

NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION



BIENNIAL REPORT
FOR THE PERIOD COVERING
JULY 1, 2005—JUNE 30, 2007

Index

Submittal Letter	3
DOCR Overview.....	4-8
DOCR Organizational Charts.....	9-11
Human Resources	12-13
Fiscal Services	14-17
Jail Inspections Training.....	18-19
Information Technology	20-24
Research and Planning.....	25-26
Division of Juvenile Community Services	27-41
Division of Adult Services/Prisons Division.....	42-48
Plant Services Department	49-50
Medical Services	51-53
James River Correctional Center	54-55
Missouri River Correctional Center	56-57
Roughrider Industries.....	58
Significant Events.....	59-64
Field Services Division	65-75
Future Concerns	65-75
Human Interest.....	76-80

Submittal Letter



DEPARTMENT OF CORRECTIONS AND REHABILITATION

3100 Railroad Avenue, PO Box 1898 • Bismarck, ND 58502-1898
(701) 328-6390 • FAX (701) 328-6651 • TDD 1-800-366-6888
State Website: www.nd.gov

November 2007

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

Dear Governor Hoeven:

I am pleased to submit the Department of Corrections and Rehabilitation 2005-2007 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 protect the public and to provide an environment whereby most offenders, through rehabilitative services, can change their criminal behaviors and successfully reintegrate into the community. 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 when they entered the system.

This report represents the current status of these efforts. I hope it improves the reader's understanding of what 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,

Leann K. Bertsch
Director

DOCR Overview

DEPARTMENT OF CORRECTIONS AND REHABILITATION

The challenges and accomplishments for the 2005-2007 biennium of each DOCR Division are included in the body of this report. This overview is a brief discussion of the organization, responsibilities and physical components of the Department.

In addition to the Central Office, the Department of Corrections and Rehabilitation (DOCR) has two major divisions, the Adult Services Division and the Division of Juvenile Services. Each Division has an institutional and community component. The DOCR organization includes the Central Office, the Prisons Division (North Dakota State Penitentiary, Missouri River Correctional Center, James River Correctional Center and Rough Rider Industries), Field Services Division (adult parole and probation and victim services), the Youth Correctional Center in Mandan, and the Juvenile Community

Services Division. The Central Office has responsibility for the overall management of the DOCR. It is also responsible for county correctional officer training and jail inspections.

DOCR MISSION

The mission of the DOCR is to protect the public while providing a safe and humane environment for both adults and juveniles placed in the Department's care and custody. The Department will carry out the judgments of the North Dakota courts to both incarcerate inmates for the protection of society and to provide rehabilitative programs in an effort to successfully reintegrate offenders back into society.

The Department strives to follow the "what works" or evidence based treatment modality in all of the programs offered by the DOCR.

ADULT SERVICES DIVISION PRISONS DIVISION

The North Dakota State

Penitentiary (NDSP) in east Bismarck is the main prison complex and houses maximum-security inmates as well as some medium security treatment inmates. The James River Correctional Center (JRCC) at Jamestown is designed to hold medium security male inmates. The Missouri River Correctional Center (MRCC) in southwest Bismarck houses minimum-security male inmates. Rough Rider Industries is a self-sufficient, state operated industrial program which puts inmates to work in the production of goods and services for sale to State agencies and other tax-supported entities. The Tompkins Rehabilitation and Corrections Unit (TRCU) houses both inmates and non-inmates. Inmates at TRCU are managed through the DOCR Field Services Division. Inmates may also be held in local correctional centers through contracts, on the Community Placement Program and in other states through the inter-

DOCR Overview

compact program.

The NDSP is the original prison built in the state, and consists of seven housing units. These include an orientation/reception area in the North Unit, constructed in 1987; the Overflow Unit, constructed in the 1960's; the East Cell House constructed in 1910; the West Cell House constructed in the 1960's; the South Unit constructed in 1986, the Treatment Unit built in 1982; and Administrative Segregation Unit constructed in the 1960's with recent modifications. The maximum capacity at NDSP is 523.

The JRCC is located on the North Dakota State Hospital grounds. It has three buildings that were renovated in 1998 to house inmates. Rough Rider Industries provides work for about fifty inmates. The main building known as the ET building is a six-floor structure with a maximum designed capacity of 385 inmates. Funding was

Received in the 2005 legislative session for the conversion of the kitchenettes to 5 person dorms on floors two through five. This conversion added 20 beds to JRCC's designed capacity. Special Assistance Unit houses up to 24 inmates with mentally ill or special needs. There is also a gymnasium utilized for indoor recreation for the inmates.

The MRCC is located along the Missouri River in southwest Bismarck. The facility has a single housing unit, which was constructed in 1992. It is divided into twelve male dormitories. Two of the twelve dormitories are used for program authorized by the 2005 Legislature. The program called the "Rapid Intervention Program" is for parole violators who have relapsed. The program addresses chemical addiction and cognitive programming. Other buildings on the grounds include a garage for an auto mechanic shop and other buildings, which are used

for offices, inmate recreation, and dining. The current capacity of MRCC is 150.

In addition to meeting basic inmate needs for food, shelter, clothing and medical attention, the Prisons Division offers work and educational opportunities (adult basic education and vocational training) and provides treatment services.

ADULT SERVICES DIVISION FIELD SERVICES

The Field Services Division has offices across the state staffed by highly trained parole and probation officers. It manages offenders sentenced to supervision by the Court, released to parole by the Parole Board, sent to Community Placement by the Director and placed at the TRCU after staffing by the adult services case planning committee. Approximately five thousand offenders are supervised in the Division staff

DOCR Overview

Not only supervise offender compliance with the supervision conditions, but also provide Cognitive-Behavioral and other forms of counseling services. They broker with other agencies and care providers to deliver services not available through the division.

Field Services also manages the Victim Services program to help mitigate the suffering of crime victims by providing fiscal support and services to crime victims.

The division manages several very innovative treatment programs and “alternative to incarceration” programs. Additional information on these programs is included in the body of this report.

Field Services also manages all the administrative support duties for the North Dakota Parole Board and the North Dakota Pardon Advisory Board.

DIVISION OF JUVENILE SERVICES **Community Services**

Across the state, the Division of Juvenile Services (DJS) provides intensive supervision and case management services to delinquent youth placed under their care, custody and control. Each case is assigned to a Corrections Specialist prior to or at the time of commitment, and that worker follows the case for the duration of the court order. Operational philosophy is that intensive case management can best be accomplished if caseload size can be held to less than thirty. Every effort is made to insure that caseloads remain manageable. If the treatment and rehabilitation goals for each case have not been successfully addressed at the time the order is scheduled to end, the division requests that the court extend the term of commitment.

During the intake phase the Corrections Specialist conducts or arranges for any

Necessary assessments or evaluations and completes any necessary interviews. DJS completes a thorough risk/needs assessment as a foundation for each plan, and any relevant additional testing or assessment is scheduled as soon as possible. Within sixty days of commitment, an individualized plan for treatment and rehabilitation is drafted. The plan is submitted to the committing court, and is updated every ninety days. Placement may be made anywhere along a continuum that includes parental home, relative care, family foster care, treatment foster care, group home treatment, residential treatment, hospitalization, and the Youth Correctional Center. DJS believes that in order to be effective, diverse, relevant services must be accessible. Overall, the Community Services Division strives to provide effective, responsive services that insure that the treatment needs of the youth are met while

DOCR Overview

maintaining an acceptable level of community safety.

DIVISION OF JUVENILE SERVICES **Youth Correctional Center**

The North Dakota Youth Correctional Center (NDYCC) is the state's only secure juvenile correctional institution and is located in Mandan. NDYCC provides rehabilitative and educational programming in a secure setting, and serves delinquent youth who pose either an imminent risk to the public or to themselves. NDYCC subscribes to an overall purpose of preparing youth for successful placement into a less restrictive environment, and gears its activities towards that outcome.

The NDYCC provides long and short term programming, referred to as treatment, as well as detention and short term behavioral evaluation for delinquent adolescents who are committed by state district court order, federal Bureau of Prisons, or tribal court.

Youth are housed in four living units. Evaluation students and female treatment students comprise one unit. Treatment and detention males are housed according to their status as intake, long term or short term treatment. Physically or sexually aggressive offenders, and special behavioral or mental health involved offenders are housed separately from the larger population. Generally, the daily census is 90, and capacity is 113 beds.

The NDYCC and the Community Services Division of DJS work in tandem throughout the term of placement. This allows for several unique operational features. First and foremost, planning for the needs of each youth involves both the institutional and the local community staff. This creates many opportunities to link services with the rest of the treatment continuum, maintain family involvement, capitalize on existing strengths, share information, and

maximize the overall likelihood of drafting a plan that will succeed for the individual youth and family. Second, institution and community staff maintain close communication. Therefore, discharge planning is thorough, responsive, and movement to the next level of care is timely.

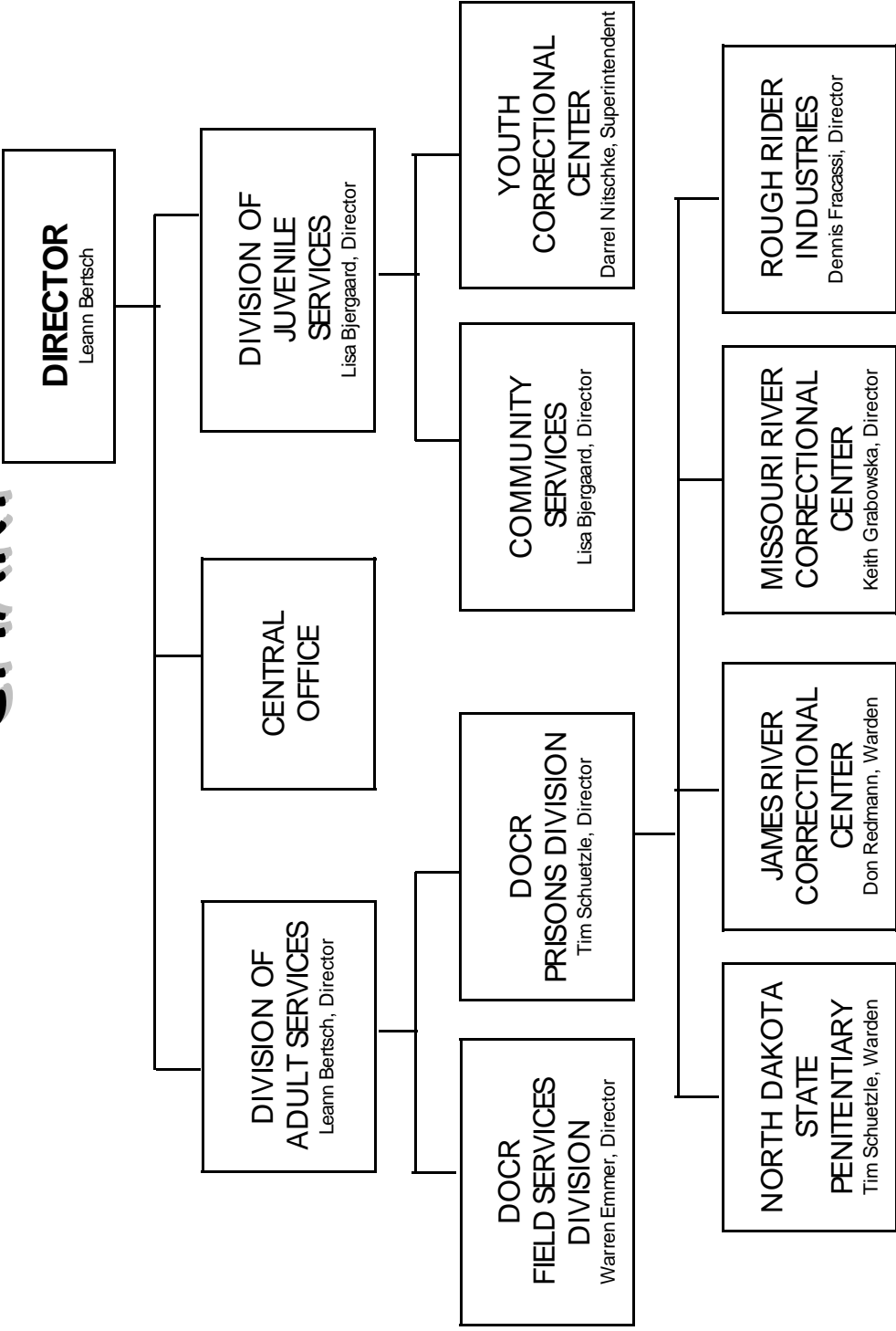
NDYCC provides a fully accredited (North Central Accreditation) middle school and high school educational program in a 12-month academic year. Students have the opportunity to complete or make progress towards their high school diploma or GED while in residence. A full range of special education services is provided. In addition to academic course work, vocational training opportunities are a part of the curriculum.

Overall, NDYCC strives to provide high quality treatment and educational services in a way that can be flexibly interfaced with other residential

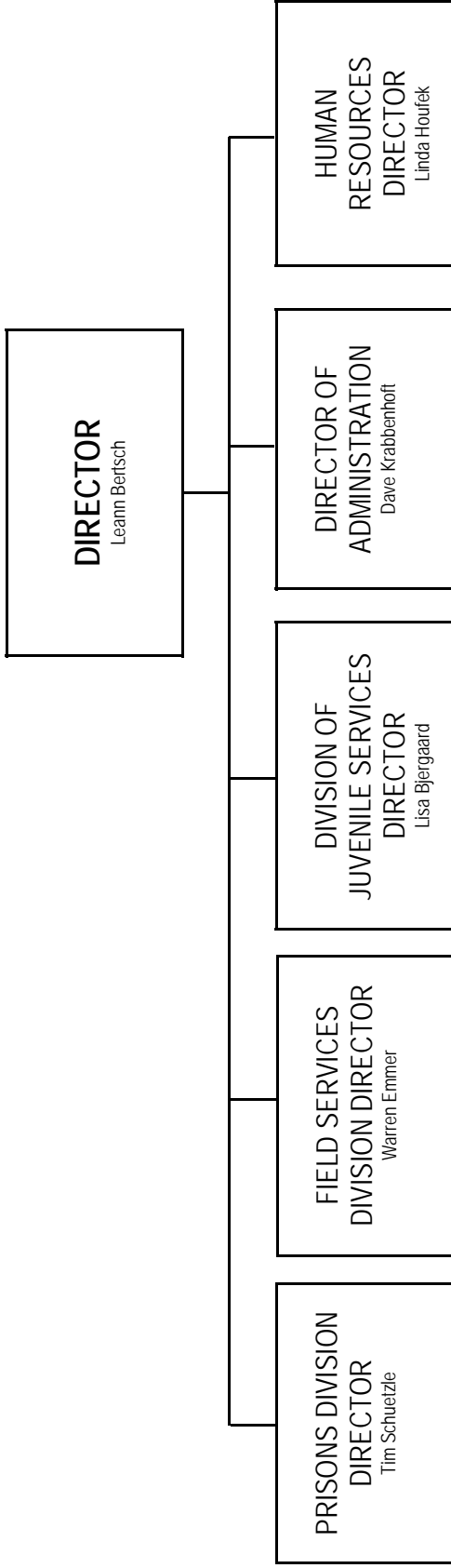
DOCR Overview

Facilitates, community based programs and schools. Youth have the opportunity to move into and out of the institution without setting back their treatment or educational progress. The operating philosophy is that progress towards successful community reintegration is always the desired outcome.

