

STATE OF NEVADA



A REPORT TO GOVERNOR KENNY C. GUINN

Presented By:
The Study Committee on Corrections

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October 2002

Preface and Acknowledgements

This study of Nevada corrections was conducted with the technical assistance of the U.S. Department of Justice National Institute of Corrections (NIC), which generously provided us the expertise, research and materials with which to explore our historical practices, our correctional philosophy, and our new directions. George M. Keiser, Community Corrections Division Chief of NIC, made it possible for Nevada to undertake this study. It lays the groundwork for Nevada's Governor and Legislature to jointly decide the future of our department as we approach our missions of public safety and offender rehabilitation.

The Nevada Department of Corrections and the Governor's Study Committee on Corrections want to thank the NIC, and special consultants Billy F. Wasson, Jeanette Bucklew, Mark Gornik and Dr. Shelley J. Listwan for providing us their extensive knowledge of corrections, and their guidance on how Nevada can address its corrections challenges. We want to thank NIC technical writer Karen Carruth for her assistance on this report. The Corrections Study Committee heard several hours of public testimony and reviewed all letters and submissions provided by speakers. We want to gratefully acknowledge the testimony, insight, and support provided to us by our partners in the criminal justice and corrections community in Nevada.

Lastly, we want to thank the Alliance for a Drug-Free Nevada for its generous monetary support, which enabled the Study Committee to explore treatment solutions for the nearly 90% of Nevada offenders with substance abuse problems.

Jackie Crawford, Director
Nevada Department of Corrections
October 2002

EXECUTIVE SUMMARY

Governor Kenny C. Guinn appointed the Study Committee on Corrections to examine Nevada's correctional system and make recommendations to bring it into line with nationally accepted principles and practices. After examining the correctional system for six months, and taking testimony from experts, private citizens, former offenders, service providers, legislators and government officials, the Study Committee concluded that:

- Nevada classifies twice as many inmates into high and medium security than the national average, putting too many inmates into “hard beds.”
- Nevada is one of few states without a “community corrections” strategy that focuses on community-based programs, and putting supervised inmates to work in the community.
- Nevada prisons do not have sufficient programming opportunities.
- Nevada releases unprepared inmates into the community without re-entry assistance and community support.
- The Department of Corrections lacks certain critical resources to be responsive to the public and to function more effectively.

The Corrections Study Committee identified four specific challenges and recommended specific solutions to meet these challenges.

Nevada needs better, more cost-effective management of non-violent, property and drug offenders.

- NDOC should reserve “hard beds” only for those offenders who require the most secure environments by delaying further “hard bed” construction at High Desert State Prison and re-directing some CIP funds to re-build the Indian Springs Camp from a 200-bed to a 604-bed Community Work Center.
- Nevada should form a Community Corrections Division within NDOC to supervise work centers with NDF, manage re-entry services, promote community-based programs and secure aftercare for offenders leaving prison.

The risk to public safety is greater—and high recidivism results—when offenders are released from prison without re-entry planning, transitional services and/or community support.

- NDOC should partner with a non-profit who can use federal housing funds to build a Re-entry Center in Southern Nevada with transitional housing for offenders leaving prison, pregnant offenders, and those serving intermediate sanctions. NDOC could save a projected \$3 million in annual operating costs.

- NDOC should create re-entry centers and transitional services.
- Nevada should establish non-incarceration intermediate sanctions for offenders so Parole & Probation can better manage “technical violators” in the community, without returning them to prison.

Nevada lacks appropriate institutional programming, treatment, education and employment to prepare offenders to succeed upon release to the community.

- NDOC should move the existing Mental Health and Program Services Unit (MHAPS) out of the Medical Division and make it a separate Correctional Programs Division.
- Nevada should create a “correctional education authority” within the State Department of Education to coordinate and oversee all academic and vocational education.
- Nevada should expand work opportunities for inmates and have the Legislature re-evaluate the forestry camps revenue requirements and uses.

The Nevada Department of Corrections needs additional resources to be more responsive to the public and to function more cost-effectively, including:

- A Victims Services Unit in the Director’s Office.
- A Grants/Research Unit in the Director’s Office.
- A Public Affairs Unit in the Director’s Office.

CONCLUSION

“Hard beds” will be utilized only for the most serious and long-term offenders. Community supervision is a more economical way to manage non-violent, property or drug offenders.

With programming resources, Nevada’s offenders will improve themselves, earn income and become productive. National research demonstrates that inmates who receive programming while in prison, and guidance and support as they re-enter their communities, are less likely to return to prison.

Children of inmates are five times more likely to go to prison than are other children. Rehabilitation reverberates into the families of offenders and can keep families off public assistance and keep future generations out of prison.

Nevada’s communities will be safer and our correctional and supervision systems will function more cost-effectively and more efficiently.

Issues, Challenges and Opportunities

In October 2001, Governor Kenny C. Guinn appointed the Study Committee on Corrections, composed of legislators, business leaders, educators and criminal justice officials. The Study Committee was directed to examine Nevada's correctional system and make recommendations to mainstream Nevada corrections and bring it into line with nationally accepted principles and practices. For the last six months the Study Committee has learned about correctional "Best Practices" used nationally and has solicited input from stakeholders in the criminal justice system and community at large.

After examining Nevada's correctional system and taking testimony from experts, private citizens, former offenders, service providers, legislators and government officials, the Study Committee identified several challenges facing our state. The Study Committee has also recommended several specific solutions Nevada can follow to make the most of the opportunities now presented in the correctional system.

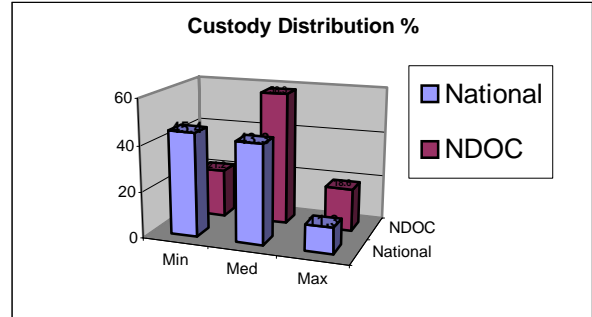
Most of the issues identified can be summarized under one of four areas:

1. Nevada needs better, more cost-effective management of non-violent, property and drug offenders.
2. Nevada lacks appropriate institutional programming, treatment, education, and employment opportunities to prepare offenders to succeed upon release to the community.
3. The risk to public safety is greater—and high recidivism results—when offenders are released from prison without re-entry planning, transitional services, and/or community support.
4. The Nevada Department of Corrections needs additional resources to be more responsive to the public and to function more cost-effectively.

Issue 1:

Nevada needs better, more cost-effective management of non-violent, property, and drug offenders.

The Nevada Department of Corrections (NDOC) classifies and houses its offenders according to security risk: 21.2% are minimum security; 58.3% are medium security; and 18.6% are in close or maximum-custody confinement. (Some 4 to 5% are unassigned and undergoing Intake at any given time.) Less than 5% of Nevada’s offenders are sentenced to life in prison without parole, or to a death sentence. Thus, more than 95% of Nevada’s offenders will be returning to their communities.



Nevada’s inmate classification system has historically assessed an inmate by the security risk to the public, staff, or other offenders, based upon numerous factors, including the strict sentencing structure in Nevada. Nevada’s overall classification of its inmate population is considerably different from the national average for other departments of corrections. Nationally, an average of 45.4% of a prison’s population is classified as minimum security. Nevada classifies less than half that number to its lowest custody level. Nationally, an almost equal number—43.3% of offenders—are classified as medium security; Nevada’s number is 58.3%. In maximum or close custody, Nevada fares better, classifying 18.3% at the highest level, compared with 11.3% nationally.

