

**MINUTES OF THE CRIMINAL JUSTICE SYSTEM IN
RURAL NEVADA AND TRANSITIONAL HOUSING
FOR RELEASED OFFENDERS (S.C.R. 32)**

DECEMBER 15, 2003

The second meeting of the Criminal Justice System in Rural Nevada and Transitional Housing for Released Offenders (S.C.R. 32) was held at 9:00 a.m., on December 15, 2003, at the Legislative Building, 401 South Carson Street, Room 2134, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, 555 East Washington Avenue, Room 4412, Las Vegas, Nevada.

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator Mike McGinness, Chairman
Assemblyman John Marvel, Vice-Chairman
Senator Dean Rhoads
Senator Maurice Washington
Assemblyman Bernie Anderson

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblyman Rod Sherer

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Mark Krmpotic, Senior Program Analyst, LCB Fiscal Analysis Division
Michelle Van Geel, Senior Research Analyst, LCB Research Division
Brad Wilkinson, Principal Deputy Legislative Counsel, LCB Legal Division
Kelly Lee, Deputy Legislative Counsel, LCB Legal Division
Donna Thomas, Secretary

EXHIBITS:

Exhibit A - Meeting Notice and Agenda Packet.
Exhibit B - Attendance Record.
Exhibit C - Casa Grande Facility and Floor Plan.
Exhibit D - Overview of Statistical Data, Fiscal Impact and Coordination between
Affected Agencies.
Exhibit E - Performance-Based Standards of Adult Community Residential Services.

Because of their size, the exhibits are not attached to these minutes, however upon request, may be reviewed in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada, phone number (775) 684-6825.

I. ROLL CALL

Chairman McGinness called the meeting to order and said that the next meeting would be at the White Pine County Courthouse in Ely, NV and would not be videoconferenced. Senator McGinness said it was important to see the criminal justice challenges that the rural counties encounter daily.

II. DISCUSSION OF TRANSITIONAL HOUSING

Jackie Crawford, Director, Nevada Department of Corrections (NDOC), presented an overview of the accomplishments of NDOC. She said that NDOC had worked with public lands on the acquisition of land for Casa Grande. Director Crawford noted that NDOC had run into opposition from neighboring communities but were confident they would overcome the obstacles. She added that NDOC had successful experience in operating restitution centers and conservation camps.

Director Crawford presented a handout, Exhibit C, Casa Grande Transitional Housing Facility and Design and said that the administrative building would include Parole and Probation (P&P) and the Parole Board. She said this would eliminate the need to lease office space and would create an administrative one-stop shop. She noted that Casa Grande would be directed by the Legislature and operated by NDOC. She informed the Committee that a design/build was more appropriate since there were no existing buildings in the area that met the requirements of NDOC.

Continuing, Director Crawford noted that phase I included the 200-bed housing unit and the administration building, and phase II was the expansion of the facility to 400 beds. Referring to the handout, Exhibit C, Director Crawford presented the facility design and floor plan and said it would consist of two living units, each one housing 200 inmates. To offset the payments and reduce NDOC's rent, the administrative building would house NDOC, P&P, Parole Board members, Howard Sloknick and staff from Prison Industries. Casa Grande would also include a kitchen, dining room and additional offices and classrooms for counselors and for services needed to prepare residents for employment. She said the facility would be constructed of concrete and steel and would blend in with the landscape to reflect a community environment.

Continuing with her presentation, Director Crawford noted that each individual room could house up to four residents and would include a community shower, laundry facilities, community restrooms, meeting rooms, lounge rooms and offices for case workers and officers. She noted that Casa Grande had to meet local building codes and the cost to build the facility was considerably less than building more hard beds in prison. Director Crawford said that Casa Grande was located on approximately eight acres and in close proximity to basic infrastructure. She said that money was allocated from the Legislature allowing NDOC the flexibility to acquire transportation for residents if mass transit was not conveniently located. Director Crawford also said the residents would have lockers to secure personal items.

Continuing, Director Crawford indicated that allocations of bed space included:

- 191 beds for inmates pending parole;
- Four beds for inmate workers; and
- Five beds for return to custody.