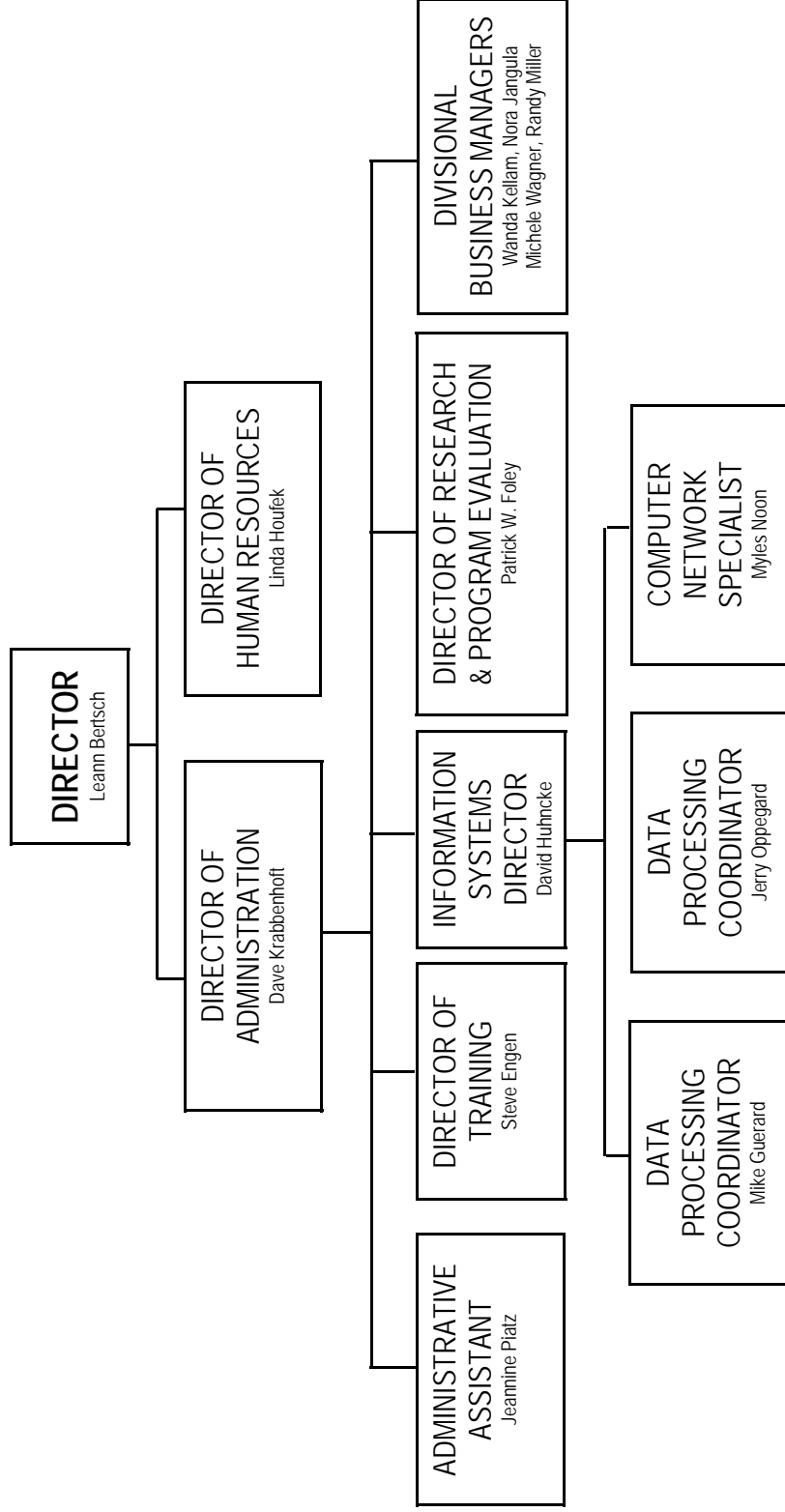
DOCR ORGANIZATIONAL CHART



DOCR ORGANIZATIONAL CHART



DOCR ORGANIZATIONAL CHART



Central Office Human Resources

The DOCR Human Resources Division is responsible to develop, implement and monitor the human resource functions within the Department. In this biennium the DOCR had 677.28 FTE (full time equivalent) regular positions and averaged 657 employees in these positions.

Major functions within the HR Division include coordination of salary administration activities, employee hiring/benefits, evaluations, classifications, personnel files, disciplinary and grievance processes and statistical reporting.

Major Activities included:

1. July 2005, implemented a salary equity plan that provided \$1.75 million in salary adjustments to DOCR staff and prepared a budget proposal for the 2007-2009 biennium for \$3.1 million in salary equity adjustments. While this proposal was not included in the final budget, the DOCR was appropriated \$1.5 million from the statewide salary market equity pool for classified state employees.
2. All divisional HR contacts continued to oversee the review and updating of staff classifications, which included several classifications with large numbers of staff and required budget planning and approval.
3. Provided numerous internship programs in all divisions for college students statewide.
4. Coordinated with the State Office of Management and Budget and the State Information Technology Division to provide the majority DOCR staff with Web based access to payroll, benefits and leave balance information.
5. In several of the divisions, HR staff provided oversight of comprehensive training programs. Some of the new training included training on Avian (Pandemic) Flu and other emergency planning courses. Other training focus included the Prison Rape Elimination Act and providing staff with information on community corrections programs for adult offenders. All DOCR employees received mandatory refresher training on the topic of sexual harassment.
6. Planning for and utilization of a large number of temporary employees to fill scheduling and programming needs of the DOCR due to the lack

Central Office Human Resources

of regular positions available to the DOCR.

Trends

The DOCR continues to be challenged by the increasing rate of turnover with staff. Hard to fill positions include nursing and treatment positions, while other professional positions in the community based services area are also becoming more difficult to fill. Adding to the turnover statistic is the increase in the number of retirements in the DOCR and this figure will continue to grow.

In order to operate effectively and ensure the maintenance of public safety it has been necessary to employ additional temporary employees particularly in the areas of correctional officers, surveillance and transport officers, and juvenile institutional residence specialists. This has a direct affect on staff turnover as often these employees reflect the highest rate of turnover.

Future Goals

In July 2007, the Human Resources function will be centralized. All DOCR Human Resources staff will be assigned to the DOCR Central Office and the goal will be to consolidate HR functions and to explore the move toward specialization. The coordination of oversight for the training function will also be centralized under HR. The challenge for staff in these areas will be to analyze the needs in HR and Staff Development and working in cooperation with the other divisions develop strategic goals and determine the resources available to move the division and the DOCR toward these goals in the most appropriate and efficient manner. Participation with other partners to enhance on site educational opportunities for staff.

Human Resources Operations

- Hired two hundred thirty-three employees (regular positions, fulltime temporary correctional officers and juvenile institutional residence specialists and other temporary employees).
- Processed two hundred twenty-eight position classification/reclassification requests.
- Coordinated with staff from the State Human Resources Management Services Division to create fourteen new classifications for the DOCR
- Completed the processes to add 33.1 new FTEs to the DOCR.

Central Office Fiscal Services

Fiscal Services

- **History**

The fiscal operations of the DOCR are aligned and structured to mirror the department's appropriated line items; Youth Correctional Center, Juvenile Community Services, Field Services Division, and Prisons Division. Department wide management and oversight of fiscal operations is provided by the Central Office. To provide for accuracy and consistency in financial reporting and budgeting, accounting data is captured and reported in a consistent manner across all divisions of the DOCR. Cost centers used by the department are as follows:

- ◆ Division/Facility Administration
- ◆ Plant Services
- ◆ Food Services
- ◆ Medical Services
- ◆ Treatment Services
- ◆ Education Services
- ◆ Security/Supervision
- ◆ Work Programs
- ◆ Training
- ◆ Victim Services
- ◆ Institutional Offender Services
- ◆ Department Administration

(Central Office)

- **Statutory**

The fiscal operating policy for the DOCR is the North Dakota Century

Code and Constitution. OMB fiscal and administrative policy is used as a guide to ensure consistent and uniform application of appropriation expenditures and basic fiscal management principles. The policies are not intended to be all-inclusive, as the underlying rule for all expenditure of public funds is a common-sense approach.

- **Activities and Accomplishments**

Fiscal services is responsible for all accounting and budgeting activities of the DOCR to include the following areas of fiscal management:

- ◆ Compliance with state and federal laws, rules and regulations governing the agency
- ◆ The establishment and maintenance of an internal control structure to include policies and procedures for the accountability and safeguarding of fixed assets
- ◆ Adequate financial controls and procedures for the accountability of revenues and the propriety of expenditures
- ◆ The financial management of contracts and grants

For the 2005-2007 biennium the total appropriation to the DOCR was \$133.5 (\$105.2 million general funds; \$28.3 million other funds). The above amount includes a \$4.1 million general fund de-

Central Office Fiscal Services

iciency appropriation provided by the 60th Legislative Assembly. As noted by the need for a deficiency appropriation, the DOCR encountered significant issues that negatively impacted its 2005-2007 budget. Although the main issue continues to be the growth in inmate population, other factors such as medical, specialized offender supervision, infrastructure and staff compensation and retention have and will continue to significantly impact DOCR appropriations.

The DOCR accounting structure was revised with the start of the 2005-2007 biennium. The purpose of the revision was to obtain consistency in the manner in which revenues and expenditures are captured, recorded and reported.

- **Trends**

The cost of incarceration and community supervision of both adults and juveniles continues to increase. This places a challenge all correctional professionals to strive for effectiveness and efficiency. Innovative thinking, program evaluation and cost containment are and must continue to be a main focus in order to ensure the proper use of public resources.

- **Goals**

In the coming biennium, fiscal services will be integrated into the DOCR Central Office. The change will allow for the capture of operational efficiencies, as fiscal duties and responsibilities will be assigned by function and not division.

Central Office Fiscal Services

Department of Corrections and Rehabilitation					
Revenue by Appropriated Line Item by Cost Center					
For the Biennium Ended 6/30/07					
	Youth Cor- rectional	Juvenile Community	Field Ser- vices	Prisons	
Cost Center	Center	Services	Division	Division	Total
Division Administration	\$2,072			\$444,286	\$446,359
		\$-	\$-		
Plant Services	\$1,845	\$-	\$-	\$1,462,902	\$1,464,747
Food Services	\$278,446	\$-	\$-	\$1,259,225	\$1,537,672
Medical Services	\$-	\$-	\$-	\$32,845	\$32,845
Treatment Services	\$37,908	\$2,291,078	\$899,381	\$1,187	\$3,229,554
Education Services	\$722,466	\$-	\$-	\$263,943	\$986,409
Security / Supervision	\$1,166,083	\$1,323,376	\$2,513,295	\$553,464	\$5,556,218
Work Programs	\$52,421	\$-	\$-	\$6,688,567	\$6,740,988
Training	\$-	\$-	\$-	\$20	\$20
Institutional Offender Services	\$-	\$-	\$8,035	\$-	\$8,035
Victim Services	\$-	\$-	\$2,452,775	\$-	\$2,452,775
Department Administra- tion (Central Office)	\$-	\$-	\$-	\$-	\$-
Total	\$2,261,240	\$3,614,455	\$5,873,486	\$10,706,439	\$22,455,620
General	\$4,218	\$-	\$154	\$56,173	\$60,546
Federal	\$1,367,062	\$3,613,414	\$3,196,836	\$832,442	\$9,009,754
Special	\$889,961	\$1,041	\$2,676,495	\$9,817,824	\$13,385,32

Central Office Fiscal Services

Department of Corrections and Rehabilitation					
Expenditures by Appropriated Line Item by Cost Center					
For the Biennium Ended 6/30/07					
	Youth Correc- tional	Juvenile Com- munity	Field Ser- vices	Prisons	
Cost Center	Center	Services	Division	Division	Total
Division Administra- tion	\$836,167	\$701,259	\$671,835	\$5,243,087	\$7,452,348
Plant Services	\$2,178,335			\$10,135,097	\$12,313,432
Food Services	\$595,362			\$6,268,863	\$6,864,225
Medical Services	\$450,422			\$9,402,637	\$9,853,059
Treatment Services	\$1,420,713	\$3,944,340	\$12,785,073	\$3,706,179	\$21,856,305
Education Services	\$2,906,736			\$998,540	\$3,905,275
Security / Supervision	\$3,705,387	\$3,269,703	\$7,988,657	\$35,815,527	\$50,779,275
Work Programs	\$43,847			\$6,625,747	\$6,669,595
Training	\$178,996	\$16,286		\$359,313	\$554,595
Institutional Offender Services			\$670,107		\$670,107
Victim Services			\$3,405,106		\$3,405,106
Department Admini- stration (Central Of- fice)	\$603,444	\$113,083	\$427,948	\$1,810,713	\$2,955,188
Total	\$12,919,409	\$8,044,672	\$25,948,726	\$80,365,703	\$127,278,510
General	\$10,405,544	\$4,341,951	\$19,818,229	\$69,114,132	\$103,679,856
Federal	\$1,542,676	\$3,703,113	\$3,563,590	\$808,449	\$9,617,828
Special	\$971,189	(\$392)	\$2,566,908	\$10,443,122	\$13,980,826

Central Office Jail Inspection Training

The North Dakota Department of Correction and Rehabilitation (DOCR) Division of Training and Facility Inspections.

The DOCR Director of Training was created during and approved by the 55th (1997) Legislative Assembly. North Dakota Century Code (NDCC) 12-44.1 grants the DOCR the authority to provide an approved training course for correctional staff as well as draft correctional facility rules. The DOCR is also granted authority by NDCC 12-44.1 to inspect and regulate the operation of all city, county and regional correctional facilities.

The position of DOCR Director of Training was created to provide training to the county correctional facilities of North Dakota. The position also serves as the liaison between DOCR training staff as well as statewide law enforcement officials and to guide the overall training mission of the DOCR. In 2003 Facility Inspections became the responsibility of the DOCR Director of Training. This includes annual inspections of North Dakota's twenty-six Adult Correctional Facilities as well as six Juvenile Detention Facilities. The DOCR and our County Correctional Administrators have developed a strong working relationship in order to provide a safe and secure environment for incarcerated inmates in county facilities.

Accomplishments and activities completed during 2005-2007 biennium include the following:

- Provided eight Correctional Officer Basic Training sessions graduating two hundred and fifty new correctional staff.
- Provided Instructor level instruction to twenty-five new DOCR and county staff.
- Provided Correctional Officer Basic Training for all new staff of the North Central Correctional and Rehabilitation center (NCCRC) in July 2006.
- Provided Board of Nursing approved Medication Assistant One training to all County Correctional Facilities.
- Provided specialized supervisory training to new DOCR supervisors.
- Provided two hundred hours of Licensed Peace Officer Training at the North Dakota Law Enforcement Training Academy.
- Provided inspections of all county correctional facilities resulting in full compliance with NDCC 12-44.1 and North Dakota Correctional Facility Rules.
- Monitored successfully the compliance of a DOCR issued "Order for Compliance". During the nine month compliance period the facility staff were able to bring the facility back with in compliance with NDCC 12-44.1
- Provided technical assistance to all Correctional Administrators in order to gain compliance with the Prison Rape Elimination Act (PREA)

Central Office Jail Inspection Training

- Investigated six critical incidents within county correctional facilities
- Reviewed and provided technical assistance in the building of three proposed county correctional facilities.
- Evaluated and planned for needs of the DOCR staff

Goals in the coming biennium for the DOCR Division of Training and Facility Inspections became the DOCR Division of Staff Development and Facility Inspections include the following:

- Development of centralized training resources and elimination of duplicate services within county facilities as well as DOCR Adult and Juvenile Divisions
- Development of centralized training records.
- Development of interactive training website.
- Development of web based training for DOCR staff as well as County facilities.
- Development of facility Inspection teams within the DOCR. By providing this service county facilities will receive enhanced inspection services with expanded technical assistance compliance monitoring.
- Development of new staff instructors within the DOCR.
- Enhancement of the training experience within the DOCR by providing the subject matter experts the skills needed to professionally deliver training products.

The DOCR Division of Staff Development and Facility Inspections is committed to providing staff with the highest quality training and inspection services available.

Central Office Information Technology

The DOCR continues to evolve in its use of Information Technology. A list of systems currently in operation including the date of implementation are as follows:

1997 – 1998

DOCSTARS is developed and replaces the old Dos based field service system and provides for real time input of data from all field service offices across the state.

1997 – 1998

In-house developed Victims Compensation Tracking System.

1999

Replacement of the inmate management system (AIMS) with a state of the art Web based offender management system. The new system ITAG is online and provides offender management for all institutions including both Youth/Community and Adult divisions.

2000

Doc Intranet, which provides for a host of activities and resources including ftp services for downloading data to parole board members. Hosts reporting sub-system for delivering custom reports via the web.

2000

In-house developed Victims Notification System.

2001

In-house developed inmate property system that manages all property for all adult institutions.

2001

In-house developed Juvenile Services Case Manager Time Management System.

Central Office Information Technology

2002

Video Conferencing between DOC and JRCC (James River Corrections) telemedicine between center one and penitentiary in work.

2002

MOMS (Mobile Offender Management System):

A system was developed in-house to allow parole officers to take critical offender information with them in the field on their laptops. MOMS provides officers with the means to catalog and store offender information while on patrol. Field officers are more productive since MOMS allows officers access to offender data no matter where they are and they do not have to be in the office to get their administrative work done. Greater public safety is provided by having officers in the field supervising and monitoring probationers and paroles including sex offenders.

2002 Student Education and Scheduling (S.E.A.S):

A dynamic computer-based Student Enrollment and Scheduling (SEAS) program was designed and built by the Director of Information Systems at the Department of Corrections and Rehabilitation (DOCR) to manage student information for the educational program at the ND Youth Correctional Center (YCC). Because juveniles may be placed at YCC on any day of the week or month throughout a given school year, youth are continuously entering the educational program at YCC-Marmot Schools and school personnel need to be able to enroll or change student class schedules on a daily basis. The ever-changing enrollment status made class scheduling and educational information difficult to manage and created unique needs that could not be met through purchasing a standard educational software program. Having the resources available to build such a complex system “in-house” was instrumental.