“One size does not fit all”

Historically, Nevada has coped with growth in its inmate population by building medium-security to high-security facilities--adding “hard beds” to its institutions. The system was designed so that medium-security facilities could easily become close-security with mere changes in procedures and use of personnel. The average budgeted cost of incarcerating an offender in Nevada is \$44.28 per day. Medical costs are an additional \$8.62 per offender, per day. Predictably, close-custody beds are the most costly way of housing and managing Nevada’s offenders at \$54.67 per day.

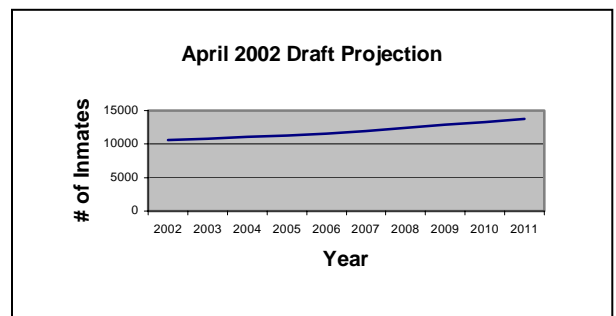
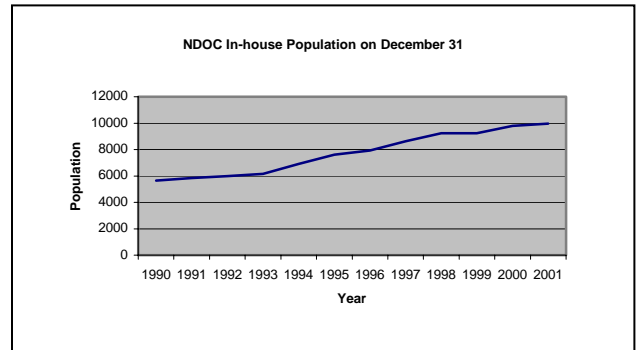
With the opening of Ely State Prison (ESP) in 1989 and Lovelock Correctional Center (LCC) in 1995, the “hard bed” trend continued. In 2000, Nevada saw the opening of High Desert State Prison (HDSP) as the latest high-security facility, and one of three planned as an expandable complex of up to 9,000 “hard beds.” Most of those beds are managed through gun towers, electric fences, perimeter patrol, and a high level of staffing for supervision, management, and escort. While it is important that Nevada have secure beds for those who have a history and a high potential to be dangerous and difficult to handle, not all the beds rated above a level of minimum-security need such a high level of supervision and management. NDOC now has nearly 5,000 “hard beds” in its inventory for a population of which less than 19% are classified as high security.

However, there are insufficient minimum-security and low- to medium-security beds. Both male and female minimum-custody offenders are housed in Nevada Division of Forestry (NDF)

conservation camps throughout the state. Facilities of minimum security were designed to provide “no frills” housing and a workforce to provide firefighters and community service laborers to Nevada. Current NDOC policy dictates that only inmates who are eligible for parole within 18 months can be assigned to a camp. The average cost to house an inmate in NDOC’s remote minimum-security camps is \$17.75 per day. While the camps are very effective at providing work and inexpensive beds, they provide no offender programming or pre-release preparation.

In today’s housing of inmates, many offenders who need less supervision and assistance are mixed in with those having greater treatment or rehabilitation needs. Very often, an inmate will be managed at a very close level one day and the next be under the least restrictive supervision at a camp. To bring balance to Nevada corrections, NDOC must take a closer look at how it manages inmates who are not considered dangerous. Director Jackie Crawford has begun this process by ordering a change in the policy that establishes eligibility for minimum camps. Now non-violent, well-disciplined inmates within 24 months of release will be eligible for minimum custody. This is a start.

Nevada’s prison population growth in the last decade was phenomenal. Nevada’s adult correctional system could do little more than try to catch up with the increases in monthly intake of inmates. In 2001, the level of inmate population growth for Nevada began to slow down. This gives Nevada a window of opportunity to make adjustments in its prison classification process. It also will allow us to bring NDOC’s housing needs in line with a more realistic assessment of its offender population. In this regard, the Study Committee makes the following recommendations as solutions to the inmate housing and management challenge:

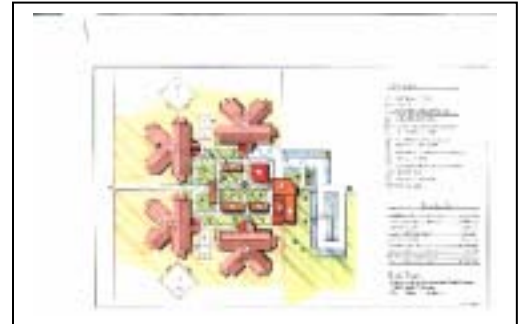


Recommendation 1:

Amend NDOC’s Capital Improvement Project plans by delaying further “hard bed” construction.

- A. Delay the remaining “hard bed” construction (Phase III) of the High Desert State Prison (HDSP). Instead, re-channel a portion of those funds into the proposed Indian Springs Community Work Center project and the rehabilitation of some of the other minimum-custody camps.

B. The Indian Springs Conservation Camp (ISCC) should be rebuilt into a proposed 604-bed minimum-custody Community Work Center, with both educational and programming facilities for inmates to use when they are not working. This will expand the minimum-security population and the NDF workforce, while providing programming and re-entry services to more offenders. (See Appendix 3).



Artist's drawing of Indian Springs

C. Move forward with the approved Gym and Prison Industry facility at HDSP, as planned, to provide much-needed program and workspace for offenders.

Nevada has an aging prison population. Currently over 32% of our male population is over age 40 and we have nearly 300 male inmates over age 60. With Nevada's long prison sentences resulting from the 1995 truth-in-sentencing legislation, some inmates are staying in prison longer. Until now, NDOC has not focused on accommodating special-needs inmates such as the elderly. The Northern Nevada Correctional Center (NNCC), in addition to housing general population inmates, houses our Regional Medical Facility and northern Mental Health Unit. The institution currently houses a large number of geriatric and medical patients with special needs, so they can be close to medical services and special assistance. There are no housing units at NDOC specially equipped for such inmate-patients, but modifications could be made to optimize portions of NNCC to house our geriatric and special-needs population.

Some of the CIP funds earmarked for HDSP Phase III could be re-directed into rehabilitating the infrastructure of the Northern Nevada Correctional Center and providing accommodations for the geriatric population. NNCC needs major maintenance work relative to showers, drains, painting, and paving. This institution has a flat yard but in order to accommodate people with mobility problems, a major paving effort needs to be accomplished for interior roads, as well as interior sidewalks. In some cases, NDOC sidewalks have deteriorated to the point where they are non-existent, and are inappropriate for people who require prostheses, or wheelchairs to maneuver. One of the units could be modified to house this population in order to provide appropriate shower and lavatory facilities, as well as bed access and security. NDOC staff estimates the total cost of the rehabilitation efforts would be approximately \$4 million. This proposed project would improve not only the entire facility, but also NDOC's capacity for housing an aging population over an extended period of time.

Recommendation 2:

Re-direct some of NDOC's Capital Improvement Project funds into the rehabilitation of Northern Nevada Correctional Center.

Re-channel approximately \$4 million of the HDSP Phase III CIP allocation into the rehabilitation of NNCC instead, focusing on paving, showers and other infrastructure improvements that will enable NDOC to dedicate a portion of that facility to geriatric inmates and those with long-term special medical needs.

