. Occasionally, these judgments contain errors that require correction. These range from typographical errors that may change the meaning of the judgment or cause some confusion to clear violations of the North Dakota Century Code or Supreme Court decisions. Although the number of problem judgments is small, they can have a significant impact on the person who is sentenced.

The DOCR has the responsibility to assure it executes all lawful sentences to the DOCR as well as a legal and ethical duty to uphold the law and work with the state's attorneys and courts to correct illegal sentences. DOCR staff on the front line have found themselves caught in the middle of differing interpretations and opinions by the court, state's attorney and other DOCR staff. A DOCR team was appointed by the director to examine this situation and develop standardized guidance for staff. The team identified the need for a position that will develop policy and practices to identify and correct problem judgments.

The DOCR has conducted training to help staff identify judgments that require corrections, but this can be a very complex task. Centralizing both the auditing process and our response to problem judgments provides consistency and a mechanism for the DOCR as well as courts, prosecutors and clerks of court.

In August 2012, the director created a Legal Records Manager position. In June 2015, the DOCR moved Inmate Records from the supervision of the NDSP Warden to the Director of Transitional Planning Services in an



effort to centralize legal records services. The Legal Records Manager conducted a staff duty analysis and strategic planning to ensure an efficient, effective, and accurate work product. Staff in this work unit are responsible for reading and interpreting criminal judgments in order to conduct sentence calculations for every person sentenced to the DOCR. Additionally, staff enter case information for people leaving DOCR custody to parole and probation supervision.

The complexity of law and the interpretations of Supreme Court decisions have reinforced the dynamic processes of our criminal justice system. While many constituents have responded favorably to inquiries about problem judgments and have worked diligently to correct the issues identified, others have opinions that differ from the presented proposals and have not been willing to pursue corrections to identified problems.

In closing, the primary purpose of the Legal Records Manager is to serve as the central repository for criminal judgments reflecting supervised probation and orders granting parole thereby interpreting the judgments and orders received from the courts and parole board according to state law and to timely and accurately recording of the judgments in the designated DOCR databases. This position will initiate, plan, coordinate, and develop projects or programs and training for staff on legal matters that have major impact on functions within the organization. Additionally, it will coordinate and manage quality assurance, produce reference materials for staff and facilitate the correction of illegal or erroneous judgments.

## **Parole Board**

The North Dakota Parole Board has six members who are appointed by the governor. The board is the sole authority for all parole related decisions in North Dakota. Statutory authority for is contained in N.D.C.C. 12-59.

### **North Dakota Parole Board Mission**

The mission of the Board is to conduct informed and fair hearings on cases subject to the jurisdiction of the Board and take appropriate action to ensure public and victim safety and to reduce the likelihood of future criminal behavior of offenders by providing opportunities for rehabilitation.