The SEAS program not only makes student enrollment information more manageable but also makes educational information more readily accessible by teachers at Marmot Schools, local education agencies (LEA’s), and DJS community case managers. Teachers are able to record assignments and grades as well student attendance, and provide a daily rating of their general performance and behavior. Through SEAS, teachers have access to pertinent demographic information and previous transcripts, test scores, and special education information. They are also able to view each student’s academic schedule to know where the student is at any time of the day. When students leave YCC, all the information in the SEAS system is forwarded to the receiving LEA to assist

Central Office Information Technology

the student's transition from YCC-Marmot Schools to their local school district. In addition, DJS case managers who are responsible for the youth have access to the SEAS program information through State's network to be able to assess the youth's educational progress. SEAS has also enhanced customer service to LEA's and established more credibility in the educational program at YCC-Marmot Schools. Local school districts can now see what classes are offered to the students at YCC-Marmot Schools as well as course content, performance, behavior related issues, and coursework credit received. The SEAS program also summarizes past transcripts for each student, saving much time for counselors in the respective districts.

2002 Correctional Offender Management Profile for Alternative Sentences (COMPAS):

The Division of Juvenile Services (DJS) implemented an automated comprehensive risk/needs assessment process known as the Correctional Offender Management Profile for Alternative Sentences (COMPAS) for juveniles that have been committed to the agency's custody. The COMPAS software system is a standardized, research-based approach to assessment and case planning for juvenile offenders incorporating the latest criminological findings on risk and need factors. The system includes a multiple regression-based risk report and a pattern recognition-based typology to identify a descriptive "best fit risk/needs group" for each juvenile offender.

DJS made the decision to implement COMPAS due to the need to conduct more accurate, through assessments that would support improved decision making and case planning for juveniles under custody. The COMPAS system is providing the agency with a better understanding of individual risk/need factors of youth under their care which allows them to make the best match to effective interventions. It provides more informed decision making about the level of supervision required and consistency in case planning. In addition, COMPAS helps the agency further analyze what drives recidivism, and thus, where to focus its resources.

Specifically, the COMPAS system allows DJS to more effectively use its resources (ie. time and money) and improve customer service by providing the agency with: 1) the ability to make better decisions about case planning for kids; 2) a better match of kid's needs to programs and services interventions; 3) consistency throughout all regional offices; 4) fairness and equity to kids; 5) the least restrictive care possible; and 6) a process to assess progress and evaluate programs.

2003 IEMS (Institution Energy Management System):

IEMS is a automated Energy Management System that provides management of most all facility infrastructure systems

Central Office Information Technology

systems at North Dakota State Penitentiary (NDSP), Missouri River Correctional Center (MRCC) and James River Correctional Center (JRCC) from maintenance workstations. The energy management system project shares its success with the installation of a network fiber backbone being installed at JRCC. i.e. (boilers, heating and cooling, water, security, backup generators etc..) The system allows maintenance to access energy management.

The manual means of managing and maintaining institutional infrastructure was no longer possible with the resources available at the DOCR. The IEMS allows maintenance staff to quickly recognize problems before they become critical and work proactively in keeping agency infrastructure operating. The network infrastructure at JRCC required an upgrade to support current and future requirements for data and telephone traffic, including IEMS communications.

Using IEMS troubleshooting can be accomplished in minutes instead of having to travel to the site, thus saving time and money. The IEMS provides proactive maintenance monitoring which assists in correcting small inexpensive problems before they become large costly issues.

2004 Itag Visitors application:

An add-on module for Itag (Visitors) was purchased to provide the capability to manage inmate visitors and integrated Identification Card system. This new capability eliminated the old manual time intensive method of writing visitors in a log book and checking references to an automated system of tracking and creating ID cards for staff and visitors.

The visitation module has paid for itself in terms of man hours related to managing a manual log book, including a host of reports that were never before available with the old manual methods. The visitation module greatly improved security checks and balances for visitors and agency staff.

2004 Itag ID card creation sub-system:

The ID card system has saved money in the fact that the agency **no longer uses Polaroid pictures** which was very costly. The ID cards at the present time cost us approximately fifty cents a card versus the approximate cost of \$5.00 to manually create an ID from a Polaroid picture. The system is in use at all DOCR adult facilities.

2004 Officer Training Information System (Otis): To provide for the exacting needs of training staff in a corrections environment, DOCR I.T. built a custom system to track the training needs of corrections staff. PeopleSoft has an employee training module, but it is inadequate for the needs of corrections. Using open source technology, a system was built and implemented that utilized Microsoft terminal services as the de-

Central Office Information Technology

ployment architecture to offer access to agency staff. A web interface was added to allow any staff member to lookup their training status and required classes. The system is capable of fulfilling the training needs for all divisions in the agency.

2005 Electronic Document Gathering and Retrieval (Edgar): To provide for the exacting needs of electronic document management and affordability of operation, the agency built a means to convert paper documents into standard PDF files. DOCR I.T. built a custom system that uploads and indexes PDF documents via the web. The system ties into Docstars offenders and links all related documents to the offender SID. This system has proven to be an extreme asset to NDPP (IOSP) division in reducing the manual labor attributed to accessing offender documents. Using open source technology a system was built and implemented that incorporated standard PHP web transactions. The system is currently being used by IOSP and NDPP administration but will eventually be offered agency wide as a means to manage document access.

2005 Treatment and Rehabilitation Planning System (TARPS):

DJS required a custom treatment planning system for juvenile offenders. TARPS was built in-house to facilitate the exacting treatment needs of DJS. TARPS integrates data from COMPAS and ITAG to formulate outcomes and treatment planning, including input entered into TARPS by staff. TARPS creates a single document containing treatment reports from multiple sources and derived treatment objectives. TARPS catalogs and indexes this information which can be retrieved by staff. It provides a historical record of treatment backed up with hardcopy documentation stored in PDF format.

Currently agency infrastructure includes over six hundred personal computer in four different institutions and twenty-three district offices across the state. The agency has a skeleton crew of four to support agency I.T. needs. Most all servers have been consolidated by the states central I.T. department.

Current I.T. projects include an Electronic Medical Records System (EMRS). The EMRS will allow all the Department of Corrections Medical Departments to administer, manage and record all aspects of medical care provided to both adult and juvenile offenders. The EMRS will provide an integrated Pharmacy that will service the agencies needs providing automated drug inventory ordering, dosage tracking and drug cost analysis reporting for agency budgeting and legislative reporting.

In summary the agency continues to evolve in its use and implementation of technology to support its mandated mission.

Central Office Research and Planning

Research, Planning and Program Evaluation Department

The DOCR research department consists of one FTE who is also responsible for all inmate appeals and inquiries, conducts administrative segregation reviews, is the national contact for Public Information Officer issues, chairs the department's Case Planning Committee, has limited oversight on Emergency Management issues and has direct supervision over the Central Office Disaster Management Plan, facilitates Adult Services Strategic Planning, facilitates additional work groups as required, managed the Transition From Prison to Community Initiative, prepares offender population projections, presents information to legislative committees, and responds to inquiries for aggregate information.

The research department was active with a number of special projects for Adult Services. Early in the biennium the department coordinated Collaboration Training for Adult Services upper and mid-level managers, in conjunction with the Center for Effective Public Policy. A very lengthy project included facilitating coordination of the sex offender programs between the two Adult Service divisions with participation from the Office of the Attorney General and North Dakota State Hospital. Other special projects included coordinating a recurring data exchange with North Dakota Child Support Enforcement, a successful Table Top Exercise with the Department of Emergency Services to test the DOCR Central Office emergency plan, providing technical assistance to North Central Correctional and Rehabilitation Center (NCCRC) with their agency Process Evaluation, providing technical assistance (internally and externally) to develop and implement the department's Inmate Management Program, facilitated short-term and long-term offender placement planning, and began to facilitate the reorganization of Adult Services. The department also participated in training on reporting Performance Based Measures and Standards developed by the Association of State Correctional Administrators which provides standard definition and measurement rules for selected correctional data.

The Inmate Management Plan is an attempt to manage the ever growing adult offender population. The DOCR began the biennium with 5,650 adult offenders in its care and custody and ended with 6,408, an increase of 758. There was growth in every category except female inmates, which saw a slight decrease. Over the years, the female inmate population has experienced dramatic increases and decreases. Following is a snapshot of the population by gender and status:

Central Office Research

	July 1, 2005	June 30, 2007
Male Inmates	1,212	1,291
Female Inmates	149	144
Male Community Offenders	3,169	3,615
Female Community Offenders	1,120	1,358

The next biennium plans for the department include beginning to hand off responsibilities not directly linked to research, planning or evaluation. It will develop a plan to identify goals and required resources to meet the DOCR needs for data reporting, program evaluation and planning, as well as providing continued support to the Adult Services reorganization.

Division of Juvenile Services

HISTORY

While North Dakota was a territory, an arrangement with South Dakota authorities allowed for delinquent youth committed by the courts of North Dakota to be housed at the state reform school in Plankinton. The first youth went to South Dakota in November of 1888. In 1890, the North Dakota legislature appointed a board of trustees to locate and acquire a suitable site at Mandan for the North Dakota reform school. Initially, the abandoned site of the Fort Abraham Lincoln military reservation was considered, but acquisition was delayed in Congress, and so the board



looked for other sites. In the meantime, North Dakota continued the arrangement with Plankinton. Then, when by proclamation of the governor



the North Dakota school was declared ready to receive them, the youth were transferred from South Dakota.

The North Dakota State Reform School was officially opened in May of 1903, and twenty one boys and three girls were transported to the Mandan site that continues in operation today.

The State Reform School became the State Training



School in 1920, following considerable advocacy on the part of Reform School officials who argued that “the boys and girls committed to the school have been made what they are by circumstances over which they have had very little control. There is no

possible excuse for fastening upon them the stigma of the name ‘Reform School’ to follow them all of their lives.”

The State Training School became the State Industrial School in 1961, and reported to the office of the Director of Institutions. In 1969, the State Youth Authority was created to take custody of delinquent and unruly youth. The State Youth Authority was organized within the Department of Human Services, under the current thinking that youth often needed diagnostic evaluations in order to insure proper placement.



In 1986, a study by the Children and Adolescents at Risk Commission (CAAR) and the Ehrenkranz Group suggested the creation of a coordinated youth corrections system designed to meet the needs of the delinquent and unruly population. In July of 1987, the Division of Juvenile Services (DJS) began a two year phased deployment during which time community based correctional services were provided in four regions of the state.

In 1989, the State Industrial School and the State Youth Authority were rolled into the newly created

Division of Juvenile Services

North Dakota Department of Corrections and Rehabilitation, and collectively became the Division of Juvenile Services. Community based correctional services were expanded statewide.

The State Industrial School was renamed the North Dakota Youth Correctional Center in 1995. The North Dakota Youth Correctional Center (NDYCC) is the state's secure juvenile correctional institution. The NDYCC serves as a secure detention and treatment facility for adjudicated youth who require the most restrictive placement, maximum staff supervision, and provides appropriate programming to address delinquent behavior. Over the years, behavioral, mental health, and addiction treatment has been added to better meet the needs of the juveniles while continuing to ensure the safety of the community.

DJS community based services operate through eight regional offices across the state. A continuum of treatment and placement options for adjudicated youth are util-

ized. DJS works collaboratively with juvenile courts, county social services, law enforcement, public and private human service agencies, and schools to provide individual rehabilitative programming. Collaboration extends into program development as well.



Through partnerships between DJS, Department of Human Services, and the Department of Public Instruction, relevant, cost-effective programming aimed at strengthening families and communities and preventing out-of-home placements have been developed. These programs have been paid for with general funds supplemented by federal, local, and private resources.

DIVISION OF JUVENILE SERVICES OPERATIONAL OVERVIEW

The Division of Juvenile Services provides intensive case management for youth committed to DJS care, custody, and control. District courts can transfer legal custody to DJS as a disposition option. In cooperation with the Juvenile Courts, Department of Human Services, North Dakota Association of Counties, and the Department of Public Instruction, Community Services has developed a continuum of care that provides an array of placement options and programs for adjudicated juveniles. This system of care operates under the philosophy that services should be provided in the least restrictive environment consistent with the practice of assuring the safety of society and the well being of the juvenile. In most instances, the Juvenile Court gives DJS notice of an impending transfer of custody prior to the date of the hearing. A DJS representative, preferably the Juvenile Corrections Specialist (JCS)

Division of Juvenile Services

who will receive permanent assignment to the case, attends the disposition hearing. Supervision of the case begins immediately. Depending upon the initial placement, the JCS will develop a community placement agreement for youth who remain in the home or ar-



range for a suitable out of home placement somewhere along the continuum of care. In some cases, the most appropriate placement will be the Youth Correctional Center. With the initial conditions of supervision established, the JCS begins the process of developing the Treatment and Rehabilitation



Plan. This plan, once developed, is submitted to the committing court and a progress report follows every ninety days. All youth who are admitted to caseload are administered a COMPAS assessment, which is a comprehensive risk, needs and case planning instrument. COMPAS effectively links researched based principles of criminogenic risk assessment to proven intervention strategies. The community based JCS have a minimum of two contacts per month with juveniles who are under supervision in the community. Contacts may be increased or decreased depending on the needs and progress of the individual youth. Youth who are placed in the foster care system, including psychiatric residential treatment facility placement, are seen a minimum of once per month. Any youth who is placed at the Youth Correctional Center is also visited by the community DJS representative on a monthly basis. The philosophy is that case supervision should

maintain connection to the home community as much as possible, and the goal of successful community reentry should remain the focus for the duration of the order.

In addition to the comprehensive use of COMPAS in the case plan development process, the Division of Juvenile Services also uses a method of cognitive restructuring throughout community based and institutional services. The program, called EQUIP, is an identity oriented treatment approach focusing on cognitive restructuring, anger management, social skills, and social decision-making.

COMPAS and EQUIP are delivered by community based staff within the Youth Correctional Center. Some of the community based foster care facilities and programs have adopted the language of these programs as well, and have been provided some training on the interpretation and use of the COMPAS.

Division of Juvenile Services



These programs give our entire system a common foundation, which creates consistency for the youth who are receiving services.

COMMUNITY BASED CORREC- TIONAL SERVICES

Custody of four hundred seventy-eight youth was transferred to the Division of Juvenile Services this biennium. Those youth were served in a variety of programs that span a continuum from remaining in the parental home to secure custody at the Youth Correctional Center. Over the course of their treatment, youth might make use of a number of programs in multiple levels of care. They may enter and discharge from a program more than once. Therefore, the numbers calculated for each of the following programs may not represent an undupli-

cated count. In any given month, approximately thirty percent or around one hundred ten youth are placed in the parental homes with intensive case management and community based support services. An additional twenty-five to thirty youth are placed with relatives, are in independent or transitional living situations, or placed at a Job Corp site.

Programs available statewide

Tracking: Through frequent contacts, tracking programs use trained paraprofessional staff to provide positive role models, advocacy, resources, and supervision for juveniles. Tracking is provided at two levels; traditional and intensive. Traditional trackers provide one-on-one supervision for youth and provide positive adult role models. This venue allow youth to establish meaningful and appropriate relationships with adults. Intensive trackers perform drug screens, and monitor home detention, and monitor youth on

Electronic monitoring devices. During this biennium, ten thousand hours of tracking were provided to a total of more than three hundred youth. With the support of tracking services, seventy-five percent of the youth served were able to remain placed in their home communities.

Statewide Detention Support Services:

The purpose of this program is to provide financial incentives for the development and use of the least restrictive care alternatives for juvenile offenders. As a participant in the Office of Juvenile Justice and Delinquent Prevention (OJJDP) Act, North Dakota continues to maintain a low number of juveniles held in adult jails. The statewide detention center support services consist of three primary components.

- *Attendant Care*– The constant and direct supervision of juveniles in an unsecured setting.
- *Detention*– The supervision of a juvenile within the

Division of Juvenile Services



secure setting of a facility designated by the state jail inspector as a juvenile detention center

- *Transportation*—Transportation to either attendant care or detention of a juvenile who has been identified as appropriate for either of the supervision settings.

Current data continue to emphasize the dangers attached to the use of detention, and therefore the importance of an effective non-secure holdover program such as attendant care. Recent research indicates that detention can actually increase recidivism and that alternatives to detention curb crime and reduce recidivism better than detention. DJS continues to strongly support the use of attendant care as an alternative to detention.