Under Issue 3, Recommendation 2, (at p.16 of this report), we discuss the mental health challenges facing NDOC in planning for appropriate treatment and care of inmates. A recommendation is made to relocate NDOC's southern acute care Mental Health Unit (MHU) to the Northern Nevada Correctional Center. Some of the CIP funds now allocated for the High Desert build-out should be used for making the few alterations required to accommodate that move. While that does solve the short-term acute care problems of NDOC's MHU, it does not address the long-term problem of Nevada's mentally ill offenders returning to their communities without adequate treatment, housing or support services. Recent informal surveys indicated that many of the homeless on the streets of Las Vegas, or attempting to access non-profit services, are mentally ill ex-offenders from Nevada or other states. Governor Guinn has indicated in Prison Board meetings that he believes some of the remaining CIP funds that could be diverted from the High Desert build-out could be re-channeled to Southern Nevada to pay for the construction of a mental health facility in Clark County. Use of some of those funds for construction of a mental facility would be a more cost-effective use of CIP funds than construction of more "hard beds" at High Desert State Prison.

Recommendation 3:

Form a Community Corrections Division within the Nevada Department of Corrections.

A. Assign the operation of minimum-custody conservation camps, jointly with NDF, to this new Division. As part of this reorganization, NDOC should consider expanding some of the existing NDF camps and consolidating others where there is insufficient work for offenders to do. Both NDOC and NDF currently have plans to expand or rehabilitate some existing camps. These plans should be combined immediately. Programming should be introduced in all camps.

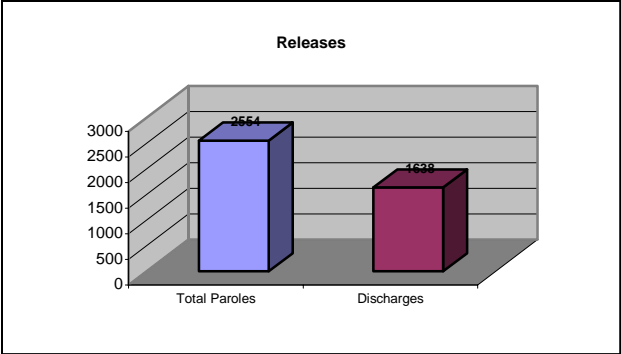
B. Create a Community Corrections Advisory Board, headed by NDOC, whose members include: both victims and inmate family groups, a Parole and Probation Division representative, a Parole Board member, a member of the Judiciary, representatives of the business community, and a representative of community-based services. This board will provide an on-going connection among these related services and agencies.

C. This Division should establish and oversee the substance abuse aftercare treatment programs, mandated by NRS 209.4238, in partnerships with local governments, non-profit groups, and other community resources. These programs need funding, which could be distributed to community providers who participate in the RFP process.

Through the use of re-entry and community work centers, Nevada could save a projected \$30,500,000 in construction costs and more than \$3 million a year in operating costs. (See Appendix 5). Nevada can use some of those one-time construction cost savings now to better prepare for long-term incarceration of its growing elderly and special-needs inmate population by re-directing \$4 million in CIP funds into rehabilitating and properly equipping the Northern Nevada Correctional Center to house geriatric and special-needs offenders. That would still result in a \$26,500,000 net savings.

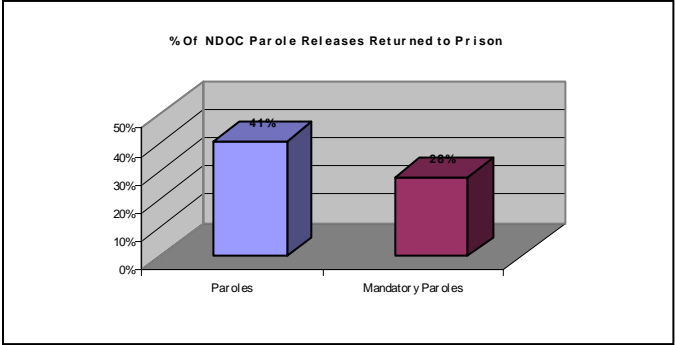
Issue 2:

The risk to public safety is greater—and high recidivism results—when offenders are released from prison without re-entry planning, transitional services, and/or community support.



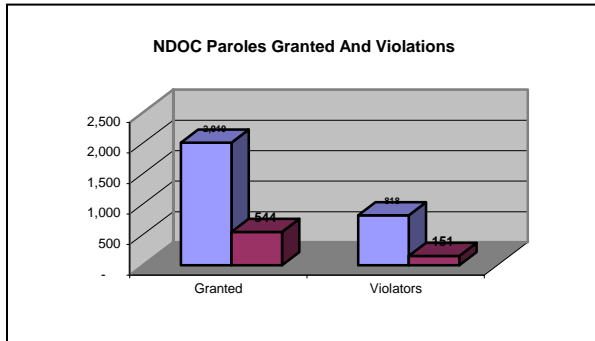
Nevada released 4,192 offenders from prison last year. In an average year, more than 1,600 inmates, or 39% of Nevada’s released offenders, expire their sentences and leave prison with no community supervision. More than 20% of Nevada’s offenders left prison last year having earned or saved no money and had to be given “gate money” to get home. Thus, it is not surprising that 26% of NDOC’s annual intake consists of parole violators returning to custody.

Both NDOC and the Division of Parole and Probation (P&P) decry the lack of community programming and support that can substantially improve an offender’s likelihood of success when he or she returns to the community. No state funds are earmarked for transitional programming. Offenders with medical or mental health problems are released with a 2-week supply of medication and a prescription. Nevada has no state-run halfway houses or community-based “day reporting” centers. NDOC has never had the staff or resources to do effective pre-release or re-entry planning for its inmates. Over the years, the P&P mission has focused more



and more on compliance-monitoring rather than any of the case management or social services that would assure an offender would not return to incarceration.

NDOC has never reported a recidivism rate for its inmates. P&P acknowledges that a high rate of offenders fail parole or probation and end up in prison. Other than Nevada’s over-crowded county jails or detention centers, Nevada currently has no community-based facilities to handle “technical violators” (paroled inmates who violate their conditions of release but do not commit a new crime) or those who might benefit from some level of supervision, but not full prison incarceration. Every other state in America has facilities of this kind, and Nevada would also benefit from these cost-effective options.



Recommendation 1:

Nevada should create re-entry centers and transitional services for its offenders.

A. NDOC’s proposed Community Corrections Division should create re-entry services and transitional houses that include programming opportunities for offenders. NDOC and community developers have begun developing a proposal for a re-entry center in Southern Nevada to house offenders leaving prison, pregnant offenders, and those serving administrative or intermediate sanctions. (See Appendix 4). Funding will be sought from special needs and transitional housing dollars allocated to Nevada by federal housing programs. Nevada should consider building similar re-entry centers in Washoe and Elko counties in future years.



Artists drawing of a proposed transition center

B. Nevada’s governmental agencies that have responsibility to handle the homeless, the unemployed, and the special-needs person should begin to partner in providing transitional and community support services to Nevada’s offenders.

Nevada has very few community-based programming opportunities for offenders. Despite having no budgeted funds for offender programming, P&P currently accesses nine programs that offer in-patient substance abuse treatment for probationers, providing a statewide total of 197 beds for

males and 105 for females. No similar programs exist exclusively for parolees. Transitional or re-entry housing is even more limited. Most programs will not accept sex offenders. An offender can wait up to 90 days to get into a “detox” program in Las Vegas. Offenders are required to pay for any treatment they receive. P&P employs five counselors to work with offenders in NDOC’s two house arrest programs for DUI offenders. P&P arranges educational programs and assists offenders in obtaining employment. Officers routinely identify offender needs and make referrals to state, local and private service agencies.

Most technical violators do not need to return to “hard beds”.