#### **Parole Board Members:**

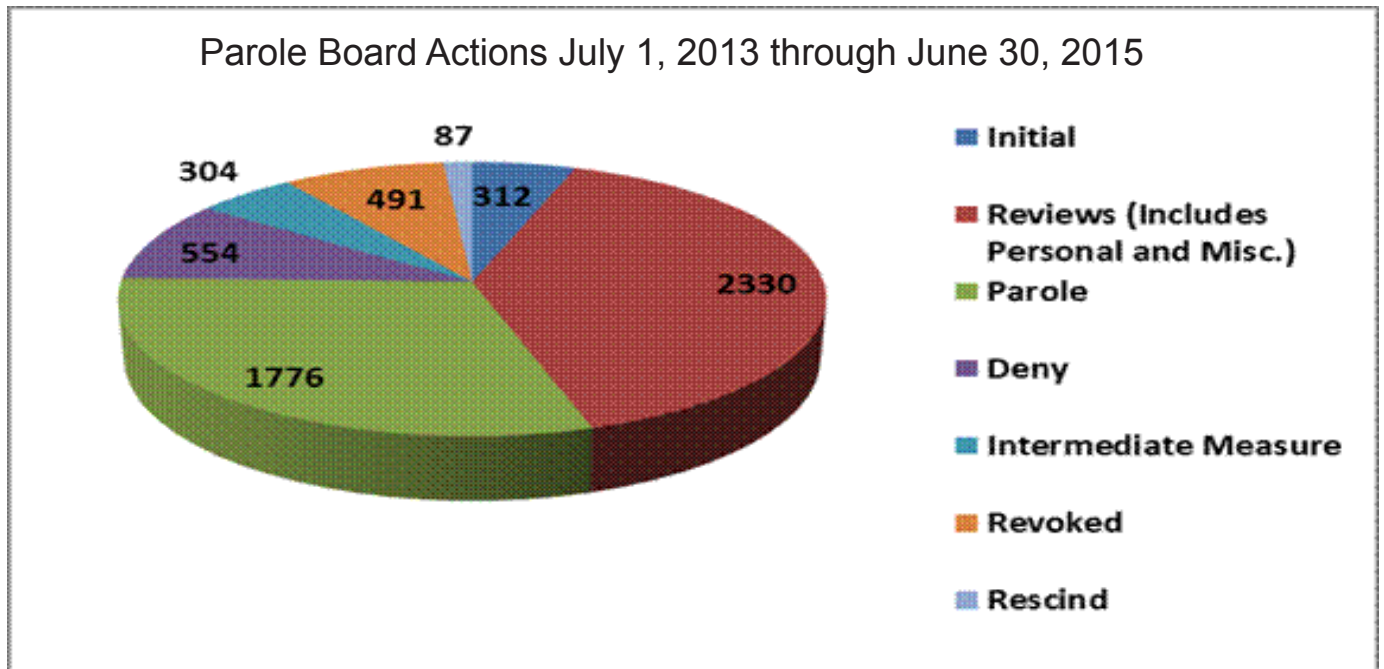
- Mr. Duane Houdek: Chairman
- Ms. Jennifer Thompson
- Mr. Robert Udland
- Ms. Sheri Baker
- Ms. Mandy Maxon
- Mr. Lynn Jordheim

The board has taken on an ever increasing role in working with the DOCR and other stakeholders to effectively transition people from prison to the community in an effort to enhance public safety, reduce recidivism and best manage valuable correctional resources. The board has grasped on to

this role by holding the DOCR accountable to deliver effective and timely correctional programming and other resources so the board may diligently exercise its paroling authority. The board is critical to the state's Transition from Prison to Community Initiative.

Transitional Planning Services is the administrative arm of the North Dakota Parole Board. Currently, the Director of Transitional Planning Services serves as the clerk to the board. Transitional Planning Services is responsible for managing the parole board docket, preparing and gathering documentation and information, assuring strict adherence to relevant state and federal laws and executing the orders of the parole board.

During the 2013-2015 biennium, the North Dakota Parole Board was very instrumental in the transitional process:



- The board reviewed and took action on a total of 3,524 offenders.
- Average length of parole granted was 331 days.
- North Dakota has one of the lowest parole revocation rates in the United States with a 29.6% revocation rate. The national rate is about 56% according to the United States Bureau of Justice.
- The North Dakota parole population count increased by 13% between July 1, 2013 and June 30, 2015.

### **Parole Planning**

An inmate's parole planning begins upon arrival at the NDSP or DWCR by the Case Planning Committee. For those people who are parole eligible, programming and housing considerations are often correlated to an inmate's parole review date. Every effort is made to ensure people are given an opportunity to engage in risk reduction programs prior to their scheduled parole board appearance or parole release date.

Prior to a parole board appearance, many people work directly with their

assigned institutional case manager to complete a parole plan. This plan is submitted to the Intensive Program Coordinator who coordinates the investigation by a field officer. This information is then provided to the Parole Board members electronically.

Looking to the future, there is a significant amount of work that lies ahead. Through the Transition from Prison to Community Initiative, parole board initiatives, and other innovations in paroling and re-entry methodology there is hope for improvements that will yield positive results for our communities. It is critical that we utilize data to identify successful practices as well as targeting practices that must be improved. Our country and state must rethink our front-end policy decisions that drive the growth in our criminal justice system to assure more effective public safety outcomes and most efficient use of our correctional and judicial resources. We cannot afford to continue to feed our incarceration addiction, both socially and economically, and criminal law reform and practices are critically necessary.