Assemblyman Anderson questioned the allocation of bed space, page 14, Exhibit C, and asked if the four beds allocated for inmate workers were more secure or part of a separate type of housing unit. He asked if the five beds for return-to-custody inmates would always be available.

Responding, Director Crawford said the four beds allocated for inmate workers were not a more secure type of housing and she noted that the restitution center in Reno had the same system, and it worked well. She said NDOC would monitor the availability and fluctuation of the beds since the concept of Casa Grande was new in Nevada. She stressed the goal of Casa Grande was to move the inmates out of the facility and into the community as soon as possible.

Continuing, Director Crawford noted the length of stay for residents at the transitional center was:

- Four months prior to anticipated release.
- Four to six months.
- Revised parole eligibility dates (RPO's).

Director Crawford introduced Glen Whorton and said he would present the operational aspect of Casa Grande.

Glen Whorton, Assistant Director of Operations, NDOC, reiterated that NDOC had problems trying to find a location for Casa Grande and the design and placement of Casa Grande would depend on the location. He noted that the design was efficient, community-related and consistent with similar facilities across the United States. Mr. Whorton indicated that inmates would come to the center for four months, reflecting the decision-making process of the Parole Board. Inmates would appear before the Parole Board four months prior to their eligibility date, allowing them to develop a solid release program. He said Casa Grande would assist inmates to be productive in the community and would prepare them for eventual release, saving the state money.

Referring to the PowerPoint presentation, Exhibit C, page 16, Mr. Whorton discussed the flow chart and said that NDOC would determine which inmates were appropriate for the program. Eligible inmates would be transported to the facility in Las Vegas and would receive the following:

- Orientation - Included the institutional operations;
- Assessment - Looked at their program, residential and job needs; and
- Administration – Housed the inmates, controlled their money, dealt with transportation, clothing and tools necessary for work.

Continuing with his presentation, Mr. Whorton said NDOC and P&P would evaluate the inmate's needs prior to release from Casa Grande. The release process would include the proper paperwork required for inmates, allowing them to restore their civil rights. The inmate's money would also be given to them upon release.

Mr. Whorton said that NDOC had years of experience working with camps and restitution centers in Las Vegas, Reno and in many rural communities. He said restitution staff was aware of employers in the community that were willing to hire skilled workers from NDOC.

Continuing, Mr. Whorton noted one advantage of Casa Grande was ability the Parole Board had to hear the cases of the inmates that had a parole plan. The Parole Board would adjust their eligibility date, allowing inmates to be productive in the community on parole. This would only be possible for inmates that had passed their minimum eligibility date and that had been to the Board, for their second or third parole appearance.

Assemblyman Anderson asked for a breakdown of the percentage of residents that returned in custody to the rural areas. Amy Wright, Chief, P&P, explained that statistical information on parole violators from northern and southern Nevada was collected every month. She said since Casa Grande would be located in Las Vegas, the numbers provided to the Committee were from the south, however, the numbers for northern Nevada could be provided.

Continuing, Mr. Whorton stated that the classification of inmates by NDOC would determine whether inmates were appropriate for placement into the center and that community protection would always be considered.

The classification and selection criteria used to place individuals in Casa Grande included:

- Clark County commitments.
- No violence in current offense.
- No sex offenders.
- Parole pending.
- Possible discharge planning.
- Emphasis on persons needing release plan.
- Generally from minimum custody – some medium.

Dorothy Nash Holmes, NDOC addressed the assessments for the offenders:

- Employment assessment for skills, interests, training and experience (WIA agencies).
- Housing issues.
- Educational assessment.
- Religious needs.
- Substance abuse assessment by SASSI or ASI.
- Medical screening while in Casa Grande.
- Periodic, random urinalysis drug testing.
- Mental health assessment.
- Benefits, entitlements or veteran benefits.
- Family circumstances and need for family reunification.