P&P officers monitor offender behavior to deter future criminal activity. They test for drug and alcohol abuse and return offenders to court or to the Parole Board when repeated “dirty” tests are found or when the parolee commits a technical violation. It is the policy of P&P to return all problematic offenders to the court. Other than administering warnings, increasing levels of supervision, or imposing terms of house arrest, officers do not have authority to impose any other administrative sanctions themselves. Depending on the county, violators can wait in jail anywhere from one to 60 days while awaiting a revocation hearing. P&P reports that 28% of its parolees face a revocation hearing for technical violations and 50% are sent back for committing new crimes. The Division also reports that 31% of its probationers face revocation hearings for technical violations and 37% are sent to prison for failing probation by committing new crimes. For both parolees and probationers, actual revocation rates are approximately 72% of those who face revocation hearings; the others are continued on supervision or dishonorably discharged. Graduated sanctions and other interventions by P&P would enable Nevada to re-distribute the offender population to reduce the fiscal impact of technical violators who do not need to be returned to NDOC’s “hard beds.”

Recommendation 2:

Provide for additional non-incarceration intermediate sanctions for offenders so that technical violators can be better managed in community supervision.

A. Create an administrative sanctioning authority for P&P officers. This would include the development of intermediate sanctions for technical violators that utilize community programs and re-entry houses, as well as local jails and other existing resources. An excellent example would be the state of Oregon’s plan that uses a wide range of sanctions from jail time to increased supervision.

B. Space in the minimum-security re-entry center would be allocated for technical violators being considered for return-to-custody. These offenders would be compelled to reside in the center before graduating to “day reporting”, undergo additional programming, drug test frequently, and maintain gainful employment, all under community supervision.

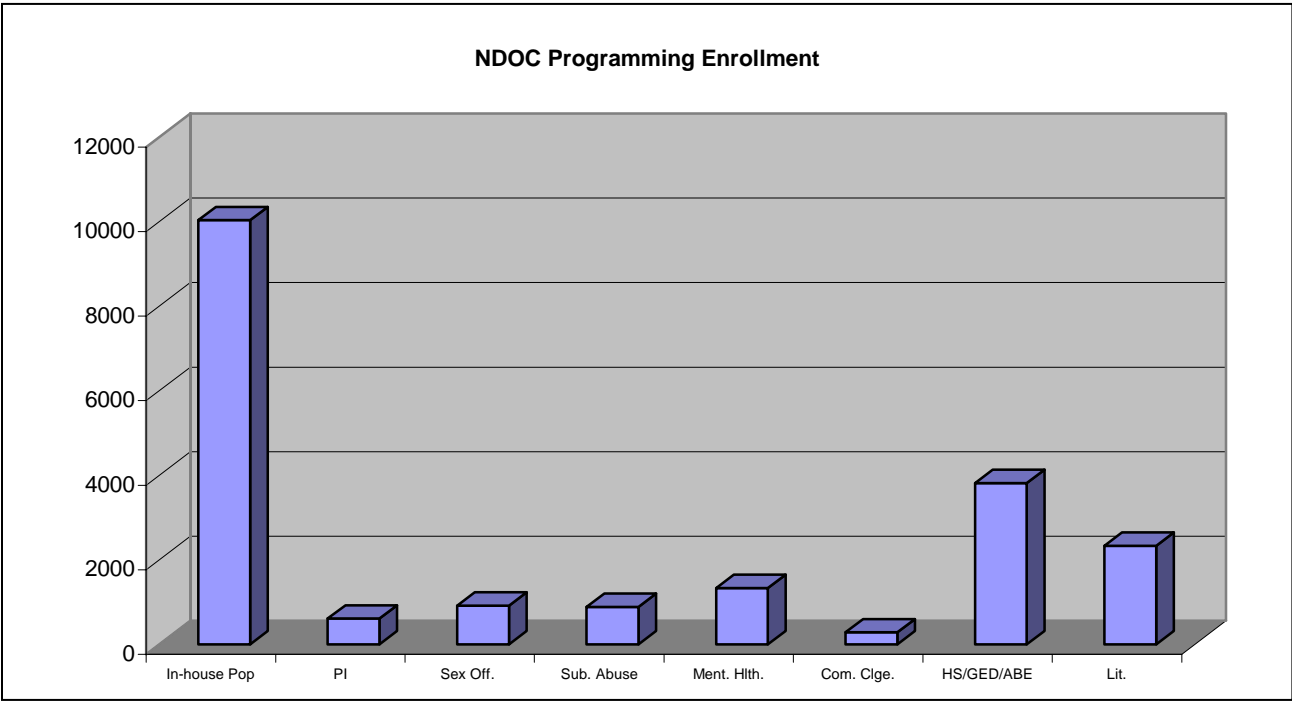
C. Establish more re-entry courts for all offenders, not just substance abusers. These should be patterned after the very effective “drug courts” in the Second and Eighth Judicial Districts, implementing the transitional programming concepts from Senate Bill 519, which was passed by the 71st Nevada Legislature.

Issue 3:

Nevada lacks appropriate institutional programming, treatment, education, and employment opportunities to prepare offenders to succeed upon release to the community.

Offender Programming Challenges

Nevada has succeeded at preserving public safety by keeping convicted offenders off the streets. NDOC’s safety record is good in terms of using strict security measures to keep inmate and staff attacks to a minimum, too. Unfortunately, NDOC has not had a well-defined Departmental mission to promote offender rehabilitation or self-change. Less than 1% of NDOC’s budget is dedicated to offender programming and most funding comes from inmate revenues, rather than the General Fund. Nevada has not historically applied for correctional grants. Thus, NDOC programming is limited. NDOC has five social workers, four chaplains, nine substance abuse counselors, and 32 psychologists. The 85 caseworkers are responsible for offender classification and disciplinary matters. Community volunteers offer much of NDOC’s current programming. As the graph below shows, for a system with more than 10,000 inmates, too few participate in prison programming.



Extensive research demonstrates that both institutional and community-based substance abuse treatment can be effective at reducing both future criminal behavior and substance abuse (Inciardi, 1995; Millson, Weekes and Lightfoot, 1995; Vigdal and Stadler, 1992; Wexler, Falkin and Lipton, 1990). Despite surveys that show 60-90% of Nevada's inmates have drug or alcohol problems, NDOC only has treatment beds for 500 inmates. The Northern Nevada therapeutic community is a 104-bed program located at Warm Springs Correctional Center (WSSC) in Carson City. It has been operated since October 1998 by Vitality Centers, a private corporation. In March 2002, NDOC opened "The OASIS," a new 408-bed therapeutic community at SDCC and added six substance abuse counselors to NDOC's programming staff. Both programs are funded 75% by federal grants with 25% matching funds coming from revenues earned from offender canteen sales. Again, it is a start, but much remains to be done.

The Youthful Offender Program (YOP) segregates male offenders age 21 or less, from the general prison population, and offers them age-appropriate programs and schooling. The YOP began in December 2000 at SDCC and currently houses nearly 90 young offenders. However, NDOC has 695 offenders, age 21 and younger.

Nevada has nearly 300 offenders over the age of 60, and the prison population is aging. Unfortunately, other than health care in the Regional Medical Facility or Extended Care Unit, NDOC has no programs or services for elderly inmates.

With more than 1,700 convicted sex offenders in Nevada prisons, in 2001 NDOC conducted a pilot program of specialized treatment and counseling at LCC. Due to limited availability of professional staff in Lovelock, fewer than 300 inmates were enrolled in the program its first year. Now a full curriculum for a system-wide program called Sexual Treatment for Offenders in Prison (S.T.O.P.) is being implemented at Lovelock with satellite programs to be established at other Nevada facilities. Such programming should be available to all convicted sex offenders.