### **Notifying Judges and States Attorneys**

Per N.D.C.C. 12-59-10 TPS staff is required to notify judges and states' attorneys of an individual's upcoming parole review. The process includes submitting via email the judges and states' attorneys a document which includes the inmates' basic demographics and a photo. There is an area on this same document where the judges and states' attorneys may type their response to the Parole Board and return it via email for the Parole Board to review.

### **Male Classification**

The Department of Corrections and Rehabilitation has a classification process which is used to identify inmates and categorize them according to risk of institutional misconduct or escape. Classification is part of the orientation process, and is completed on all inmates before they may transition into general population. Once an individual is classified, they are assigned to a housing unit based on their classification level. These levels are maximum custody (North Dakota State Penitentiary), medium custody (James River Correctional Center, or Medium Transition Unit located on the grounds of the North Dakota State Penitentiary) and minimum custody (Missouri River Correctional Center or re-entry centers).

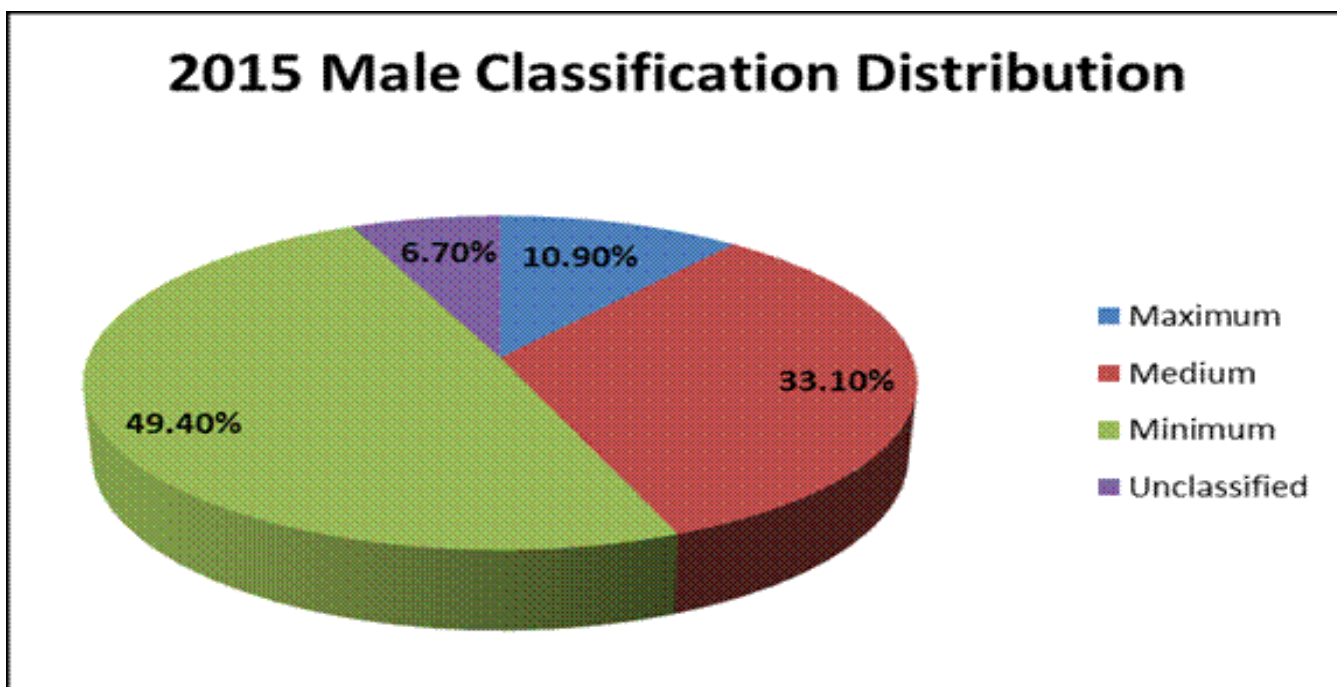
Prior to the classification committee hearing, individuals attend a classification seminar. The seminar educates people on the importance of classification and what they can do to influence their score both positively and negatively. They are also instructed on the method in which they can calculate their own classification level. This process has two purposes: first, having insight into what classification level they are can decrease anxiety, second, this empowers the individual by seeing exactly how their choices can affect their future.