In 1981, prior to the development of the attendant care program, eighty-seven percent of youth who were taken into custody in North Dakota were placed into adult jail facilities. Today, that number is less than one percent. During the recent biennium, fifty-six youth were placed in adult jails for periods of time less than twenty-four hours, one thousand six hundred twenty-two youth were placed into detention, staying an average of one hundred fifty-five hours, and two thousand two hundred twenty-two youth were placed into attendant care, with an average length of stay of twenty-nine hours.

The Division of Juvenile Services and the North Dakota Association of Counties coordinate the program. Training and administrative support reimbursement is provided. There are thirteen attendant care sites and six detention sites in North Dakota.

Restorative Justice: DJS together with the

State juvenile court contracts with a private provider to implement the Restorative Justice Program on a statewide basis. Restorative justice defines accountability for juvenile offenders in terms of taking responsibility for their actions and taking action to repair the harm to the victims and community. It emphasizes the ways in which crime hurts the relationships between people in communities. Participating in this program enhances the overall rehabilitative process for juveniles. These youth have the opportunity to meet face to face with the victims of their crimes, take responsibility and make amends.

Out-of-home Placement Services

In order to individualize treatment planning, it is critical that juvenile corrections staff have a range of placement services from which to choose. DJS, together with other state agencies, private providers, and local entities have collaborated time, talent,

Division of Juvenile Services



ent and funding in order to build a basic continuum. These collaborative efforts cannot be underestimated in their significance to the system as a whole, and they require ongoing effort and review.

DJS, as a division of the Department of Corrections and Rehabilitation (DOCR), and Children and Family Services (CFS), as a division of the Department of Human Services (DHS), generated an essential cooperative agreement with the establishment and maintenance of a common foster care system. The foster care system is based in and is operated by the Department



of Human Services, but DJS has access and can place juveniles in DHS licensed beds. DJS juvenile corrections specialists follow all DHS procedures for completing paperwork and meeting federal and state permanency planning requirements.

Foster care dollars are thereby maximized by allowing as many juveniles as possible to be qualified for federal reimbursement funds. In eighteen years that this system has been in place, North Dakota has saved millions of general fund dollars that would have otherwise been spent on providing separate foster care based treatment services to corrections youth.

In any given month, approximately twenty-five percent of the daily DJS count is placed into a group based treatment program. This typically means between ninety and one hundred youth. Eight percent are placed in psychiatric residential treatment facilities, or about thirty youth, and another twenty-five, or six and one half percent,

six and one half percent, are placed in treatment foster care beds.

Programs available in selected regions

Intensive In-Home Family Services: Family-based services are designed to provide an alternative to out-of-home placement for juveniles by providing high quality professional services that will strengthen families and promote future self-sufficiency. The program has been popular with families and the success ratio, as measured by preventing future out-of-home placements or involvement with the juvenile justice system, has been well above eighty percent. Approximately one hundred fifty families were provided with in-home family therapy during the past biennium.

Day Treatment: This is a school-based treatment for students who are at risk for out-of-home or more restrictive placement because of their behaviors. Programs provide assessment,

Division of Juvenile Services

counseling, anger management, social skills training, behavior management, and academic remediation. The programs are co-funded and co-administered by local school districts, the Department of Public Instruction, and DJS. During the recent biennium, seven sites served three hundred seventy-eight juveniles.

Day Report: Contrary to popular wisdom, most juvenile crime takes place between three o'clock and ten o'clock pm. Day Report begins after school and runs until late in the evening. The program provides structure and accountability for at risk youth during a critical period of the day. Day Report also provides tutoring, teaches positive recreational skills, teaches pro-social community involvement skills, and address issues relevant to adolescents. It can be used as a front-end diversion or back-end transition program. Funding allows only one site, and that is located in Grand Forks.

YOUTH CORRECTIONAL CENTER

During the recent biennium, nine hundred ninety youth were admitted to the Youth

Correctional Center. Three hundred thirty-three entered through law enforcement or the courts as detention placements.

One hundred thirty-one youth received a behavioral evaluation. Of those, North Dakota courts requested forty-one, the Bureau of Indian Affairs requested one, and eighty-nine were internal requests by community DJS staff.

Four hundred seventy-four youth were admitted on "treatment" status, meaning they were expected to require a longer stay and perhaps considerable programming in order to sufficiently develop the behavioral controls necessary for them to be released to a lesser level of care.

Fifty-two youth were placed for "time out". These are youth whose placement is in the community or in a group home setting, whose behavior has deteriorated to the degree that the placement is jeopardized, and who need a brief period of time in which to regroup themselves and recommit themselves to their behavioral treatment goals. Time out usually is accomplished in less than fourteen days, but may last up to thirty days.

These are admissions totals, and not an unduplicated count. For example, a youth might enter as an evaluation, and following the eval might be recommended for long term treatment. Likewise, a youth might be admitted more than once. If a youth were discharged to a less restrictive facility and failed, they might need to return for further treatment.



Educational Programming: Marmot Schools

A central focus of activity at YCC is educational programming. Because of the short term nature of the placements at YCC, Marmot Schools has an open enrollment policy. During the recent biennium, three hundred fifty-six students were admitted to Marmot Schools.

Division of Juvenile Services

YCC provides students an opportunity to complete or progress toward completing their education course work in the attainment of a high school diploma or their GED while in residence. Fully accredited by North Central Association of Colleges and Schools, the State Department of Public Instruction, and the State Board of Career and Technical Education, the education program is known formally as Marmot Schools. In addition to the academic, remedial, and special education course work already in place, special emphasis is placed upon elective classes in the vocational areas of Technology Education, Building Trades, Welding, and Auto Technology. Marmot Schools include a fully accredited high school and a middle school. Marmot Schools employs career preparation and vocational counseling. During the recent biennium, forty-one students graduated from high school and twenty-eight completed their GED.



Drug and Alcohol Programming: YCC provides Drug/Alcohol Counseling by licensed addition counselors. The Drug and Alcohol Program has been licensed by the State Division of Substance Abuse as an Intensive Outpatient and Low Intensive Outpatient Program. A Young Women's Recovery Group offers ongoing support for female youth who are struggling with addiction. One hundred seventy-four youth participated in one or more of these treatment programs during this biennium.

Division of Juvenile Services

EQUIP: DJS continues to recognize the value of programs that utilize a cognitive restructuring approach in the treatment of delinquency. Over the years, DJS has maintained its efforts to provide the most current therapeutic approach. During this biennium, two hundred youth participated in EQUIP groups.

Grief and Loss: Many youth who are committed to YCC have suffered a serious loss in their lives, and subsequently that loss is impacting their current behaviors. Thirty-two youth participated in grief and loss group this biennium.

PROJECTS



Psychiatric and Psychological Services: The purchase of a service contract provides psychiatric and psychological services to the North Dakota Youth Correctional Center (NDYCC) juveniles. The service includes psychiatric evaluations, medication assessments, consultations, extensive individual therapy and staff training. Six hundred fifty sessions with psychologists, and three hundred seventy-eight sessions were completed during the biennium.

Pre-Treatment Program for Sex Offenders: This program was designed to prepare youth for more intensive therapy as they move into a longer term treatment program. Twenty-three youth completed pre-treatment during this biennium.

Ropes Course and TREK: These challenge programs focus on team building and developing self esteem. The program includes both low and high ropes, and the TREK is an extremely physically challenging, five day fifty mile hike through the Theodore Roosevelt National Park. one hundred forty-eight youth participated in the ropes course, and forty-one young men completed their TREK during this biennium.

Special Management Program (SMP): In an effort to reach those juveniles who, for one reason or another, repeatedly fail in their efforts to succeed, YCC has developed a Special Management Program (SMP). This intensive program provides a highly structured, therapeutic, secure living and educational environment within Pine Cottage. This program has been designed to meet the needs of those juveniles who have been assessed as needing intensive behavioral treatment and educational programming, and for those high-risk juveniles who may be a danger to themselves or others. This program enables juveniles to earn their way into the mainstream treatment and

Division of Juvenile Services

Educational programs in other cottages. Thirty-two youth made use of SMP during this biennium.

Security Intervention Group (SIG) Program:

The NDYCC maintains a Zero-Tolerance approach to gangs and gang activity. Staff members deal with any display of gang activity or gang affiliation immediately. The purpose of the SIG Program is to inform, educate, and provide juveniles with alternatives to gang activity and gang affiliation. YCC addressed gang involvement with thirty-five youth over the course of the past biennium.

Suicide Prevention and Intervention Program:

Youth are formally screened for risk of self harm prior to intake through a reception process, during admission, and at any point thereafter that any YCC staff person identifies a concern. Once a concern is identified, the youth is placed on close or constant observation. A qualified mental health

specialist meets with the youth, and only that person determines when it is appropriate to downgrade the level of supervision. During the recent biennium, averages of twelve youth each day are being observed at the close level. During the two year period, thirteen youth were placed on constant supervision due to an elevated concern for their risk of self harm.

Victim Impact Programming:

In the community, youth can participate in various restorative justice programs. Youth at YCC do not have such opportunities, but an intense need exists nonetheless. This group is designed to impact youth who have shown a lack of empathy for victims. 31 youth participated in VIP this biennium.

STATUTORY RESPONSIBILITIES AND RELATED RECENT LEGISLATION

The Department of Corrections and Rehabilitation is created by NDCC 54-23.3. The Division of Juvenile Services is more specifically enacted in NDCC 27-21. Furthermore, the North Dakota Youth Correctional Center is set forth in NDCC 12-46.

The 60th (2007) legislative assembly passed several separate sections of legislation that have either a direct or an indirect relation to the operations of the Division of Juvenile Services.

SB 2100

Among other sections relating to child abuse, SB 2100 amends NDCC § 50-25.1-03 to specifically include probation officers and DJS employees as mandated child abuse reporters.

HB 1507

HB 1507 exempts personal telephone numbers and e-mail addresses from the open records laws and creates a new section to NDCC Chapter 51-27 to make certain identity theft offenses class C felonies

Division of Juvenile Services

SB 2260

This is the criminal history background and fingerprint bill. This will include all employees as designated by the director.

SB 2262

SB 2262 amends a criminal conspiracy statute, NDCC § 12.1-06-05, to allow individuals under the age of 21 immunity from prosecution for conspiracy if the individual is an enrolled elementary, middle or high school student in this state and voluntarily renounces their criminal intent to commit certain crimes.

SB 2204

SB 2204 amends NDCC § 5-01-08, 5-01-09, and 5-02-06, to provide immunity from prosecution for individuals under the age of 21 who have contacted law enforcement or emergency services to report another individual needs medical assistance as the result of consumption of alcohol, have provided assistance and

remained on the scene, or needed assistance and cooperated with medical assistance or law enforcement.

SB 2204 also amends NDCC § 14-10-06 to require the court to consider in mitigation of sentence that the defendant contacted law enforcement or law enforcement to report that a minor was in need of medical assistance as the result of consumption of alcohol

SB 1219

SB 1219 creates a new section to NDCC chapter 12.1-34 relating to victim notification to create a statewide automated victim information and notification system to be administered by the DOCR. Section 2 provides for a Legislative Council study of establishing the system.

HB 1472 and SB 2256

HB 1472 and SB 2256 are the school property sex offender bills. SB 2256 incorporates and amends Section 1 of HB 1472. Under these bills, the school board or governing bodies of school districts must develop

policies regarding sex offenders on school property. Sex offenders may not enter school property except in accordance with either the new section to NDCC chapter 12.1-20 or with the policy adopted by the school board or governing body of the school district. A violation is a class A misdemeanor.

HB 1472 adds a new subsection to NDCC 12.1-20-05 to make it a class C felony for an adult to solicit a minor over the age of fifteen within fifty feet of school property and a class B felony to solicit a minor under the age of fifteen within fifty feet of school property.

HB 1472 adds a new subsection to NDCC 12.1-20-12.1 to make it a class C felony to commit indecent exposure within fifty feet of school property and a class B felony commit indecent exposure within fifty feet of school property after a previous conviction for indecent exposure, after a previous conviction for surreptitious intrusion, and after being required to register under Section 12.1-32-15.

Division of Juvenile Services

HB 2259

HB 2259 is the Adam Walsh Act and incorporates requirements of federal law into state offender registration requirements.

A) In addition to registration requirements for North Dakota offenses, it requires registration for tribal court offenses, from another court in the United States, or courts of another country.

B) The registration requirements change from ten days to three days in all circumstances (e.g. change of address, change of employment)

C) The registration changes from ten to fifteen years for low risk, to twenty-five years for moderate risk, and life time for high risk, in addition to present lifetime registration requirements.

D) A violation of NDCC 12.1-32-15 is a class C felony.

HB 22859 affects all persons who are required to be registered as of August 1, 2007.

HB 1092

Although there have been numerous amendments to the Uniform Juvenile Court Act since it was initially enacted in 1969, HB 1092 is major rewrite of the UJCA

HB 1076

HB 1076 determines the requirements that high schools must provide for instruction in foreign language and the fine arts does not apply to Marmot Schools.

SUMMARY OF ACCOMPLISHMENTS DURING THE BIENNIUM

- **Mental Health Specialist:** The addition of the suicide prevention program at YCC marked a milestone in improving the safety and care of youth in secure custody. This critical program was developed in conjunction with custodial suicide prevention expert, Lindsay Hayes.
- **Performance Based Standards (PbS):** A very positive influence upon improving the quality of care at YCC has been the involvement in a national accreditation process called Performance Based Standards. These standards provide a basis for the facility to make self improvements and to establish an ongoing focus of excellence within the institution. It also provides a basis for the facility to compare itself and its program outcomes to other facilities throughout the country. PbS puts the focus of accreditation on issues that reflect the quality of life for youth residing in the institution.

Division of Juvenile Services

- **NCA Accreditation:**

The educational program has received accreditation by the North Central Accreditation (NCA). The accreditation endorsement received its entitled "Transitions," which focuses upon preparing students to return to their local or alternative educational programs. NCA Accreditation is a public declaration of constant educational improvement.

- **Recidivism Rate**

Study: Recidivism is calculated annually, and uses the following criteria: returned to DJS on a new order, sentenced to adult probation, or sentenced to prison within one year of release date from DJS custody. Calculations for the years ending in June 2005 and July 2006 put the rates at 14.9% and 14.3% respectively. It appears that North Dakota's youth correctional system con-

tinues it's trend of having one of the lowest, if not the lowest, rates of recidivism in the nation.

- **Wraparound Case Management Services:**

Wraparound case management is endorsed by the North Dakota Department of Human Services as the preferred method of case planning and service delivery for children with serious mental health needs. All community based Juvenile Corrections Specialists and many of the case management and counseling staff at YCC are certified providers of the wraparound process. DJS has participated in the development and delivery of certification training for the Single Plan of Care, and DJS youth that meet set criteria have plans written in that format.

IDENTIFICATION OF TRENDS

Census has leveled off during this biennium and is not expected to fluctuate dramatically in future months. However, a flat census also translates into fewer opportunities to claim federal reimbursement for eligible case management activities. This, coupled with forecasts of continued cuts in federal resources could result in significantly less revenue available in the upcoming biennium.

Fewer resources does not mean lower standards for care, however, and the challenge will be to provide youth with the same high quality care that has historically produced such outstanding outcomes even if the funding base declines.

SHORT AND LONG RANGE PLANS

- Respond to changing demographics by organizing DJS so that service delivery remains highly effective while structure uses existing resources as efficiently as is possible.

Division of Juvenile Services

- Encourage and support the development of Performance Based Standards for juvenile community corrections programs and services.
- DJS will lead an effort to fully understand and develop strategies to impact the issue of disproportionate minority contact for Native American youth in the state's juvenile justice system.
- DJS supports activities and strategies that encourage youth to stay connected to schools. Education is a priority for our youth.
- DJS will continue to refine the process of risk identification and targeted case planning in order to insure that each youth's issues are properly identified and efficiently addressed, thereby maximizing the use of resources and minimizing the length of stay in the system.

STATISTICAL INFORMATION RELATED TO AGENCY RESPONSIBILITIES

- On average, two hundred forty-eight youth are committed to DJS on an annual basis. Twenty-one percent are female, seventy-nine percent male, sixty-four percent Caucasian, thirty-one percent Native American, one percent African American and four percent other.
- Juveniles in the corrections system have multiple treatment issues including mental health, substance abuse, academic, and family disorganization. Of the overall caseload:

Approximately fifty-nine percent have mental health issues. Thirty-five percent (of the fifty-nine percent) have a serious emotional disorder. At YCC, forty-two percent of all admissions have a serious emotional disorder.

Approximately sixty-six percent have substance abuse issues. At YCC, the

number jumps to eighty-five percent.

Approximately thirty-four percent have a co-occurring mental health and substance abuse issue.

Approximately seventy-five percent have serious academic problems.

Approximately sixty-six percent have experienced serious disruption or instability in their family life.