Traditionally, the prison system in Nevada did not try to access grant funds. Over the last two years, NDOC has made inroads in this area. NDOC currently has a \$1.3 million federal grant to help offenders reach an 8th grade level of literacy and teach them life skills. Unfortunately, that grant ends in 2003 and cannot be renewed because it is a demonstration project only. NDOC obtained a \$90,000 grant to pay for qualified young offenders to take community college courses. This funding is currently threatened if federal correctional education funds get cut in Washington. In 2001, the Department obtained a one-year \$375,000 welfare-to-work grant to implement Project R.E.A.C.H. to train Southern Nevada offenders in non-traditional employment. In April 2002, NDOC partnered with Nevada Business Services (NBS), a Southern Nevada workforce agency to help NBS get a one-year \$450,000 grant to train Southern Nevada inmates under age 21 in culinary, construction and landscaping skills. The Department continues to pursue grants to create inmate programming, but there is no pool of matching funds to access.

Until the summer of 2001, NDOC had no central "programming office" whose responsibility was to create, standardize, manage, and coordinate program opportunities throughout the prison system. Presently, correctional programming is under the authority of the Medical Division. NDOC needs to broaden the concept of inmate programs from periodic "life skills" counseling to a broader base of planned and coordinated training, education, mental health counseling, spiritual development, special-needs programs, and job experience. Therefore, the Study Committee recommends that NDOC separate programming from health care services and create a division for

corrections programming. The Correctional Programs Division would take an integrated approach that includes: case management; specialized treatment, such as substance abuse and sex offender programming; counseling therapy; skill-building in the areas of pro-social motivation and behavior; spiritual development; education; and vocational training. By separating these services the Medical Division can focus its resources on its areas of specialized expertise—medical and dental care, inmate hospitalization and in-patient mental health care, pharmacy, and psychiatry. The Medical Division would continue to be responsible for operation of the Mental Health Units (MHU) and Extended Care Units (ECU) throughout the state, as that is therapeutic psychiatric care.

Throughout the past decades, research studies and program analyses have demonstrated that rehabilitation can work for offenders (e.g., *see* Cullen and Gendreau, 1999). Studies have found that, on average, the best programs tend to reduce recidivism rates by 30 percent (Lipsey, 1990). When an offender is rehabilitated, the effect goes beyond just that person. National studies indicate that children of inmates are five times more likely to go to prison than are other children (Beck, Gillard, Greenfield, *et al.* 1991). The families of offenders are victims of the crime, too. Many families are forced onto welfare when the bread-winner is convicted and sent to prison. Many teens begin to model their offender-parent’s irresponsible behavior when they lose parental supervision. Rehabilitation is not only a cost-effective way to reduce recidivism; it is also a social imperative to break the cycle of generational criminal behavior.

Children of inmates are five times more likely to go to prison than are other children.

Much remains to be done in Nevada to establish inmate programming identified as “Best Practices” at a level commensurate with national standards. Nevada must move to a complete correctional strategy, using proven practices that are known to change criminal behavior.

Scientific evidence indicates that while treatment, in general, reduces recidivism modestly, programs that incorporate specifically-identified principles of effective treatment show far better results. Effective treatment addresses several dynamic *criminogenic* factors identified by D.A. Gendreau & P. Andrews in 1990 at Carlton University in Canada. These factors are: 1) antisocial attitudes, values, and beliefs (criminal thinking); 2) pro-criminal associates and isolation from pro-social associates; 3) particular temperament and behavioral characteristics (e.g., egocentrism); 4) weak problem-solving skills; 5) criminal history; 6) negative family factors (i.e., abuse, unstructured or undisciplined environment, criminality in the family, substance abuse in the family); 7) low levels of vocational and educational skills; and 8) substance abuse.

Programming must address criminogenic needs.

“What Works” research has identified common characteristics that effective prison programming must have in order to be successful. Most correctional agencies today have come to accept these principles and characteristics and are incorporating them into a continuum of services that begins in the institution

and continues into the community where an offender accesses re-entry and support services.

Proven effective programs address cognitive restructuring or cognitive skills through social learning, modeling and targeting behaviors that affect change. Effective programs emphasize offender accountability and responsibility utilizing rational authority and control. They also

incorporate a balanced approach to sanctions, interventions and, when appropriate, relapse prevention. Effective programs have therapeutic integrity. Scientific research shows that the wrong kind of treatment is worse than no treatment at all for offenders (Andrews and Bonta, 1999; Andrews *et al*, 1990). Effective prison programs also match the levels of intensity of treatment to the risk levels of offenders: high-risk offenders require intensive interventions, and low-risk offenders benefit most from low-intensity interventions and, sometimes, no interventions at all. Thus, it is critical to properly assess the risk and needs of the offender. NDOC also must assure that staff is properly trained to conduct the programs and that security staff is included in the holistic programming approach.

Most existing NDOC programs were developed by individual institutions. Some were even designed by inmates themselves, acting as mentors to teach others about “doing time.” Thus, there is no consistency in program design from prison to prison. Many inmates repeat the same programs as they transfer around Nevada’s different prisons, simply to occupy their time and demonstrate to the Parole Board their effort to rehabilitate themselves.

Nevada must assess both security risk posed by the inmate and the treatment needs of the offender.

NDOC has long assessed incoming inmates for risk to do harm to staff or other offenders, but Nevada has never assessed offenders to determine their risk to re-offend, or to determine their treatment needs. It is time to properly balance security with programming in Nevada. To provide effective inmate programming, Nevada must begin to use recognized and validated risk

and needs-assessment tools to determine which offenders will benefit most from treatment and what kind of treatment they need. The Correctional Programs Division should oversee the intake and assessment of inmates at each intake center. Each inmate who enters into the Department should be assessed and programmed according to his or her needs. An automated incarceration and transition plan should be completed for each inmate and used thereafter by all NDOC staff. Automated, 24-hour schedules should be implemented for every inmate in the system. This process will allow NDOC to track an inmate’s activity and to support and standardize inmate routines.

Nevada need not “reinvent the wheel” with regard to prison program design. Many other states have developed research-based models for programs. Nevada can learn from these efforts. Iowa has a 30-year history of effective prison and community-based programming. Oregon redirected its correctional strategy in the early 1970s and has many successful programs. Maryland is known for its innovative prison and community programs. Kansas and Ohio also have track records in community corrections.

While maintaining proper staffing levels to assure safety and security in our prisons, it is critical that Nevada begin to recognize the importance of inmate programming, both as a management tool to control behavior of inmates while in prison and, more importantly, as a proven method for changing criminal behavior. Nevada must direct money and resources into offender programming and make this a priority in the Nevada Department of Corrections.

Recommendation 1:

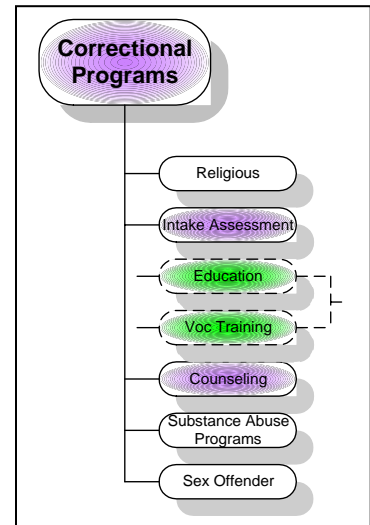
Move the existing Mental Health and Program Services Unit (MHAPS) out of the Medical Division and establish it as a separate Correctional Programs Division:

A. This Division should have responsibility for oversight of all institutional correctional programs for offenders. The Correctional Programs Division should also be the liaison point for the Correctional Education Authority, which will be responsible for academic and vocational education of offenders. (See Recommendation 2 below). This Division should work in partnership with NDOC's Community Corrections Division, local resources, and private providers to assure continuity in transitional and re-entry services and programs.

B. This Division should begin to utilize validated needs- and risk-assessment instruments to determine offenders' treatment and programming needs during incarceration. Funds should be budgeted to pay for such assessment instruments.