The DOCR has a goal of transitioning people appropriately through security levels to the least restrictive means necessary. This is done to more

effectively promote positive behavior change and growth, to prepare them for re-entry into the community and to more efficiently manage our population and resources. Classification is a tool used to assist in this process. Individuals continue to be classified at either six or twelve month intervals which are determined by release date. As people move closer to release, the process happens more frequently. Pro-social behavior such as following rules, employment and participation in treatment allows people through this transition. If an individual chooses to not follow rules or participate in programming they will maintain or go up in security levels. Classification is also used when a significant event has happened in a case. Significant events include a major disciplinary infraction, new criminal charges or a dismissal of a current offense.

The DOCR is currently in the process of having our classification tool revised and validated as an actuarial risk assessment tool. An actuarial risk assessment is defined as a statistical method of estimating the risk of a particular event's occurrence. Dr. Patricia Hardyman, with the Criminal Justice Institute, Inc., has been working with the department on this project. Once completed, the classification instrument will be statistically validated and predictive of the DOCR's incarcerated population.

The DOCR classifies inmates into categories based on their risk to escape and potential for institutional misconduct. The three custody levels are maximum, medium and minimum. An inmate's classification level dictates housing unit assignments and levels of security practices when dealing with the individual. Individual classification level and housing assignments are reviewed annually or every six months once a person is within three years of release.



An individual's classification level is primarily determined based on their numerical score on an actuarial risk assessment tool. This objective practice of classifying people gives a statistical probability that a person will attempt to escape or be involved in institutional misbehavior.

## Transportation and Movement

Transitional Planning is the hub of the transportation for the DOCR. Most individuals being transported are on inmate status; however, we do transport others as well. These statuses include juveniles, parolees, parole violators, probationers, interstate compact violators, and out-of-state extraditions.

Every transport has a different dynamic. Transportation officers encounter issues such as bad weather, mechanical failure, road construction, bathroom breaks as well as keeping people nourished. Other factors which are evaluated are the separation of males and females juveniles from adults. As if that were not enough, we still accommodate for elderly, pregnancy, behavioral outbursts, and medical and mental health issues. With this being said, transports are anything but a leisurely trip across the state.

To complete these transports, the DOCR has five transport officers as temporary employees working varying shifts. Transportation is many times a team approach which requires assistance from other state agencies. These officers do an excellent job and enjoy working through every dynamic the position requires. In some high risk transports, we obtain assistance from the US Department of Homeland security.

We have a few different methods in which we transport offenders. Most transports are conducted on public roadways using caged transport vans. For longer distance extraditions we transport using commercial airlines. In situations in which offenders are a high risk to the community and a commercial flight is not appropriate we have found other means. These cases are presented to the Department of Homeland Security for review. When approved they assist with a flight crew and a small aircraft so the public is not affected.

## Managing Community Offender Violations

Community Offender Violations is defined as any new criminal activity by an offender, an offender's failure to meet the requirements of the supervision conditions, or if an offender absconds supervision. The management of this behavior is a key to *effective supervision and efficiently utilizing resources and ultimately in enhancing public safety.*

Transitional Planning Services continues to have a dedicated staff member specifically assigned to managing community offender violations. The mission of this position remains to coordinate transition services for target offenders, improve transitional services, and reduce revocation rates so the department can better allocate resources, target interventions, and improve coordination within as well as with its partners. This position works in cooperation both with field staff, institutional staff and community resource providers.