INTERSTATE COMPACT FOR JUVENILES

DJS administers the Interstate Compact for Juveniles in North Dakota. Established in 1955, the Interstate Compact regulates the movement of juveniles who are under the jurisdiction of the court. Specifically, the Compact addresses juveniles that have run away from home, have been placed on probation or parole and want to reside in another state, have absconded or escaped from an institution in another state, require institutional care in another state, or are pending a hearing and run away to another state.

Runaways, absconders, and escapees: During the biennium, twenty-nine youth were returned to North Dakota following a report of a runaway or an ab-

Division of Juvenile Services

sconding. Sixty-six youth were returned to other states following a report of runaway or absconding. Overall, a total of ninety-five youth were processed as incoming or outgoing runaways during this biennium. There were no escapees.

Parolees and probationers in need of interstate supervision: Fifteen youth were received for supervision as parolees. Twenty-six cases were sent to other states on parole status. Fifty youth were received from other states for probation services. One hundred eleven cases were sent to other states for probation services. A total of forty-one paroled youth and one hundred sixty probation youth were processed in need of interstate supervision during this biennium.

Division of Adult Services *Division of Adult Services* Prisons Division



Division of Adult Services

Prisons Division

North Dakota

State Penitentiary The North Dakota State Penitentiary (NDSP) was founded on the east side of Bismarck in 1885. It operates under legislative authority NDCC 12-47 and serves as the maximum security prison for the state. The institution can provide five hundred twenty-three single cell spaces and twenty-seven temporary beds, but for much of the biennium operated with about one hundred inmates sharing a cell with two beds. The prison serves as the reception and orientation unit for all male inmates sentenced to prison incarceration and includes sixty bed long-term residential addiction treatment unit and a sixty bed Administrative Segregation unit for those inmates that are considered too dangerous to themselves or others to live in the general prison population.

The NDSP continues to meet its mission of protecting the public by maintaining a secure, but safe environment for inmates and staff, and providing rehabilitative programming for offenders sentenced to prison. There were no escapes or unnatural inmate deaths during 2005-2007. The facility maintained their national accreditation by meeting the standards set for quality prison operations from the American Correctional Association. The recent trend of a growing inmate population continued and plans were discussed to increase the size of the penitentiary to keep up with the number of people being sentenced to prison. The 2007 Legislature examined several options to

meet this need, including the possibility of building a new maximum security facility, or renovating and adding more cells to the existing penitentiary. A final decision was tabled so that the Legislature could study the problem during the interim session before the 2009 legislative session.

“...zero escapes and no unnatural inmate deaths.”

Security Department

The primary responsibilities of the Security Department are to provide a safe and secure environment for the inmates and staff and to also prevent inmate escapes. Staff include ninety-five Correctional officers, fourteen temporary Correctional officers, four Lieutenants and four Captains for a total of one hundred seventeen staff members. The staff is divided up into four basic shifts that provide security coverage twenty-four hours a day, three hundred sixty-five days a year. The duties of Correctional staff include but are not limited to, conducting searches of inmates, inmate property and all other areas of the institution, transporting inmates to downtown clinic appointments and other facilities within the state, regulating all inmate visits, completing background checks, providing perimeter security and conducting investigations in all discipline violations.

Division of Adult Services Prisons Division

Housing/Unit Management

NDSP supervises the inmates by breaking up the population into smaller units in our seven cell houses. Each cell house has a Case Manager and Correctional Case Workers, who then become responsible for the case management for the prisoners assigned to them. This “unit management” concept ensures that key staff become familiar with each inmate. Unit Management staff are responsible for security in the cell houses, the discipline of inmates that violate institutional rules, and assist them as they work towards completion of their case plans. There are four cell houses for general population inmates, and three specialty cell houses.

All male inmates sentenced to serve time in one of the secure facilities of the Department of Corrections and Rehabilitation will first come to the State Penitentiary to participate in a thirty-day program designed to assess their medical, educational, and mental health needs.



North Unit During their orientation, inmates receive a variety of tests and assessments, designed to identify the type of rehabilitative programming they need to com-



plete during their sentence. A case plan is developed for each inmate, and they are assigned a custody rating. Upon completion of Orientation, inmates are transferred to

“...receive seventy-five new arrivals each month...”

DOCR facilities that best suits their custody rating and that offers the programming outlined in their case plan. The North Unit staff do an outstanding job processing all the new arrivals received at NDSP, which averaged seventy-five new arrivals each month of the biennium.

Division of Adult Services

Prisons Division

The West Unit, built in 1960, can house one hundred twenty general population inmates in single cells, however sixty of these cells have been converted into the Administrative Segregation Unit. Staff assigned to the West Unit strive to provide a safe, secure environment for inmates, while focusing on the rehabilita-



tive needs of each individual inmate. Dedication to security is evidenced by the fact that there have been only three inmate fights during the past two years in the West Unit. Inmates who live here are kept busy during the day by working, going to education classes, or participating in chemical addiction, sex offender, or anger management treatment groups.

The Administrative Segregation (AS) is a sixty bed unit designed to segregate problem inmates from the rest of the general population, much like a “jail within a jail”. Inmates are placed in AS when their continued presence in general population would pose a threat to life, property, himself or others, or for the security and orderly running of the institution. Those housed in AS are kept in their cells twenty-three hours each day, and are placed in restraints every time they leave their cell for the safety of staff. AS unit inmates are afforded the same general privileges and programs as the inmates in general population, but these can be tempered for security considerations. The AS unit offers several programs in the areas of treatment and education such as: Anger Education, Cognitive program, Medicine Wheel, Individual

“AS inmates are locked down 23 hours/day”

Counseling, GED, and tutoring. In March of 2005, the AS unit increased from a forty bed unit to a sixty bed unit. Even with these additional secure cells, at the end of this biennium we find ourselves with more inmates requiring segregation than available cells. This forces staff to make difficult decisions to release the least risky inmate back into the general population, to make room for more dangerous inmates to come in. Of the seven security and two unit management staff, assigned to the unit, five of the nine staff have been nominated and selected for employee of the month. All the staff are proud and dedicated to the job they perform in the AS unit.

Division of Adult Services

Prisons Division

The East Unit is an open unit. The unit is comprised of four levels, consisting of two tiers per level. There are twenty single person cells on their tier. The first cell on the west side on the first tier is utilized for a janitor's room. All other cells are used for housing. The tiers are divided by an open space area referred to as the alleyway. There are four tiers located on the west side of the alleyway and four tiers located on the east side of the alleyway. The northwest end of the East Unit has the staff office. The south end of the East Unit contains an area for the air-handling units. This area is secured and "**off limits**" to all inmates. A walkway is located on the front side of the cells and is used by both inmates and staff. Chain link is installed on the outside rail on the third and fourth tiers from floor level to the top of the fourth tier. Cell doors are a hinge open barred door, equipped with a tray slot. The cell doors can be operated by key control or electronically. The west side of the unit has natural lighting from the tall windows located in the exterior west wall. The east side of the unit does not have natural lighting. Individual cells are equipped with a sink, a toilet, a wall shelf, a desk lamp, a desk and chair, a metal nightstand and a metal bed frame with a flame-retardant mattress and pillow.

The East Unit is a general housing area, within the physical plant of the North Dakota State Penitentiary, that houses one hundred fifty-nine male inmates. The East Unit provides a safe and healthy environment for maximum-security residents to apply themselves to the task of rehabilitation. This is accomplished by

maintaining proper custody, work, education, and treatment programs, encouraging residents to make the needed changes to be law abiding and successful in society. The main consideration is security. It is stressed to provide a safe and secure environment for both staff and inmates and provide an environment, which affords the opportunity to seek treatment, education, employment, medical, and wellness activities, which allow the inmate to improve their self-



Division of Adult Services

Prisons Division

The East Unit is comprised of all male inmates with custody levels that range from minimum to max custody. Because of this, individual needs and recommendations vary, but security and safety issues remain constant. Release plans, pre-release skills, and addiction treatment are stressed to release the inmate into the community with the skills to be a productive member of society.

The major concern of East Unit staff is the age and condition of the cell block.

The staff consists of one Case Manager, three Case Workers and twelve correctional officers. (One Case Worker and three Correctional Officers work each shift except for the night shift which only has one officer working in the unit.) The major concern of the unit staff is the age and condition of the cell block. There are constant plumbing problems in the individual cells. The water that leaks in the alleyway has been slowly rusting the cable system. There are several places in the alleyway where the bricks have come apart and are coming loose. Almost every year there seems to be another place on the roof that leaks. The staff would like to see a chain link fence added to the second tier and cameras placed on all the tiers.

The South Unit is offering positive attitudes and behaviors, “what to do with your anger and grief”, “powerful lessons in personal change”, and “the A to Z steps to a richer life.” The residents of the South Unit are showing positive changes in their life from

attending these new programs and we anticipate the continuation of these programs in the future.



The Overflow Unit (OU) is a transition unit for inmates waiting transfer to another institution such as JRCC, MRCC, BTC, NCCRC, TRCC and those waiting to be classified. The Overflow also houses inmates for short periods of time that are removed from less secure housing areas for disciplinary reasons while awaiting permanent housing assignments. Overflow has a forty-two bed dorm and six Disciplinary Detention beds. Overflow is basically a self contained unit with a dining room, weight room, and two dayrooms which also allows us to house some protective custody inmates. Most inmates spend less than two months in the unit before they are transferred. Overflow staff work with inmates to clear detainers and warrants that are possibly holding them back from less secure housing options such as MRCC. 47

Division of Adult Services

Prisons Division

The Treatment Unit is a sixty bed long term residential addiction community. One hundred forty-three inmates completed addictions treatment here during this biennium. The average length of stay is 8-10 months in the program. Several inmates put together a video called "Prisoners of Meth" which has received national awards.

Education Department

One of our strengths is a solid GED and Adult Basic Education program, serving over six hundred thirty-four students with two hundred forty-four earning their GEDs. A highlight for 2006 was one of our instructors, Miriam Gilbertson, DOCR employee for twenty-six years was awarded both the Golden Apple by KXMB TV, and the ND Adult Lifelong Learners Teacher of the Year awards.

Auto Technology continues to be an award-winning program, serving forty-one students. Students are able to earn ASE certification—brakes, electrical, air conditioning, and basic engine repair. This program is NATEF certified and won the 2006 Al Maresh award for excellence in computer assisted instruction and in 2005 this program was awarded the Automotive Industry Planning Council Award for Excellence. General education classes are offered through correspondence study and in cooperation with local colleges, according to the interest and needs of our population, including: -history, speech, algebra. A few classes are offered for skill building, including: keyboarding, pre-algebra,

and accounting. Seven hundred forty-seven students took advantage of these classes. Lastly, our pre-employment skills program served nine hundred ten inmates with instruction in work readiness skills, resume writing, and interview skills.

Administrative Services

In mid 2005, the Prisons Division started the process of electronic filing with Edocs. This was truly a milestone to start achieving. It has been a slow process but in June of 2006, we achieved one part of that milestone by completing the treatment files. We are still in the process of achieving the goal of having all inmate records paperless. In the Spring of 2006, new technology became available to have electronic forms signed by signature pads. This process was put to a test at NDPS and has been successful in the housing units.

"...NDSP is ACA accredited..."

Staff Training and Accreditation

The Training and Accreditation Unit was challenged last biennium by losing their only two staff members almost at the same time. A vast amount of knowledge was lost with both of these individuals. The challenges were compounded by the ACA audit scheduled in October 2007. Lt. Darrell Theurer was promoted to the position of Director of Training and Accreditation. Katie Abt was appointed as administrative assistant. During this transition, mandatory and elective training continued uninterrupted.

Division of Adult Services Prisons Division

Plant Services Department

History

The Warden's Report submitted to Gilbert A. Pierce, Governor of the Dakota Territory in 1886 recounts, "The bill providing for the establishment of the Bismarck Penitentiary was enacted by the Territorial Legislative Assembly, at Yankton in 1883 and fifty thousand dollars was appropriated for the purpose."

The foresight of our pioneer legislators to establish a State Penitentiary has led to the development of the Department of Corrections and Rehabilitation and in 2007 the Department has four separate facilities with almost 1,000,000 square feet and a physical plant buildings valued at over \$127,000,000.00.

"...almost 1 million square feet..."

Statutory

While many of the functions of the Plant Services department are universal, there are differences from facility to facility that require adherence to both adult and juvenile standards. Federal and State code compliance related to environmental issues, safety, and building renovations were addressed as structural and infrastructure improvements are accomplished. An asbestos abatement survey was completed which resulted in the development of a asbestos abatement reporting structure which will serve the department well as planning for building renovations and replacement continues. The "Hazardous Communication Standard" was complied with through the development of a training program for staff and inmates.

Accomplishments

Due to the age of buildings and infrastructure, planning for upgrades to existing facilities was one of the primary work activities for the 2005-2007 biennium.

This along with the preventive maintenance necessary to maintain continued operation was a challenge for the department. Plant Services staff responded well to this challenge and can report the completion of three capital improvement projects at the James River Correctional Center along with five extraordinary projects spread amongst the Bismarck and Jamestown facilities. All projects were completed on time and within allocate budgets. In addition, James River completed an \$850,000.00 energy enhancement project with reported savings well above original estimates.



Division of Adult Services Prisons Division



The Plant Services Department will be intensely involved with the process accumulating information, scheduling meetings with staff and interested parties, and serving as liaison to local utility and service providers. Results of the study will generate workloads, schedules, and implementation procedures to allow the chosen preference to move forward. Selection of architectural firm, preparation of working drawings, and specification will be placed on a “fast track” course so construction can begin by the summer of 2009.

Trends

Construction costs are increasing at a higher pace than the historical rate of increase. This places an added challenge on department planners and encourages involvement from staff at every level to utilize opportunities available to promote efficiency in planning and utilization. Utility costs are another concern that will require an aggressive approach. Implementation of Performance Contracting at all facilities is a creative avenue for many of the enhancements and has been the primary focus of the department’s energy plan.

Plans and Goals

Legislative action during the last session allowed for the establishment of a Facility Review Committee to consider the immediate and future needs of the prisons system in North Dakota. With the selection of the Criminal Justice Institute as study facilitator, plans are moving forward to study and develop three correctional facility concepts.



Division of Adult Services Prisons Division

Statistical Information

The department was successful in its goal to maintain a ninety-eight percent usable cell occupancy ratio throughout the biennium. Considering the age of buildings and mechanical systems, this accomplishment is a direct reflection of staff's commitment to our departments' mission statement.

The Safety Department reports a three percent reduction in reportable accidents department wide during the reporting period along with 0 days lost to work related accidents.

“...zero days lost to accidents...”

The risk management on line accident reporting structure enacted in early 2006 has been very successful with on line reporting at ninety-two percent. With this program in place we anticipate an additional two percent discount in the agency's annual Workers Compensation premiums.



Medical Services

Brief History of DOCR medical departments

The Prisons Divisions medical departments aligned with each other to provide a community standard of health care. Primary care, Pharmacy and Dental care are shared services between facilities in the system. Nursing care is provided at each facility. Offenders who are housed in county jails and treatment programs contracted by the Department of Corrections and Rehabilitation are provided medical care by teaming with existing health resources in facilities and communities outside the DOCR system.

DOCR Medical departments have paralleled in growth with the increase of the offender population.

Statutory and Constitutional responsibilities

Estelle v. Gamble, 429 U.S. 97 (1976), the United States Supreme Court held that the infliction of unnecessary suffering on a prisoner by failure to treat the prisoner's medical needs is inconsistent with contemporary standards of decency and violates the Eighth Amendment.

Division of Adult Services

Prisons Division

Federal constitutional law establishes that correctional facilities may not as a condition of confinement discriminate medical care on an inmate's ability to pay. The same standards of medical care are applicable to prisoners as are applicable to persons not in custody and who are able to pay or have insurance. There is not a lesser standard of medical care because a person is incarcerated.

The Due Process Clause of the Fourteenth Amendment and the Cruel and Unusual Punishment Clause of the Eighth Amendment, as a matter of federal constitutional law, prohibit correctional staff from deliberate indifference to the serious medical needs of incarcerated offenders.

Summary of North Dakota Prison Medical Departments accomplishments during the 2005-2007 Biennium

North Dakota State Penitentiary medical department provided to all the male offenders entering the prison system orientation screenings and medical stabilization. Maximum security inmates were provided medical care in a newly established satellite medical unit within the facility. Six infirmary cells and four observation cells in the facility provided inpatient medical and psychiatric services. A full range of out patient medical and psychiatric care is provided to offenders on site.

James River Correctional Center medical department provided medical care to medium security offenders with a full range of out patient clinics along with a five bed infirmary. The SAU (special assistant unit) provided psychiatric and medical care to offenders with mental health or behavioral needs in a correctional therapeutic environment.