C. Programming opportunities for inmates should be increased and NDOC should strive to implement programming "Best Practices" that address the *criminogenic* needs of offenders. Merit credit should be expanded to a wider range of programs to encourage offenders to participate. More general funds should be allocated and budgeted for offender programming, including a pool of matching funds that are available to NDOC to apply for grants. NDOC must continue to identify appropriate programming for its special-needs populations, including youth, females, the disabled, and the elderly.

D. To fund the proposed programming, NDOC could consider leasing 100 beds at HDSP to other jurisdictions and lease the currently mothballed facility, Southern Nevada Correctional Center at Jean, to a private entity (retaining occupancy rights for a designated number of beds to handle any unexpected population surges). Additionally, the state's current fiscal practice requires that, for every dollar brought into NDOC, an equal amount of funds is deducted from the Department's General Fund budget. NDOC should ask the Governor and the Legislature to allow the Department to retain the lease revenue and some inmate employment revenue, without a General Fund offset, to pay for some of the expenses of offender programming. Grant writing and programming partnerships with other governmental agencies and private entities should be pursued.



Mental Health Treatment Challenges

Currently, NDOC houses a majority of its mentally ill offenders in Southern Nevada in a Mental Health Unit (MHU) and an Extended Care Unit (ECU) at SDCC. That prison, built over 20 years ago, was not constructed to house mentally ill offenders. To respond to the need, the Medical Division set up its mental health treatment units in regular prison cell blocks. The units are not equipped for mental health treatment or restraint. There are no inmate cells that can be observed directly from the nursing station or the security “bubble.” There are no group therapy rooms. There are no treatment rooms where physical examinations can be conducted without moving the patients to another building. The food service arrangements are inadequate. There are no camera-equipped rooms for seclusion or restraint, where medical staff can observe inmates who may be dangerous to themselves or others. Security arrangements for treatment staff could be better. There is insufficient office space for treatment staff. There is no storage space for medical supplies. There is a makeshift pharmacy set-up that is inadequate. With acutely-mentally ill patients being served in these units, NDOC must make better arrangements for their housing and treatment.

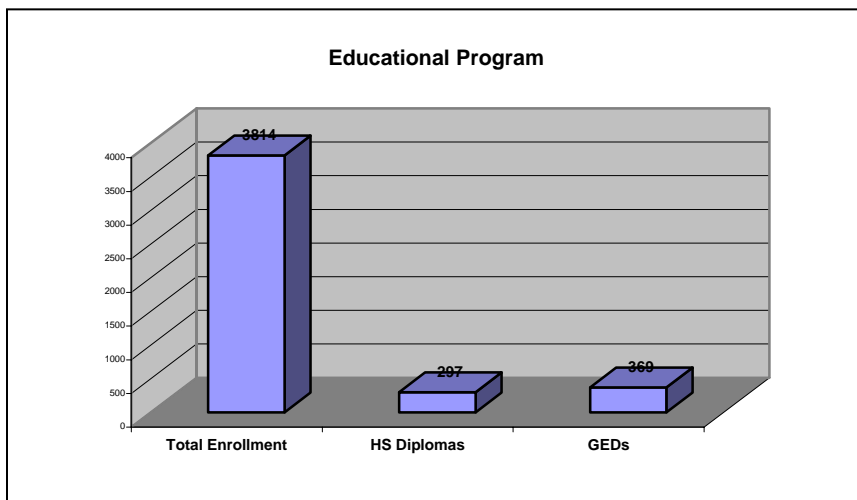
Recommendation 2:

Relocate the Mental Health Facilities from Southern Desert Correctional Center to facilities better designed for such treatment.

NDOC should relocate the MHU and ECU from their current locations at SDCC to facilities better designed for in-patient mental health treatment. NDOC staff studied the alternatives and has prepared a Business Plan that recommends moving the MHU to the Northern Nevada Correctional Center. Unit 6 there was originally designed for just such an acute care treatment unit and the move can be accomplished with minimal adjustments. The cell configuration and office space will better accommodate a treatment-oriented facility than does the SDCC layout. Security provisions can be more easily made and treatment and observation can be better accommodated. The High Desert State Prison, with its higher level of security and staffing, is a better environment in which NDOC can provide extended care to Nevada’s mentally ill offenders who do not require acute care, thus the ECU should be expanded and moved to HDSP.

Educational Challenges

Idle inmates can be dangerous inmates. However, offenders who are in school, in job training, working at a paying job, or undergoing therapeutic treatment are peaceful offenders with prospects for positive change. Ideally, every Nevada offender should leave prison with a high school diploma or General Educational Development (GED) equivalency certificate and a viable job skill.



Many Nevada inmates leave prison having attended school classes, but few complete their secondary education in prison. Each year, nearly 4,000 Nevada inmates take educational courses through high school, GED, or adult basic education. The high number of enrolled students attests to the offenders' desire to keep occupied. Unfortunately, too few offenders actually complete

their high school or GED studies (297 high school diplomas and 369 GEDs in 2001). Furthermore, the law in Nevada permits a person to obtain both a high school diploma and a GED. There is no maximum time limit on attendance. In fact, inmates earn "work credits" for attending classes, and these credits reduce their sentences. Therefore, Nevada inmates are often not motivated to complete their secondary education.

Correctional education is currently a "patch work" of different systems. Four separate high school districts operate Nevada's prison schools in Ely, Carson City, Lovelock, and Las Vegas. Each receives federal funds of approximately \$1,400 annually per student attending high school. Each offers its own prison curriculum, which has little statewide standardization. Some offenders have trouble transferring credits for electives from one prison school program to another. NDOC has no authority over any of the school programs and little input into their operation. In some prison facilities, the schools will not permit the use of prison classrooms for other programming needs of the prison, thus restricting already-limited program space for inmates.

The Study Committee recommends that Nevada consider expanding its emphasis in prison education so an inmate will focus on either high school diploma or GED, followed by vocational training. Nevada law mandates a regular high school curriculum only for students younger than 18 years of age, but in Nevada prisons, offenders of all ages take high school classes. In some institutions, these are the only available vocational training programs, like auto shop or woodworking or computer repair. If NDOC were to consolidate its entire under-18 population in one facility (and many of them are now in YOP at SDCC), it could offer a single regular high school curriculum. The other prisons could then focus more on adult basic education and vocational training.

GED preparatory instruction is shorter and less expensive than traditional high school. After obtaining a GED, an offender can enroll in community college or vocational school job training classes. If some of the funds that are now directed into prison high school programs could be re-directed into community college and vocational training programs, more inmates would have the opportunity to develop job skills that will serve them well outside prison. By partnering with workforce investment agencies, trade unions, vo-tech programs, and private employers who do training, NDOC can better prepare its offenders to re-join the world of gainfully-employed, tax-paying citizens. Offenders who are trained in a skill and are able to employ that skill after their

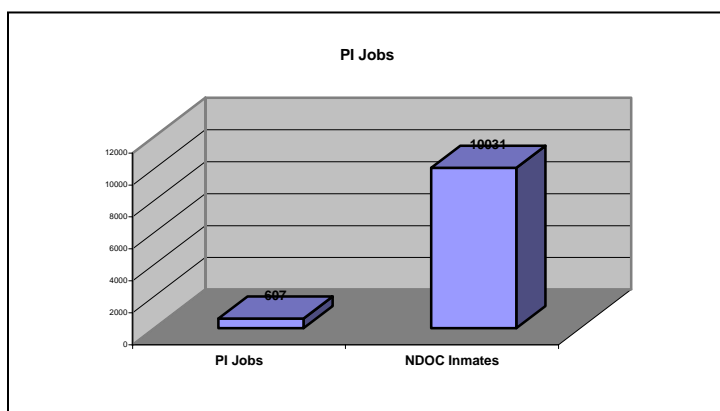
release from prison are less likely to resort to crime to support themselves, and less likely to return to incarceration.