The programs delivery needs were:

- Community providers would be chosen through request for proposal (RFP).
 - Located on-site in three offices.
 - Provide direct services.
 - Coordinate and manage programming services of others.
 - Bilingual services were required.
 - Orientation to facility would be within 24 hours.
 - Inmates would receive operational rules and consequences.
 - Ex-felon registration requirements.
 - Records sealing, civil rights restoration (if eligible).
 - Identification, Nevada ID card, replacement social security card and work card (if required).

Ms. Holmes said that an internship program had been set up with the University of Nevada, Las Vegas and with local community colleges allowing law students to help the inmates address legal problems such as unpaid traffic tickets, suspended licenses, work card issues and child support establishment. Social work students would help with discharge planning, locate housing and assist with family counseling needs. Counseling majors would help with family and personal issues. Health and Recreation majors would help with health issues, wellness, communicable disease prevention, exercise and nutritional information programs. She noted that the Community College of Southern Nevada was willing to help with the final testing and mentoring preparation if inmates had not received their General Education Degree (GED). Also, inmates would be referred to community college classes or to the Clark County School District if they had not completed their GED by their release from Casa Grande.

Ms. Holmes described the religious services that were offered through volunteers at Casa Grande, Exhibit C, page 26. Continuing, Ms. Holmes addressed the medical services available to inmates and noted that there would be NDOC medical staff at Casa Grande. In addition, local providers in the community that received federal funding were required to treat inmates that were referred to them. Inmates would re-establish

disability, workers compensation, veteran benefits or entitlements.

Chairman McGinness questioned whether NDOC case workers or the providers monitored the inmates. Ms. Holmes responded that case workers from NDOC would supervise the inmate's progress and the providers would monitor the services to the inmates.

Mr. Whorton replied that the ratio of NDOC case workers to inmates in the prisons was 1 to 125, but the ratio at Casa Grande would be less. He noted that since inmates were at the end of their sentence, there would not be a need to develop a parole release program. There would be no Parole Board reports to write and little discipline to manage. Case workers would monitor the inmate's programs, inmate's money and supervise the release process.

Vice-Chairman Marvel asked how much money inmates would be charged for the services. Mr. Whorton said Darrel Rexwinkel would address the fiscal issues later in the presentation.

Ms. Holmes noted that inmates had ten days after entering Casa Grande to have their needs assessed and to find a job. She said the ideal plan would be to have inmates work during the day and utilize the programs available to them in the evenings and on weekends. Some of the programs available were:

- Criminal thinking errors refresher.
- Victim empathy refresher.
- Financial management.
- Work readiness skills.
- Conflict resolutions or anger management.
- Health awareness.
- Parenting.

Continuing, Mr. Whorton noted that 13 staff members would operate Casa Grande and that included a manager, case worker and a correctional sergeant in addition to 9.6 correctional officers. There would be two individuals per shift, 24 hours per day to operate the facility. Also, there would be value-added staffing, with the co-location of the Director, Assistant Director of Prison Industries and staff, EEO officer, and a pre-release staff member from P&P, programs staff and the community interns from UNLV.

Assemblyman Anderson asked if the 9.6 officers assigned to Casa Grande would work two or three 24-hour shifts. Responding, Mr. Whorton said that two officers would work eight hours a day, seven days a week. He reiterated that for every eight hour shift, seven days a week, there would be 1.6 correctional officers.

Continuing, Mr. Whorton noted that inmate employment would be the major focus of Casa Grande. NDOC would prefer residents to be employed during the day to obtain efficient delivery of programs. He said food would be managed the same manner as in the restitution centers and would have flexible hours. Inmates would take their lunch to work, and in some cases, eat at their place of employment. Food service would be delivered by minimum custody inmates in the same manner as the restitution centers. He noted that the facility would be ideal for the development of the cook-chill process. Mr. Whorton stated that the rules would be the same as the restitution centers and inmates would do their own laundry and would be allowed visitors.

Mr. Whorton informed the Committee that the inmate's behavior would be governed by the *Code of Penal Discipline*. He noted that a component of the *Code of Penal Discipline* had specific rules relating to inmates that were working in the community, and there were specific rules dealing with their contacts in the community. He said there were sanctions appropriate to violations committed by the inmates.