Missouri River Correctional Center (minimum security facility) began an onsite primary care clinic with the addition of a Physician Assistant twice weekly and psychiatric clinic monthly.

The contracted North Dakota Women's Prison is the Dakota Women Correctional and Rehabilitation Center. DWCRC provides a full range of medical and psychiatric clinics to female offenders. Infirmary and observation care are provided to female offenders at the facility.

The Medical Department has developed a hepatitis C treatment protocol which uses consensus interferon. This treatment modality allows more offenders to receive treatment at a reduced cost while results and outcomes have shown impressive sustained reductions in viral loads. This research and program was highlighted at the CDC Hepatitis symposium.

Division of Adult Services

Prisons Division

A fulltime physician, dentist and physician assistant have been added to DOCR medical departments. These professionals provide services in juvenile and male adult facilities.

A quality review process which includes a comprehensive peer review of offender medical records by utilizing community primary care, dental and psychiatry providers has been established.



The Prison Medical Departments have developed individual pandemic flu plans. All prison medical staff have received specialized training in sexual assault data collection and nursing intervention. (Prison Rape and Elimination Act)

Trends

The severity and acuity of inmate offenders' health has been increasing which is directly related to methamphetamine addiction of the offenders entering the prison system. The Hepatitis C rate of infection is 15-20% of the incarcerated population. Methamphetamine addicted offenders coming back into the prison system have developed diagnosis's of the heart and lung variety. Dental care at the prisons medical departments have evolved into providing acute dental care for pain and infection. MRSA (Methicillin-Resistant Staphylococcus aureus) infections of offenders are now being identified in our incarcerated population. Forty percent of the offenders in the adult prison system have a Mental Illness Axis I diagnosis.

Goals

- Obtain an electronic medical charting system for entire adult and juvenile system.
- Facilitate the restructuring of both adult and juvenile medical departments under DOCR Central Office.
- Maintain a medical department at Missouri River Correctional Center
- Provide education to staff and inmates regarding MRSA infection.

Division of Adult Services Prisons Division



James River Correctional Center—

The James River Correctional Center (JRCC) is a medium custody facility that houses male inmates and continues in its mission of protecting the public by maintaining a safe and secure environment for those persons confined by the courts. There have been no escapes or in custody deaths during the past biennium. The facility opened in June 1998 and is the result of renovating a building formerly used by the North Dakota State Hospital (NDSH) that was built in 1936. The main building (known as the ET building) is a six-floor structure with eighty-seven thousand five hundred thirty square feet, which has a maximum designed capacity of three hundred sixty-five inmates. Each housing unit had small kitchenettes that were designed to be used for food service.

After the transfer of the kitchen from NDSH to JRCC, these kitchenettes were converted to create twenty-two additional beds. Due to the significant increase of inmates into the system, an additional twenty-four beds were added to JRCC. These bunk beds remain in use today. This is a total of forty-six beds that were added above the original design capacity without additional custody staff.

In August 2006, the education space was brought into compliance with ADA with the addition of an elevator and stairwell access. The education department at JRCC is managed by one full time employee and one full time temporary staff that provide opportunities for the inmates to improve their education and become more em-



ployable upon release.

We had one hundred eighty inmates enrolled in the GED program which one hundred twenty graduated

Division of Adult Services

Prisons Division

and received diplomas. Two hundred eighty-nine inmates participated in our Job interview and resume writing course, two hundred thirty-two attended the pre-release program, two hundred forty-nine participated in the money management course, and one hundred eighty-seven inmates enrolled in our computer skills class with seventy-six completing this course. The education staff also assists inmates with preparing for the continuation of their education upon release by providing guidance and/or assistance with enrollment into the university system and financial aid advice. Investing in the education of these North Dakota residents is an important factor in helping to reduce their risk of returning to prison. We added three treatment staff to support the increasing need for treatment programming. An intensive sex offender program that can last up to twenty-four months was started at JRCC. Approximately thirty-five inmates have participated in this treatment program during this reporting period. We continue to refine and improve our chemical dependency and anger management/batterers program which has served over two hundred inmates. Our treatment staff also provides individual counseling, assessments, testing, and release planning. A significant change in this department occurred when we moved treatment staff offices into the inmate housing units. This move has provided the staff with easier access to the inmates and has improved communication between the custody, unit management, and treatment staff and helps create a greater

sense of teamwork in the rehabilitative process.

The Special Assistance Unit opened in 2002 as a proactive response in managing our increasing numbers of inmates with mental illness, suicidal thoughts, or other special needs. This twenty-four bed unit provides numerous programs such as life skills, anger management, social skills, individual counseling, and problem solving along with close medication therapy to provide a safe and secure option for this population of inmates. Between 2005 and 2007, we have had approximately four hundred sixty-five inmates discharged from this program and averaged approximately fifteen inmates in the unit on any given day.

During the past biennium, JRCC continues to partner with the State Hospital in sharing services to reduce costs. The North Dakota State Hospital provides pharmacy, lab, x-ray, psychology, warehouse, and grounds keeping services. The JRCC provides food services, laundry, and emergency security support. This cooperation has created significant savings to tax payers in not having to duplicate services.

JRCC continues to work to serve the local community in developing strong working relationships and mutual aid agreements with local law enforcement and other public agencies for emergency preparedness. The Continuation of Government manual was also completed. In September 2006, the Jamestown Police Department requested our assistance with an armed and barricaded subject within the city. Several

Division of Adult Services

Prisons Division

Officers from JRCC, including our tactical team and crisis negotiation team, worked cooperatively with local law enforcement in successfully resolving the situation

Missouri River Correctional Center—The North Dakota State Farm was opened in 1943 to house young offenders that were on minimum security status. While serving their sentence, they were taught work skills to assist them in becoming employable upon release. This philosophy remained in effect until 2001, when it was decided the facility had to become more diversified adding treatment, work release, and community employment. It was at that time the name was changed to Missouri River Correctional Center (MRCC).

The Missouri River Correctional Center provides a safe and healthy environment for 151 minimum security inmates so that they may apply themselves to the task of rehabilitation. This is accomplished by maintaining proper custody; providing work, education, and treatment programs; and encouraging inmates to make the needed changes to be law abiding and successful in society. Work and educational skills as well as other transitional tools will be improved to enhance an inmate's success to reintegrate into the community.

The MRCC received three hundred two new arrivals, placed twenty inmates on

work release, thirty-five inmates completed treatment through the RIP, and the GED program graduated fifty-one inmates. A new RRI factory was added and offers employment to a large number of inmates, which also teaches them a viable trade that they can use upon their discharge. The facility is ACA accredited and hasn't had an escape in over three years. The MRCC Play Pen project started twenty years ago. Staff and inmates work with community agencies to refurbish used toys for less fortunate children in the area.



Female Inmates—Female inmates sentenced to the Department of Corrections and Rehabilitation are housed in four contract facilities located across the state. The majority of these inmates were housed at the Dakota Women's Corrections and Rehabilitation Center (DWCRC) in New England.

Division of Adult Services

Prisons Division

DWCRC is a one hundred twenty-six-bed women's prison consisting of a seventy-bed minimum security unit, a forty-bed medium unit and a sixteen-bed orientation unit. In May 2006, a five-bed Special Management Unit (high security unit) was added to the facility. Additionally, female inmates were housed on the grounds of the State Hospital while participating in treatment programming at TRCC and at halfway houses in Bismarck and Fargo while on transition status

Female inmate numbers reached an all-time high during the 2005-2007 biennium. The biennium started with a female inmate count of one hundred fifty-three in July 2005 (one hundred fourteen at DWCRC, four in jails or housed out-of-state, eighteen at TRCC, and seventeen on transition status). By June 2006, the count had increased to one hundred seventy-one (one hundred twenty-seven at DWCRC, seven in jails or house out-of-state, twenty-five at TRCC and twelve on transition status). The last six months of the biennium saw a decrease and then stabilized with a June 2007 count of one hundred forty-four (one hundred four at DWCRC, three in jails or housed out-of-state, eight at TRCC, and nineteen on transition status in halfway houses).

Physical, sexual and emotional abuse are very common in the life histories of female inmates and can be the source of substance abuse problems or the result of the involvement in a lifestyle revolving around substance abuse.

To address these issues, treatment programs were offered at all of the contract facilities holding female inmates (155 female inmates placed in the 100-day chemical dependency program at TRCC in Jamestown and 95 inmates placed in the Female Transition Program at Centre Halfway Houses in Bismarck and Fargo). Additionally, DWCRC offered programming in the areas of substance abuse, cognitive restructuring, anger management, healthy relationships, as well as a number of different groups for abuse victims. Traditionally, female inmates as a group have poor employment histories and few job skills. In order to address these needs, DWCRC added welding and horticultural vocational Programs and increasing the number of female inmates employed in the industry program. Other program enhancements include upgrading the computer lab to include ten new computers and the opportunity for female inmates to take college classes for credit via interactive television through a cooperative agreement with Dickinson State University.

The classified female inmates were primarily housed in minimum-type facilities throughout the biennium, allowing for optimal programming opportunities. This trend will continue into the next budget cycle, with an increasing number of beds available for female inmates in halfway houses in Bismarck and Fargo.

Division of Adult Services

Prisons Division

Rough Rider Industries– The mission of Rough Rider Industries (RRI) is *“To employ inmates to produce quality goods and services in a self-sustaining manner that makes the time of incarceration productive, while preparing the inmate to reintegrate back into society.”*

Programs consist of a cut and sew operation at the James River Correctional Center; metal fabrication, license plates, signage, and furniture at the North Dakota State Penitentiary; and metal fabrication and sandbag operation at the Missouri River Correctional Center.

RRI developed a new line of children’s day care products for a newly formed company called Playkota. Playkota is owned and operated by Lakes and Prairies Community Action Partnership, Inc. and is the distributor for these new products. RRI has developed several new product lines for furniture and seating to meet the ergonomic needs of our eligible customers.



A nine thousand square foot facility was constructed at MRCC to create new inmate jobs and form partnerships with the private sector in the welding arena. The upholstery shop in Bismarck was transferred to Jamestown as a better fit for the sewing conducted there. In addition to making thousands of garments for Dakota Outerwear of Minot and other private sector companies, RRI has increased job opportunities for inmates housed at Jamestown.



The healthy North Dakota economy has created workforce concerns around the state. Working with ND Workforce Development, ND Job Service and other agencies, RRI plans to focus our inmate training programs around the needs of the state.

With the Governor’s Talent Initiative and Job Service ND’s high wage/high demand directives, ND’s economy will be studied and this information will be used to determine future education and training programs.

Division of Adult Services

Prisons Division

Medical Statistics

	June 05' to July 06'	July 06' to June 07'
Nurse Call	47,597	45,390
Doctor Call	7,764	6,990
Dental	2,482	2,556
Downtown Runs	2,351	1,841
Prescriptions/mo	64,096	60,867

Prisons Division Significant Events

- **8/05** The Interim Legislative Committee studying the Department of Corrections held their first meeting of the biennium, discussing space issues for the Prisons Division.
- **10/05** The video "Prisoners of Meth" debuted on Bismarck Cable Access television. The video was produced at the NDSP Treatment Unit, using inmates with methamphetamine addictions to describe their history with their drug.
- **11/05** The Division completed the policy and procedure outlining our response should Bismarck be struck with a pandemic flu outbreak. The policy identified a defend in place response, and anticipates severe staff shortages, and a number of inmate deaths.

"...there were no sexual assaults in 2005..."

- **1/06** Completed our report of the annual sexual assault statistics to the Justice Department, as required by the Prison Rape Elimination Act. Within the Prisons Division, there were no sexual assaults in 2005, but there were four substantiated cases of abusive sexual contacts. All of these were cases of inappropriate touching over the clothing, between inmates.
- **4/06** Inmate Richard McNair, serving his North Dakota sentence in a Federal Bureau of Prisons facility via the interstate compact prisoner exchange, escaped from a maximum security facility in Bullock, Louisiana.

Division of Adult Services

Prisons Division

- **4/06 (cont)** He remained at large at the end of the biennium but was recaptured in October of 2007 in New Brunswick, Canada.
- **6/06** Representatives from the Dakota, Missouri Valley and Western (DMVWRR) met with Governor Hoeven, Director Bertsch, and Warden Schuetzle with their request for an easement across NDSP grounds for a railroad spur line. The easement was granted, and DMVWRR began work adding a railroad line across the main penitentiary access road and to the north through the property. In exchange, the railroad constructed a new access road from the east off Bismarck Expressway, providing unimpeded access for emergency response vehicles. The work was near completion as the biennium drew to a close.
- **07/06** Depositions were given in defense of the lawsuit filed in 2004 by female inmates, challenging their confinement at the Dakota Women's Correctional and Rehabilitation Center in New England, ND. The female inmates are seeking damages for what they perceive to be unfair treatment and unequal programming opportunities in comparison to those received by the male inmates. This lawsuit consumed much administrative staff time during the biennium, photocopying thousands of documents preparing the defense.
- **7/06 (cont)** The lawsuit continued through the end of the biennium but was resolved in the Department's favor in November of 2007.
- **08/06** The North Central Correctional and Rehabilitation Center opened in Rugby. This regional jail contracted to house 25 DOCR inmates in the chemical addiction program.
- **10/06** Discussions began with the state judiciary on a plan to hold court proceedings for DOCR offenders over video-conferencing. This would increase public safety, and save energy by reducing the amount of travel required for county deputies transporting inmates around the state to face additional criminal charges. The video-conferencing equipment was purchased and operational as the biennium ended.

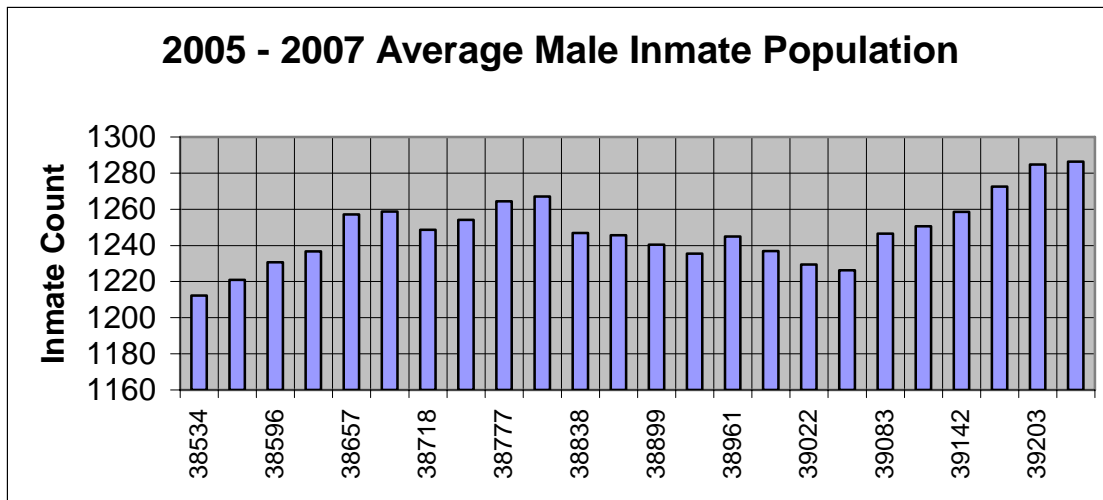


Division of Adult Services

Prisons Division

- 11/06** NDSP locked down the prison for three days after it was discovered inmates were using the shelving in the library to hide contraband. Tobacco, drug paraphernalia and a homemade weapon was found. Staff used the lockdown to perform a complete search of the entire facility.
 - 11/06** We began the 19th annual Christmas Playpen Project at the MRCC. Working in conjunction with the Bismarck Tribune and the Salvation Army, inmates repair donated used toys and bikes, and then pass them on to the Salvation Army, who distributes them to needy area families for Christmas gifts.
 - 01/07** The NDSP warden presented the 2007/2009 budget to the legislature. The budget included a construction request of \$42 million dollars to build a new clinic and infirmary, Orientation Unit, Administrative Segregation Unit, and to demolish the East Unit and replace it with a new cell house.
 - 02/07** The warden testified to the legislature in support of a bill that would create a separate retirement plan for correctional staff. The plan would allow for an earlier retirement age for correctional officers. The bill was not adopted by the 2007 Legislature, but there appears to be support of the concept and something could be passed in future biennia.
 - 05/07** NDSP hosted five interviewers from the National Institute of Justice who were on site to interview 218 NDSP inmates on sexual assaults in prisons. The results will be used to establish baseline data for the facility as required in the Prison Rape Elimination Act.
- “.....\$42 million dollars to build a new cell house, Orientation Unit, AS unit, and Infirmary....”
- 03/07** Management staff compiled responses to the succession planning questionnaire from line employees, and began a mentoring program for those 65 respondents who reported they were interested in future promotions at NDSP.
 - 04/07** The legislative session ended with the legislature divided on whether to accept the \$42 million proposal to add buildings on the existing prison grounds or build a new penitentiary off site. A study group will meet over the interim and have a recommendation to the Governor by June of 2008. They did appropriate \$41 million dollars in the DOCR budget so that the Department could begin work on construction plans during the 2007/2009 biennium once their final recommendation is determined.