Recommendation 3:

Create a “correctional education authority” within the State Department of Education to coordinate and oversee all academic and vocational correctional education:

- A. Expand the emphasis to focus on either high school diploma or GED, and provide a regular high school curriculum only to offenders under 18 years of age in NDOC’s Youthful Offender Program.
- B. Change the statutory structure of merit credits for educational participation and impose time limits on completion of high school. Offenders who have not earned their high school diploma in the YOP would be required to switch to a GED program.
- C. Work with the community college system and other vocational training resources and re-direct resources to emphasize correctional education on realistic jobs skills. Expand vocational training that will increase an offender’s employability after incarceration.

Employment Challenges



Prison Industries (PI), known as Silver State Industries in Nevada, consists of both prison-run and private businesses operating inside the prison walls. Currently, PI includes a small drapery-sewing shop, a furniture factory, a metal shop, a mattress factory, a dairy ranch, a horse-gentling program, an auto renovation operation, a re-upholstery shop, a detergent factory, a printing shop, a license plate factory, a food repackaging business, a clothing plant, a stained-glass

business, and card-sorting for the gaming industry. Working offenders are not required to be paid state or federal minimum wage.

NDOC establishes savings accounts for each offender. It is important that Nevada offenders have the opportunity to work in paying prison jobs so when they leave, they have funds saved and can begin new lives without total hardship. When an offender has income, NDOC can deduct room and board from the offender’s account. Court-ordered restitution, medical co-pays, and other

expenses can also be deducted from the inmates' accounts. Nevada law provides that earnings from offender employment shall be used to offset the costs of operating the prisons. That policy is a disincentive because NDOC reaps no benefit if it increases inmate employment.

The institutional employment situation needs to improve for Nevada's offenders. Currently, prison industries employs 790 offenders in a Nevada correctional system comprising more than 10,300 inmates. That number reflects a 100% increase in PI jobs since Director Crawford took over the Department in May 2000. Thus, NDOC has made great progress, but it is only a start. More than a dozen diverse businesses operate throughout the Nevada prison system, but not enough offenders are employed in these businesses. NDOC must find a way to expand its prison industries and encourage more employers to open prison-operated businesses. Director Crawford has set a goal of expanding to 2000 prison industry jobs for inmates. Furthermore, NDOC should request from the Governor and the Legislature the opportunity to retain some of its inmate employment earnings, without an offset deduction in General Fund dollars. This would enable the Department to have more funds for cost-effective vocational training and offender programming.

Another 1,198 inmates work in prison jobs such as food service, clerical, janitorial, or other task-based situations. These inmates are paid from the regular budgets of the various prisons, and wages range from \$5 to \$50 per month, depending on the job. Due to lack of funding, there has been no increase in inmate wages for years. NDOC itself can develop its huge kitchen facilities at HDSP into a cook-chill-freeze kitchen that can handle the food service needs of all the Southern Nevada NDOC facilities, while training and employing many more inmates. This will also provide real-life job skills and experience that will enable inmates to gain employment in Nevada's expansive hospitality industry.

NDF employs 1,600 inmates for four 10-hour days a week in 10 conservation camps throughout Nevada. The camps provide minimum-security housing but little or no offender programming during the three idle days. Inmates are paid \$3 per day for regular work and \$1 per hour for fire-fighting. Inmate wages have not been raised in more than 30 years. NDF has a revenue requirement placed on every camp by the Legislature, yet some camps are located in economically depressed areas of Nevada or low-population areas where little work is available for the inmates to perform in the communities. Currently, NDF is not permitted to retain any of the earnings from its community work; yet, many of the NDF vehicles need repair and the camps need reconstruction.

In communities that are not able to provide full-time revenue-earning jobs for inmate work crews, NDF and NDOC should be permitted to utilize the NDF camps as training or programming camps and should be relieved of their revenue requirements. Inmate-firefighters can be trained for stand-by duty and utilized only when needed. Inmates can perform vehicle repair and maintenance for other more productive camps while those inmates are engaged in full-time community service jobs. Both NDOC and NDF can offer educational and job-training programs during the three idle days of the week. Corrections and NDF can then concentrate on increasing the inmate workforce in the urban work camps.

Recommendation 4:

Work opportunities for inmates should be greatly expanded.

- A. NDOC should set specific attainable goals to dramatically increase the number of prison industry and other paying inmate jobs available in its institutions.
- B. NDOC should create a cook-chill-freeze kitchen facility at HDSP to consolidate food service production for offenders in all NDOC Southern Nevada facilities and camps. This effort will produce a more efficient use of facilities and create more vocational training and prison industry jobs for offenders.
- C. The Department should evaluate the pay scale for inmates to determine if it should be raised.
- D. The Legislature should evaluate NDF's forestry camps operation to determine if the revenue requirements should be waived in some camps. In addition, the Legislature should determine if some camps should be used primarily to provide training and/or maintenance services to other camps.

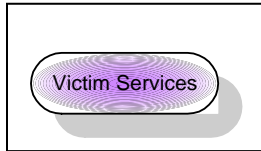
Issue 4:

The Nevada Department of Corrections needs additional resources to be more responsive to the public and to function more cost-effectively.

The current organizational structure for the Department of Corrections has been in existence for more than 20 years. This structure was effective when Nevada had few inmates in few institutions, when corrections' main mission was to warehouse inmates with little or no concern for programming, and when few citizens had contact with the prison system. Today, the emphasis is on a more balanced approach to security and programming. NDOC is focusing on preparing inmates to become more responsible and accountable to their communities, their families, and themselves. The prison system is larger and more complex. It has facilities all over the state in areas with divergent populations and communications needs. The Department's programs and vocations reach into Nevada's communities and increasingly involve families, victims groups, and program volunteers who previously had no contact with the correctional system. NDOC should add resources that enable it to most effectively take this new direction and ensure a quality service-delivery system.

Recommendation 1:

Establish a Victims Services Unit in the Director's Office.



Nevada is one of only five states that do not have a Victim Services Unit in its Department of Corrections. In other states, this Unit assists victims in obtaining restitution, receiving notification of an inmate's release, and getting information about hearings they are entitled to attend. Nevada should provide a greater degree of victim notification when offenders are released to the community, face Parole Board or Psychological Panel hearings, or when offenders escape. The Parole Board has recognized this need and begun to plan for some victims services, too, but it has a limited number of employees. Those efforts should be consolidated and a single Victims Services Unit should be created and funded in the Department of Corrections. Designating employees in the Director's Office to coordinate this function emphasizes NDOC's concern for the victim, as well as commitment to public safety, and it centralizes this function. This Unit could also work with the Community Corrections Division, Parole Board, and P&P to ensure offender participation in "victim impact panels" as offenders re-integrate into the community. This Unit would also be responsible for promoting the concepts of "restorative justice."

Recommendation 2:

Establish a Grants/Research Unit in the Director's Office



The Director should establish and oversee a Grants/Research Unit to seek out funding opportunities and write grants for all divisions of the Department. Historically, Nevada has not accessed the plethora of federal monies that other states routinely use to fund many corrections and community-support programs for their offenders. The Department's initial experience in seeking grant-funding and community partnerships over the last two years indicates that NDOC could be quite successful in using this as a resource to augment the Department's budget. Partnerships with other state agencies will also provide funding opportunities that Nevada must pursue. A centralized Grants/Research Unit will enable NDOC to develop an expertise in this area much like Child and Family Services and the Health Division have, without taking productivity away from employees assigned to other primary tasks. This Unit could become a financial asset to NDOC.