From July 1, 2013 – June 30, 2015, the Intensive Transition Program Coordinator was involved in 4,120 case staffings with field staff; a 32% increase from the previous biennium. These staffings are structured

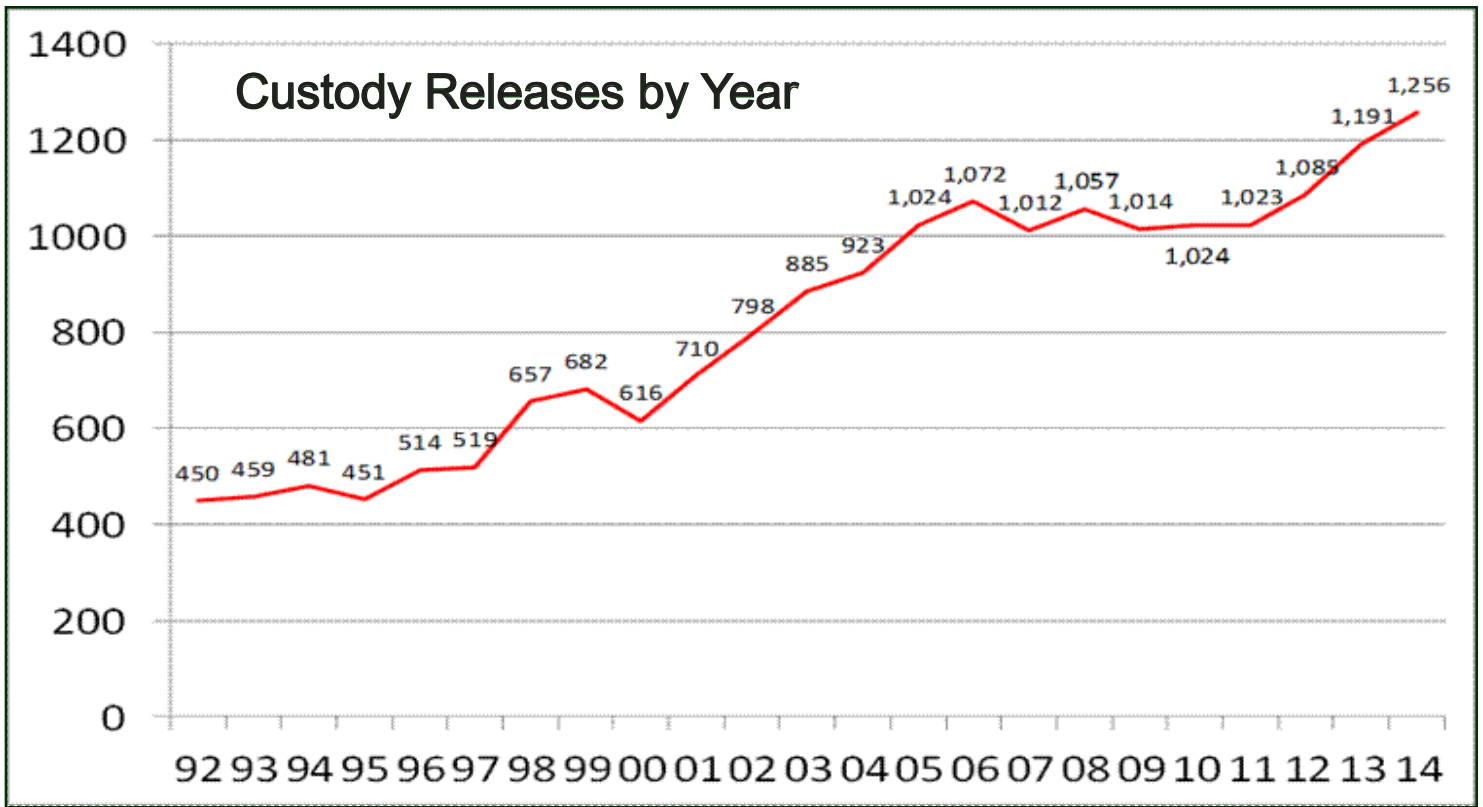
to plan community interventions, revocation proceedings, sentence recommendations, or providing pertinent community supervision information for institutional staff.