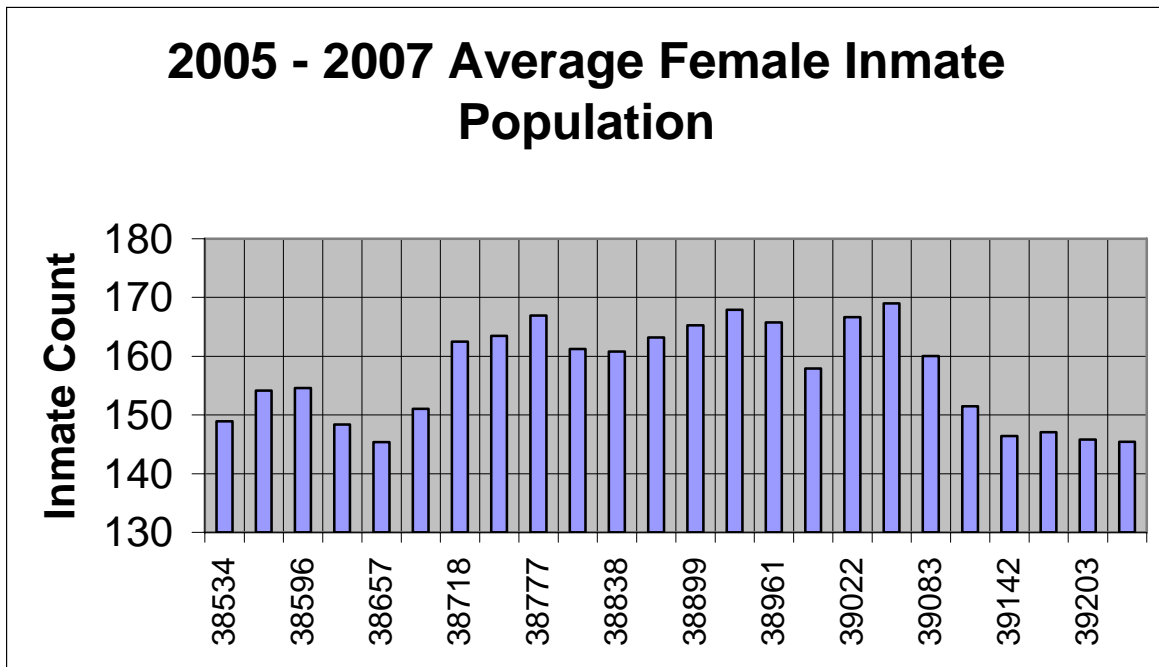
Division of Adult Services Prison Population Growth



For the 2005 – 2007 biennium, the average inmate population was 1,405 (1,248 male; 157 female). DOCR inmates are housed in a combination of facilities. Below is a breakdown of inmate housing by facility.

- Male Inmates
 - o North Dakota State Penitentiary (NDSP) – 505
 - o James River Correctional Center (JRCC) – 387
 - o Missouri River Correctional Center (MRCC) – 143
 - o Out-of-State (Appleton, MN) – 23
 - o Out-of-State (Interstate Compact) - 17
 - o North Dakota County Jails – 51
 - o Bismarck Transition Center (BTC) – 62
 - o Tompkins Rehabilitation and Correctional Center (TRCC) - 49
 - o North Central Correctional and Rehabilitation Center (NCCRC) – 11

Division of Adult Services Prison Populaton Growth



- Female Inmates
 - o Dakota Women's Correctional and Rehabilitation Center (DWCRC) – 115
 - o Out-of-State (Interstate Compact) – 2
 - o North Dakota County Jails - 3
 - o Female Transition Centers – 15
 - o Tompkins Rehabilitation and Correctional Center - 22

Division of Adult Services Prisons Division

Future Concerns

- Improvements to the physical plant will continue to be a top priority for NDSP into the next biennia. As the numbers of inmates coming into the prison system keeps increasing, additional secure cell space is needed. Life safety and staff and energy efficiencies need to be addressed for the one hundred year old East Cell House. The infirmary and clinic needs to be expanded, and the state will need more cells for those inmates that pose a safety threat to others and require segregation from the general population and staff. There is a need for more cells for Orientation and Reception. The present orientation unit has room to accept sixty new arrivals every thirty days.
- but over the past two years, the average is seventy-five new arrivals each month..
- It is becoming increasingly difficult to attract and retain employees. The 2005 legislature provided a significant salary increase for department staff, but the prison continues to lose trained security staff to other correctional and law enforcement agencies that are able to provide higher salaries. Staff turnover in many departments is high, and many of the remaining staff are nearing retirement. A challenge for the next five years will be to mentor and train new leaders that will replace existing managers.



Division of Adult Services

Field Services Division

The DOCR Field Services Division followed the tenet of the national “Transition from Prison to Community” initiative as it managed all adult community-placed offenders for the Department, during the 2005-2007 Biennium. An average of almost five thousand offenders were managed on officer caseloads, in transition or half-say house beds, treatment facilities as well as in intermediate sanction programs. The division also continued to provide administrative support for the North Dakota Parole and Pardon Advisory Boards.

Low offender revocation rates and strong support for the use of probation and parole services has assisted the department in the management of the offender population confined in department prisons. Clearly, the division continues to support its mission:
“to protect society, address the concerns of crime victims, and provide supervision and programs to offenders in the community.

Institutional Offender Services Program - The Institutional Offender Services Program (IOSP) is the administrative arm for the North Dakota Parole Board and Pardon Advisory Board. It serves as the nexus between the Prisons Division and Field Services Division by

coordinating offender re-entry to the community and the ensuing parole and probation services. IOSP coordinates the development of sentencing reports that is used by the Prison’s Division, contractors, parole board, pardon advisory board and other internal disciplines. Another important function of IOSP is the collection and dissemination of information for the parole board. IOSP prepared over four thousand four hundred forty cases for parole board review and action during this biennium and executed the order of the board in all those cases. IOSP performs a number of other functions including coordinating the transition of offenders from the prison to the community on a parole or probation status, making Interstate Compact applications and supervising an interstate compact caseload, coordinating transport for offenders moving to treatment and transition facilities as well as violators returning to prison.

Sentencing Reports Developed: 2,205
Discharges from Prison Coordinated: 1,823
Individuals Transported: 679

Parole Board - The North Dakota Parole Board is made up of six members that are appointed by the governor to three year terms. The board meets on a monthly basis to review cases for parole

Division of Adult Services

Field Services Division

consideration and take revocation action. North Dakota Century Code 12-59 sets forth the paroling law. North Dakota has a discretionary paroling system which places the authority for all parole related decisions within the sole discretion of the parole board. The board's actions are driven by promoting public safety while embracing an informed and coordinated offender re-entry based upon the TPC model.

Parole Granted: 1,445 (68% of all cases reviewed are granted parole)

Average Length of Parole Granted: 241 days

Total Parole Days Granted: 348,298

Parole Revocation Rate: 21.5%

Pardon Advisory Board— The authority for the board and the pardon process is found in N.D.C.C. 12-55.1, 12.1-34 and Article 5, Section 7 of the North Dakota Constitution. The Pardon Advisory Board is made up of five members — four of which are appointed by the governor and one by statute being the Attorney General. The board meets in April and November of each year for the purpose of reviewing pardon applications and making recommendations for action to the governor. The governor is the sole legal authority for all official pardon related actions in the state. Over the past three years, North Dakota has worked with decision point workgroups to evaluate and change key areas in an offender's transition through the system (see TPC Model diagram).

Some of the key changes the TPCI has accomplished are the creation of a Transitional Accountability Plan for each offender; working to create a hybrid assessment tool to identify offender risk and needs as well as addiction severity; creation of a release handbook to be used by inmates identifying community resources; working toward partnering with the North Dakota Transitional Jobs Program; inmates will not have community appointments made prior to discharge from prison; researching and encouraging gender-based programming in DOCR and contract facilities; creation of a faith-based mentoring program in Bismarck; implemented a release-decision making guide; and working toward creating a revocation-decision making guide. North Dakota was guided by a policy group made up by key state, local and private department-heads that have a stake in community safety and successful inmate transition. This group has been renamed the Transition Leadership Team and is charged with appointing a Transitional Steering Committee to guide the efforts of TPCI beyond the Department of Corrections and Rehabilitation.

The TPCI Model is conceived of as an integrated, continuous, and coherent process. The model identifies the following key steps in the process, seven of which are also key decision points (**in bold**) for corrections agencies.

Division of Adult Services

Field Services Division

Sentencing
 Admission to prison
Assessment and classification
Behavior and programming
Release preparation
Supervision and services
Responses to violations
Discharge
 Aftercare

The model suggests that this process has an enormous impact on public safety, effective use of scarce public resources, and restoration of victims. As such, the communities as well as public and private agencies have a stake in how well this process functions to support successful offender transition. The model highlights the different stakeholders across the top of the graphic, depicting overlapping periods of jurisdiction and concern. The figure also rests, importantly, upon a foundation of sound Transition Accountability Planning and Integrated Case Management and Supervision.

Admissions to Prison: 2,154
 Releases from Prison: 2,078
 Releases from Prison to Parole/Probation supervision: 1,823

Victim Services Program - The Victim Service Program provides post-sentencing services to victims whose offenders are under the custody of the DOCR. Services provided are in accordance with the North Dakota Fair

Treatment Standards for Victims and Witnesses, NDCC 12.1-34. Other duties include working with other local, county and state agencies on victim issues. A major accomplishment during the 2005-2007 biennium was the revision of the DOCR Victim Impact Statements. These forms have since been adopted by several other state and county agencies.

Type of Victimization:

Child Physical/Sexual Abuse:	286
Domestic Violence:	146
Adult Sexual Assault:	154
Survivors of Homicide:	169
Assault:	257
Other (Robbery, Harassment, Menacing, Reckless Endangerment, Kidnapping, Terrorizing, Theft, Criminal Trespass/Mischief, Arson, Felonious Restraint, Burgary):	<u>1,107</u>
Total Crime Victims Served	2,119

Division of Adult Services

Field Services Division

Types of Services Provided:

Criminal Justice Support/Advocacy:	1,397
Follow-up:	775
Personal Advocacy/Crisis Counseling:	48
Telephone Contact/Info Referral:	306
Other (letter, email):	<u>776</u>
Total Services Provided:	3,302

Crime Victims Compensation Program -

Effective July 1975, the Crime Victims Compensation Program was legislatively established. It was the intent of the legislature to provide a method of compensating and assisting those persons within the state who were innocent victims of criminal acts and who suffered bodily injury or death.

2005-2007 biennium activity includes:
 applications pending on July 1, 2005 – 10
 applications received – 552
 applications approved – 451
 applications denied – 97
 applications pending on June 30, 2007 – 14
 \$492,532 issued to 274 victims
 Average claim = \$1,867

Federal Victims of Crime Act - The Federal Victims of Crime Act (VOCA) was established in 1984. The purpose of the Crime Victims Fund, as a part of the Victims of Crime Act, was to make funds available to all states to provide financial support for eligible crime victim assistance programs. \$2,578,793 in VOCA grants were issued to thirty-eight domestic violence and sexual assault agencies, victim advocates and child advocacy centers. These agencies provided direct services to 18,140 victims.

Crime Victims Account - The state Crime Victims Account (CVA) was established in 1991. Legislatively mandated, the agency designated by the governor to administer the victims' assistance grants under the Federal Victims of Crime Act of 1984, shall 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 were issued to 27 domestic violence and sexual assault agencies, victim advocates and child advocacy centers.

Community Corrections Treatment Programs -

The statutory authority is found in NDCC 54-23.3. The goal of the DOCR is to provide cost effective and responsible adult offender population management through a coordinated corrections treatment delivery system. The DOCR Director has authorized program development, improvement and expansion with the support of all three branches of government to include:

- Jail based treatment model implemented in 2006 at the North Central Correction and Rehabilitation Center in Rugby
- Assessment Center implemented in 2006

Division of Adult Services

Field Services Division

- Expanded the Bismarck Transition Center facility and programming in 2005-2007
- Collaborated with local jurisdiction (Cass County) to develop diversion from jail
- Collaborated with Centre Fargo/Bismarck to expand facilities and programming in 2005-2007
- Collaborated with DHS to identify needs and supporting budgets
- Budget supported additional Drug Courts for 2007-2009
- Collaborated with stakeholders to develop and implement a statewide strategy for treatment of sex offenders in the community
- Implemented and increased the access and capacity of faith based services (Teen Challenge) for target population
- Correctional Program Assessment Inventory/Evaluation administered on selected programs in 2005-2007
- North Dakota State University administered a comprehensive study of the Fargo Drug Court in 2005-2007

The DOCR works to align policy and practices with the national and international research in the treatment and management of an offender population in North Dakota institutions and in the community. By the efforts of the DOCR and identifying North Dakota's strengths, we have successfully received recognition and support through grants, technical assistance, training, and the budget to advance North Dakota toward the cutting edge of progress into the 21st

century.

Treatment programs are becoming better staffed and equipped to target the risk that will reduce recidivism in North Dakota. DOCR staff will receive appropriate training that will develop skills to follow evidence-based practices. Staff will embrace the theory and approach of the DOCR and achieve better outcomes with the offenders receiving treatment who are being managed throughout the department. Training will elevate awareness addiction and mental illness as co-occurring, resulting in an integrated approach to providing treatment and improved outcome. The DOCR will continue to build upon the successes, but there is work that will require the continued involvement and collaboration of multiple disciplines and agencies with the DOCR to realize the department's vision and mission.

[Bismarck Transition Center](#) - The Bismarck Transition Center (BTC) opened in August 2002. It has expanded to a 163-bed community based contractual correctional facility that provides transitional treatment, educational and employment services to assist inmates and community offenders in achieving meaningful stability and lasting sobriety in their lives. This assistance is provided through program services that are cognitive behavioral in nature. Continuation of follow-up services in the community is arranged upon completion of the transition program. Inmate participants must be within twelve months of their parole eligibility or discharge

Division of Adult Services

Field Services Division

date at the time of application. The DOCR placed four hundred twenty-seven inmates at the Bismarck Transition Center during the biennium with an average daily population of ninety-five.

BTC Assessment Center - The BTC assessment center began accepting offenders in April 2006 and is located at the Bismarck Transition Center. The assessment center serves community offenders that are in jeopardy of being returned to court or the Parole Board for revocation proceedings. While at the facility, an offender's rehabilitative needs are determined and referrals are made for appropriate services. Placement is not to exceed ninety days. During the biennium, one hundred fifty-nine community offenders were placed at the assessment center with an average daily population of fifteen.

Centre, Inc. - Centre Inc. is a non-profit community based corrections agency that was formed in the mid 1970s. The DOCR and Centre Inc. have a contractual arrangement for residential halfway house placement in Fargo and Bismarck that provides correctional treatment services utilizing evidence based practices. Center Inc. also operates a Quarter House in Fargo that offers supportive housing for probation and parole offenders enrolled in corrections treatment programming. DOCR placements during 2005-2007 biennium:

- Bismarck Centre halfway house – 145
- Fargo Centre halfway house – 382
- Fargo Quarter House – 243

Tompkins Rehabilitation and Correctional Center - The Tompkins Rehabilitation and Correctional Center (TRCC) is a chemical dependency treatment program that is heavily invested in the cognitive behavioral aspect of treatment. The program was initially developed in 1999 as a thirty bed jail-based treatment program. Since 2003, the DOCR has been collaborating with the North Dakota State Hospital as the service provider. DOCR staff provides supervisory and case management services to both male and female inmates and community offenders. Both of the thirty bed male units, CRRP and TRCU, were moved from the GM building to the Tompkins building. TASC, the thirty bed female unit, remains in the New Horizons building. During the 2005-2007 biennium, seven hundred forty-one inmates and community offenders were discharged from the program. TASC has an eighty-seven percent successful completion rate. CRRP and TRCU have a ninety percent successful completion rate.

Central Correctional and Rehabilitation Center (NCCRC) - In September 2006, the DOCR and NCCRC entered into a contractual relationship for twenty-five community corrections treatment program beds for male offenders. Participants are housed at NCCRC and receive chemical addiction treatment, case management, and supportive transitional services related to chemical use, criminal thinking, and mental health.

Division of Adult Services

Field Services Division

Parole and Probation Division -

The Parole and Probation Division provides supervision and services for all offenders placed on probation, parole, or inmate status in the community. Approximately five thousand offenders are supervised out of fourteen district offices located in Williston, Minot, Rolla, Devils Lake, Grafton, Grand Forks, Fargo, Wahpeton, Oakes, Jamestown, Bismarck, Mandan, Washburn, and Dickinson.