Recommendation 3:

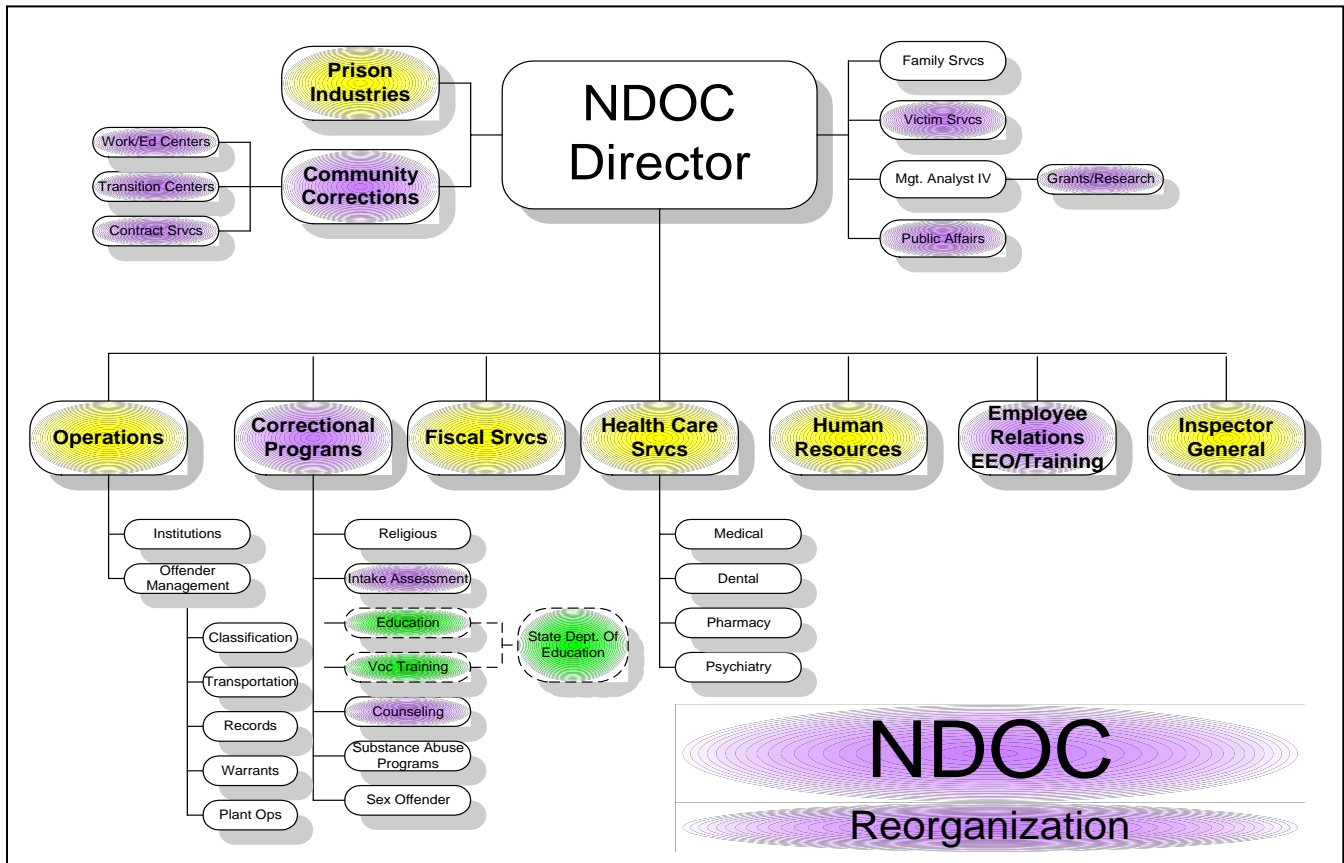
Establish a Public Affairs Unit in the Director's Office.



Between calls to the Director's Office, NDOC's Family Services Center and other administrative staff, the Department receives hundreds of requests for information about Nevada corrections each week. When NDOC started putting offender information and its administrative regulations on its website, it received over 10,000 "hits" in its first year, and during recent concerns over budget cuts, NDOC's website received over 2,500 new visitors. Clearly, there is a need for an organized public information process in the department.

Currently, various staff members all over the state serve as informational resources at different times, taking time away from their regular duties. Additionally, NDOC is now taking a more active role in the communities in which it houses offenders. NDOC staff and inmates are taking advantage of opportunities to participate in public events (such as United Way fund drives, March of Dimes walks, the Susan G. Komen Walk for Life promoting breast-cancer research, to name a few). This interaction with the public promotes a greater awareness and understanding of Nevada's correctional resources and furthers the mission of the Department.

NDOC should establish a Public Affairs Unit in the Director's Office to provide a single source of information to the public and to enable the Department to educate and inform the public about all aspects of corrections, through media and other public affairs opportunities. Achievements and opportunities in prison programming, education, employment, and industries can be shared with the public, advancing the informational level of Nevada's citizens and encouraging an increase in volunteerism that augments NDOC staff and maximizes limited resources. By providing the public with information about the successful efforts to program Nevada's offenders, the range of community opportunities for offenders will increase, and their risk of failure upon re-entry will be minimized.



CONCLUSION

These cost-effective solutions to re-distribute Nevada’s correctional dollars make sense. “Hard beds” will be utilized only for the most serious and long-term offenders. Fewer technical violators will return to costly “hard beds,” which maximizes resources for offenders who must be incarcerated.

The proposed “community corrections” approach to inmate management in Southern Nevada is projected to result in an initial construction cost savings of \$30,500,000. This projected savings would result from housing inmates in a re-entry transitional housing center built by a non-profit organization at no cost to NDOC, and in a 604-bed community work center built by the state, in lieu of constructing four additional housing units at HDSP. NDOC proposes to use \$4 million of the savings to rehabilitate NNCC and prepare geriatric and mental health facilities there. There would be a net savings of \$26,500,000. Some of the remaining funds would be available to construct a mental health

Projected construction savings would be \$26,500,000.

facility in Southern Nevada to address the problem of mentally ill offenders returning to the community.

The total annual operating costs of the two transitional facilities would be \$3,076,000 less than the current cost of operating Indian Springs Camp and additional “hard beds” beds at HDSP. Certainly, it is clear that, over the long term, Nevada will recognize cost savings in its prison capital construction and operating expenditures. However, it is critical that remaining CIP funds be targeted to NDOC in the future to put the Department in a position to realize these future savings.

Projected annual savings would be \$3,076,000.

With programming funds and resources, Nevada’s offenders will be put into a position to improve themselves, earn income, and become productive. The long-term effect of making more offenders employable, as well as employing more inmates in the Department and in the community, cannot be understated. By using Nevada’s correctional resources more cost-effectively, and re-directing resources into inmate programming, treatment, education, transitional and re-entry services, and community work development, Nevada should experience decreased recidivism and increased productivity among offenders. NDOC must evaluate and measure the success or failure of institutional offender programming, treatment services, educational efforts, workforce improvement programs and re-entry services. If a program is determined to be ineffective, it should be discontinued and replaced with something that achieves results.

Nevada must establish a uniform and realistic definition of offender recidivism that is accepted by all the criminal justice agencies and service providers in Nevada. All agencies and programs dealing with offenders must report recidivism periodically to help Nevada better assess the needs of its offenders and the progress of its correctional and supervision systems in accomplishing their missions.

National research proves that inmates who receive institutional programming while in prison, and guidance and support as they re-enter their communities, are less likely to return to prison. Rehabilitation reverberates into the families of offenders and can keep families off public assistance and keep future generations out of prison. Nevada’s communities will be safer and our correctional and supervision systems will function more cost-effectively and more efficiently when resources are re-directed and priorities changed to embrace the recommendations submitted by this Study Committee on Corrections.

Rehabilitation reverberates into the families of offenders.