During the 2013-2015 biennium the Managing Community Offender Violations Committee refocused from only addressing “noncompliant behavior” to a broader “managing behavior”. When learning new skills and making behavioral changes, human beings appear to respond better and maintain learned behaviors for longer periods of time when approached with incentives rather than just punishments. Behaviorists recommend applying a much higher ratio of positive reinforcements to negative reinforcements in order to better achieve sustained behavioral change. Research indicates that a ratio of four positive reinforcements to every one negative disapproval is optimal for promoting behavioral changes. These rewards do not have to be applied consistently to be effective (as negative reinforcement does) but can be applied randomly. Increasing positive reinforcement should not be done at the expense of or undermine administering swift, certain, and real responses for negative and unacceptable behavior. Individuals having problems with responsible self-regulation generally respond positively to reasonable and reliable additional structure and boundaries. Some people may initially overreact to new demands for accountability, seek to evade detection or consequences, and fail to recognize any personal responsibility. However, with exposure to clear rules that are consistently (and swiftly) enforced with appropriate graduated consequences, people tend to comply in the direction of the most rewards and least punishments. This type of extrinsic motivation can often be useful for beginning the process of behavior change. (Gendreau & Goggin, 1995; Meyers & Smith, 1995; Higgins & Silverman, 1999; Azrin, 1980; Bandura et al, 1963; Bandura, 1996).

The committee developed a pilot program in the Minot District Parole and Probation Office in order to test the implementation of a positive behavior program. Due to a sharp increase in officer caseloads during this time, the pilot project was put on hold until additional staff hired can get caseloads to manageable levels.

### **Discharge Planning & Coordination**

Transitional Planning facilitates the transfer of people from prison to community supervision. TPS facilitated the transition of 1,819 offenders compared to 1,708 offenders during the previous reporting period. As people near the time of release and are set to begin parole or probation supervision, efforts are made to coordinate transportation to their next residence, provide instructions on where the offender is to report for supervision and inform the offender about obligations such as sex offender registration requirements, firearms prohibitions, treatment obligations or no victim contact orders. Prison case managers and parole officers are also contacted in order to assure the timely sharing of information.



### Interstate Compact Release Planning

People released from a DOCR facility on parole and/or probation who wish to reside with a family member who lives in another state may request to transfer their supervision through the Interstate Compact for Adult Supervision. This process requires the transfer candidate to provide the name, address and phone number of the person(s) he/she wishes to reside with. TPS staff then contacts the family member and verify they are wanting the person to reside with them and will assist in that individual's plan of supervision. The plan is then submitted via the Interstate Compact Offender Tracking System.

During the past biennium, 187 inmates transitioning from a DOCR facility had their supervision transferred out-of-state through the interstate compact.

### Sex Offender End-Of-Sentence Review and Release Planning

Every effort is made to assure that any offender being released from prison has fully met their obligations and that their release plans are viable; however, extra emphasis is placed on sex offenders. Approximately one month prior to release, Transitional Planning Services reviews cases that are being prepared for release. Reviews and any follow-up work are conducted in the following areas:

- Criminal judgments are reviewed to assure that the offender has met all court requirements of the term of incarceration set forth by the court to determine if conditions of supervision are in place to adequately supervise the case in the community. If the offender has not met the terms of incarceration or if additional conditions of supervision are necessary, TPS coordinates with the Sex Offender Program Manager in order to file a petition for revocation or seek a modification of the conditions of supervision.
- Civil commitment referrals by the department to the states attorney are reviewed to assure that the states attorneys have made decisions on whether or not to file civil commitment proceedings on any sex offender prior to the offender's date of discharge.
- Residence plans are reviewed for viability. If plans are not viable, the case(s) are brought to the attention of the Sex Offender Program Manager to further coordinate community resources.
- Treatment obligations and offender participation is reviewed, sex offender registration requirements are confirmed, community risk levels are screened, victim's concerns are reevaluated and necessary follow-up work is completed prior to the release date.