The Parole and Probation Division is committed to working with offenders in the community. It is a delicate balance to address the needs of the offenders in the community versus their assessed risk. To assess the risk, the Levels of Service Inventory-Revised (LSI-R) is the instrument used not only to assess the risk of the offender, but also the roadmap to create a supervision plan that will be used to identify resources and services that will give offenders the tools to succeed in the community. When violations occur, Parole/Probation Officers may choose to use the intermediate measures program that will impose additional sanctions to allow offenders to stay in the community or be arrested and returned to the sentencing court or parole board for final disposition.

The Division has developed specialized programs that offer more specific services for the offenders. Seven Sex Offender Specialists operate from the Fargo, Bismarck, Jamestown, Grand Forks, and Minot offices. These officers are highly trained in completing sex offender pre-sentence investigations, as well as other risk assessments specific to the sex offender population. In addition to these officers, there are also Sex Offender Liaison Officers in each district office with specialized training to assist with the supervision of sex offenders. Parole Specialists are utilized in the Fargo and Bismarck offices to work exclusively with the Parole Board and offenders released on parole. Re-entry Specialist located in Fargo and Bismarck assist with transitioning high-risk offenders returning to the community. Also located in Bismarck and Fargo are Drug Court Officers that assist offenders with drug related charges.

Two primary challenges are dealing with the increasing drug problem in the state and rising caseloads. The continued emergence of methamphetamine has been a challenge because it is highly addictive and creates a more volatile and aggressive offender. The DOCR has worked hard to make more treatment available for these offenders but treatment in rural areas of the state is still a challenge. Caseloads have also continued to rise; making it difficult to spend the time necessary to assist the offenders and monitor their compliance. We feel that officers can effectively manage sixty offenders, but numbers have risen to an average of about seventy-five. The Division has been proactive in developing alternative programs to help monitor lower risk offenders, thereby allowing the officers the time to focus on our higher risk population.

Division of Adult Services

Field Services Division

Supervision Fees - The DOCR was directed by the 1993 legislative session to implement a supervision fee program and appropriated funds from the newly created funding program. Dollars generated from this program has funded a number of activities used by the division to include victim compensation and offender community programming. The division has implemented a number of non-cash credits that will assist offenders in meeting their supervision and correctional programming fees.

In addition, the 2003 legislative session created an Interstate Compact return fund that subsidizes the expense to return violating offenders that have left the state under the Interstate Compact. This funding has removed the responsibility of returning Interstate Compact offenders from the counties and placed that responsibility of the DOCR. The funding has allowed the State of North Dakota to remain in compliance with the Interstate Compact requirement on the return of violating offenders.

Non-Cash Credits & Debits for the period 7/1/05 thru 6/30/07

Debits

Supervision Fees	\$3,541,386.50
PSI Fees	\$57,901.00
Correctional Program Fees	\$225,561.00
Refund Overpayment	\$4,269.88
NSF Check	\$15,577.50
IC Application	
Transfer Fee	\$89,400.00
Travel Permit Fee	\$50,023.00
Total Debits	<u>\$3,984,118.88</u>

Cash Credits

Fund 379	\$2,412,513.66
Fund 321	\$112,517.42
Total Cash Credits	<u>\$2,525,031.08</u>

Non-Cash Credits

Waiver of Total Payment	\$116,180.52
Monthly Payment Reduced	\$29,055.00
Community Service in Lieu of Payment	\$152,907.22
Incarceration in Lieu of Pymt	\$133,267.05
Treatment in Lieu of Pymt	\$51,233.00
Not in System	\$191.00
Referred to Collection	\$484,411.74
Non-collectable Absconded	\$187,320.90
Out of State Waivers	\$34,457.00
Total Non-Cash Credits	<u>\$1,189,023.43</u>

Division of Adult Services

Field Services Division

Interstate Compact for Adult Offender Supervision— Since 1937, the Interstate Compact for the supervision of parolees and probationers has provided the sole statutory authority for regulating the transfer of adult parole and probation supervision across state boundaries. All fifty states are members of this interstate agreement, as are the District of Columbia, Puerto Rico and the U.S. Virgin Islands.

In 1998, the National Institute of Corrections (NIC) Advisory Board, following several public hearings, directed its staff to begin pursuing a revision of the compact. Through the development of an Advisory Group, NIC facilitated a discussion among state officials and corrections policy experts, arriving at a list of recommendations for improvement and overhaul to the existing interstate compact. Through a partnership with The Council of State Governments (CSG), NIC and CSG developed and facilitated a Drafting Team of state officials to design a revised interstate compact—one that would include a modern administrative structure, that provided for rule-making and rule-changing over time, that required the development of a modern data collection and information sharing system among the states, and one that was adequately funded to carry out its tasks.

Beginning in January 2000, the new Interstate Compact for Adult Offender Supervision saw acceptance in the states and

by June 2002, had reached its threshold of thirty-five states, thereby becoming active in just thirty months. The first meeting of the new Interstate Commission took place November 18-20 2002 in Scottsdale, Arizona. More than forty-five states attended the inaugural meeting at which the newly formed commission conducted preliminary business.

The Interstate Commission oversees the day-to-day oversight of the compact between the states. It promulgates rules to achieve the goals of the compact, ensures an opportunity for input and timely notice to victims and to jurisdictions where defined offenders are authorized to travel or to relocate across state lines and will establish a system of uniform data collection, provide access to information on active cases by authorized criminal justice officials, and coordinate regular reporting of Compact activities to heads of state councils, state executive, judicial, and legislative branches and criminal justice administrators. The Commission will also monitor compliance with the rules governing interstate movement of offenders and initiate interventions to address and correct noncompliance and will coordinate training education regarding regulations of interstate movement of offenders for officials involved in such activity.

Division of Adult Services

Field Services Division

Interstate Compact Activity July 1, 2005 thru June 30, 2007				
	# Active on 7/1/05	# accepted between 7/1/05 & 6/30/07	# Discharged between 7/1/05 & 6/30/07	# Active on 6/30/07
Parole - Incoming	81	127	127	81
Probation - Incoming	481	538	482	537
Parole - Outgoing	124	88	135	77
Probation - Outgoing	504	508	604	408
Totals	1,190	1,261	1,348	1,103

Warren Emmer Elected National Chairmen of Interstate Commission

In October 2006, Warren Emmer, Director of Field Services Division, was elected chairman of the Interstate Commission for Adult Offender Supervision for 2007-2008. The Interstate Commission oversees the day-to-day operations of the "compact" between fifty states and two U.S. territories. The "compact" is the process of moving parole and/or probation offenders from state to state.

The Commission Chairman is a national position and Warren is responsible for guiding and overseeing the administration of all commission activities and for acting on behalf of the commission, as permitted by the compact, during the interim between commission meetings.

ICAOS Executive Director's Award

Each Year at its annual business meeting, the Interstate Commission for Adult Offender Supervision (ICAOS) presents the

Executive Director's Award to a Compact Administrator, Deputy Compact Administrator or Compact Coordinator who has exhibited commitment and dedication to the Interstate Compact through outstanding service. The Commission presented the 2005 award to Charles Placek, Deputy Compact Administrator in North Dakota. This award recognized Chuck for his outstanding leadership in managing the ND Compact and his invaluable service to the Commission through his contribution of time and expertise to the development of the Compact's electronic information system. Chuck has been a leader throughout the country in promoting the need for the implementation of an electronic system to conduct Compact business. He has chaired the Technology Committee for the old Compact and has served on the Development and Technology Committee for the new Compact.

Division of Adult Services Field Services Division

Chuck has worked closely with the development team and the software vendor to insure the system meets the needs of the Compact in transferring information electronically and maintaining accountability of offenders through this tracking system to promote public safety throughout the United States. The Commission for the Interstate Compact presented Chuck with the Executive Director's Award as a token of appreciation for the tremendous contribution he has made to the Compact

Division of Adult Services

Human Interest

Halfway house residents give back at Christmas

The Bismarck Transition Center, a halfway house for convicted felons, has some residents who have embraced the idea of making the transition from incarceration back into the community. Several residents at the center have used their own money to buy toys for area children.

Many of them still have fines or restitution to pay. They know what it's like not being able to buy gifts for their own children and want to give back to the community. The gift drive is three years old and is a popular event among staff and residents.

One aspect of programming at the Bismarck Transition Center involves community service work. Giving back to society is one of the tenets of the BTC mission. Residents are required to perform community service hours in order to advance through the phases of the program.

BTC staff and residents have participated in various community activities—annual United Way Day of Caring, annual United Way pancake breakfast, monetary donations to Katrina relief fund and the Salvation Army “red kettle” fund, on Memorial Day placing flags on graves at the Veteran's Cemetery.

MRCC Automotive Technology Program Award of Excellence

The automotive technology program is offered to inmates at MRCC through Bismarck State College. The program received the Al Maresh Award for excellence in computer-assisted instruction from the Correction Education Association. It is certified by the National Institute for Automotive Service Excellence (ASE) in Automotive Electrical/Electronic Systems, Brakes, Engine Repair, and Air Conditioning and meets standards set by education and industry. In 2005 and 2006, the Automotive Technology

Program received an Automotive Industry Planning Council Award for Excellence (state level). This is the tenth time the program has received the award. In 2007, two students competed at the ND Skills USA competitions. One student placed first in the Job Skills Demonstration competition and fourth in the Job Interview. Another student placed second in the Job Skills Demonstration competition and second in Job Interview.

JRCC received the “Flame of Hope” Award from Special Olympics North Dakota

This is the highest state award given to Law Enforcement Staff at JRCC organized and participated in fund raising events for Special Olympics throughout the year totaling over \$21,000 for SOND. Events include: Polar Plunge, Tip a Cop—Paradiso, Tip a Cop—Applebee's, shift challenge, inmate cheese burger sale, raffle ticket sales, t-shirt sales, and participation in the Law Enforcement Torch

Division of Adult Services

Human Interest

Run. Chief of Security, Kevin Arthaud, was also selected and participated in the Law Enforcement Torch Run in China for the opening ceremonies at the World Summer Games in Shanghai, China.

Golden Apple Award & Educator of the Year Comes to Corrections

Miriam Gilbertson is an instructor at the North Dakota State Penitentiary and was presented with the Golden Apple Award from KXMB-TV in December 2006. In addition, the ND Association for Lifelong Learners (NDALL) announced her as the Educator of the Year for 2006 for her commitment and unending enthusiasm to students and co-workers. Working in a correctional setting requires a unique type of individual and Miriam is just that person.

Miriam has been an adult education teacher for twenty-five years and is a role model who demonstrates daily patience and loyalty. She works relentlessly to help her students and hundreds have benefited from her daily encouragement with approximately two thousand earning their GEDs.

AA Success Stories about Ex-Inmates

Ex-Inmate "A" had been in the prison system many years where he spent many a day in DS.

He never lasted more than one year before returning to prison. He accepted his

powerlessness over alcohol and achieved a 10-year sobriety medallion. He furthered his education and is now an addiction counselor.

Ex- Inmate "B" was always the tough guy in prison. He scoffed at staff with curse words and had a hostile attitude. He achieved a 1-year sobriety medallion.

Ex- Inmate "C" was a "whiner". He bothered staff every chance he could. Drugs and booze weren't his only vice's, he also had a gambling problem. He is now a happy, productive member of society and achieved a 10-year sobriety medallion.

These examples prove AA works and the commitment that NDSP/JRCC staff has towards prisoners can change lives.

2005 Employees of the Year

DJS — Sydney Hove

NDSP — Joe Charvat

JRCC — Clyde St. Claire

Field Services—Rick Hoekstra

2006 Employees of the Year

DJS — Shannon Hallahan

NDSP — Terry Moszer

JRCC — Gerald Thu

Field Services — Judy Mehl, Barb Breiland, Renae Elshaug

Division of Adult Services

Human Interest

Taking Drug Courts to Scale

In June 2006, members of the Fargo Adult Drug Court Team attended a conference of the National Association of Drug Court Professionals (NADCP) in Washington, DC. Over three thousand drug court professionals from across the country attended the thirteenth annual conference, themed "Taking Drug Courts to Scale." In addition to the professionals, drug court graduates from all fifty states were also in attendance and were recognized on stage. Several graduates shared inspiring personal stories detailing how their lives have been changed, and sometimes saved, by the intervention of drug court.

Actor Martin Sheen, a huge supporter of drug courts, was a surprise keynote speaker at the conference. He spoke of his son Charlie Sheen's addiction and recovery, including Charlie's appearance before California drug court judge.

As part of Capitol Hill Day at the NADCP national conference, attendees were encouraged to meet with legislators to encourage congressional support of drug court funding.

The Fargo drug court team, along with a member of the Bismarck drug court team, met personally with Senator Byron Dorgan, Representative Earl Pomeroy, and a staffer from Senator

Conrad's office. Bismarck drug court graduate Darrel Hagerman accompanied the drug court staff on the visit with Senator Dorgan. Mr. Hagerman shared his personal struggles with addiction and experiences as a successful participant in drug court. Team members had the opportunity to provide each Congressman with statistical information on North Dakota's drug courts, as well as share many success stories. As a member of the Senate Appropriations Committee, Senator Dorgan pledged his support for full funding of drug courts. The visits to Capitol Hill culminated in the first ever "Drug Court Rally" in Upper Senate Park.

Drug courts have been called the most significant criminal justice initiative in the last century. They represent the coordinated efforts of the judiciary, prosecution, defense bar, probation, law enforcement, and treatment communities. Drug courts seek to actively and forcefully intervene and break the cycle of substance abuse, addiction, and crime. In this blending of systems, drug court participants undergo an intense regimen of substance abuse/mental health treatment, drug testing, and probation supervision while appearing regularly before a drug court judge.

Division of Adult Services

Human Interest

North Dakota is heeding the national call to take drug courts to scale. As a result of recent legislative funding, several communities across the state are planning and implementing new adult and juvenile drug courts. Adult drug courts currently exist in Fargo and Bismarck. Another two will soon be operating in Grand Forks and Minot. Additionally, through collaborative efforts of the Division of Field Services, the Department of Human Services, Share House, and the judiciary, the Fargo adult drug court will soon be expanding and eventually doubling in size. Once adult drug courts are up and running in the aforementioned four cities, over one hundred twenty-five adult offenders statewide could potentially be involved in drug court programming at any given time.

Drug courts are effective. According to a decade of research, drug courts significantly improve substance abuse treatment

outcomes, substantially reduce crime, and produce greater cost benefits than any other justice strategy. Drug courts are committed to the long-term sobriety and restoration of hope in individual lives. Addicts are people with solvable problems. Drug courts strive to provide the necessary tools and support for the addict to conquer their addiction.

Giving Back

In any 12-step inspired program, there comes a time when it is touted to give back to the program, carry the message to others and give to the community. This was accomplished when inmates from the NDSP treatment unit created a venue in which all three areas were touched with one single creative piece of work. Between late fall 2005 and spring 2006, a handful of inmates, completing long term residential treatment (TU) at the prison, came to staff with an idea. They had

watched an educational video, which featured prisoners discussing their addictions. These inspired residents of TU thought they would like to create a video, specifically about methamphetamines, featuring their stories. Their idea was that it could be used for educational purposes in the treatment unit.

These inmates submitted a proposal and asked if it could be professionally made. It was forwarded to administration for approval where several logistical questions were asked - Where would it be shot? Would the project be adequately supervised? Would inmate releases need to be signed? And most importantly, how would this project be paid for? Based on research done by staff, this was going to be somewhat expensive to produce. It appeared at that time, that this video would not be possible.

Staff discovered that the local community access television (CATV) had

Division of Adult Services

Human Interest

grant dollars available to create videos, of community interest, for their television station, which is free of charge. CATV was contacted about the possibility of creating such a video and they loved the idea. This would be a way to get education out to the community on a controlled substance, which seemed to be taking over the whole state.

The inspired inmates were tasked with scripting out the video and four inmates were chosen to share their stories. The video was filmed by CATV and appropriately named "Prisoners of Meth". It was aired multiple times on community access television and also shown to the Appropriations Committee in Washington DC for continued funding. It got the attention of North Dakota's own congressional delegates. In addition, the video was submitted for national recognition for community access television and won the "Hometown Award" in the "Making a Difference Nonprofessional Category".

When this group of inmates started this project, they were not looking for national awards or getting the attention of congressmen. They were looking for a way to put together some educational material on a topic that they were experts at - methamphetamines. They started out with an idea that grew into a personal accomplishment which ended up benefiting more people and organi-

zations than they ever dreamed possible. What a great experience for everybody involved and shows how important giving back really is.