Assemblyman Anderson questioned the number of officers per inmate. Mr. Whorton replied there were no

staffing standards for the number of corrections officers per inmate. NDOC would analyze the facility based on design and type of inmates and then officer-to-staff ratio would be determined. The number was determined per shift, per post, and the ratio would be 1.6 officers for every eight hours.

Chairman McGinness asked if officers would handle the sanctions for the inmates. Responding, Mr. Whorton noted that if an inmate had committed a violation, the case worker, officer, sergeant and manager of the facility would be involved in the discipline process and the inmate would be adjudicated by a due process defined in the Code of Penal Discipline. He said that sanctions were based upon the severity of conduct and the type of violation.

Chairman McGinness asked if sanctions for Casa Grande were the same as the restitution centers. Mr. Whorton said that the sanctions were consistent and they dated back to the early 1970's, when the case law was established.

Mr. Whorton said that visits would be encouraged at the facility and medical access would be available. Along with the regular inmate phone system, phones would be available at no cost to the inmate for job seeking activities, along with the regular inmate phone system. He said inmates would be responsible for their own housekeeping.

Director Crawford expressed her appreciation of Amy Wright, Administrator, Parole and Probation Division and Dorla Salling, Chairman of the Nevada Board of Parole. She said that an Advisory Committee would be appointed in January 2004, after the Interim Finance Committee (IFC) and the Prison Board approved the concept. The Committee would establish policies and procedures and develop the planning process for the operation.

Senator Washington asked who was on the Advisory Committee and if certain elements were mandated by policy and procedure. Responding, Director Crawford said NDOC was in the beginning stages of the formation and operation of the Committee. She noted the Committee would consist of P&P, Parole Board, elected officials and would include business owners, members of the Chamber of Commerce, law enforcement and members of other agencies that were part of the formation and operation of Casa Grande.

Senator Washington indicated that the Division of Rehabilitation worked with inmates to help re-establish contacts in the community and to provide educational opportunities and the necessary tools and equipment needed for employment. Director Crawford said that the Division of Rehabilitation had committed to helping inmates with the process.

Senator Washington asked whether NDOC included the private sector appointments on the Advisory Committee. Director Crawford said that NDOC partnered with many private non-profit services that would enable inmates to find housing. She noted that the facility was a clearing house for inmates, helping with job placement and employment of the inmate to ensure success. Director Crawford also recommended a Fiscal Analyst from the Legislative Counsel Bureau or from Administration be involved in the process.

Dorla Salling, Chairman, Nevada Board of Parole Commissioners, stated that although the concept was new to Nevada, it was recognized nationally and was endorsed by the National Institute of Corrections. The Parole Board's major concern was for public safety and they would like inmates to have some supervision after release. She indicated that many inmates were paroled, but never released. They chose to expire their prison term because there was no place for them after release. She also noted that the transition from prison to the community was very difficult. Many inmates were released from prison without a driver's license or social security card and by the time those items were obtained, the inmates were wandering the streets. She said Casa Grande would help the inmate, during their four-month stay by guiding them through the system and enabling them to be successful.

Explaining further, Ms. Salling mentioned that five beds were set aside for parole violators, those that failed to report or had committed a minor violation. She said the five beds were not for inmates that had committed a new or violent offense. Currently, inmates that had been paroled and committed a minor offense were arrested and put into jail. She said this process was long and many of those inmates lost their jobs and places of residence, costing the taxpayers money. Ms. Salling said that if the Board thought the offense was more serious, they had the ability to send the inmate to jail.

Continuing, Ms. Salling noted that Casa Grande would house three Parole Board Commissioners and she said their presence was comforting to the inmates as they would be available to process inmates quickly if they came back to Casa Grande on a minor violation or if a modification to their orders were needed.

Vice-Chairman Marvel asked if inmates had to report to a parole officer while in Casa Grande and if so, how long an inmate would be supervised. Responding, Ms. Salling said inmates would be supervised by a Parole Officer once paroled and the length of supervision would be based on individual needs. She indicated that P&P would not supervise inmates that were released from the facility and had finished their sentence.

Assemblyman Anderson asked if Casa Grande freed up five beds in the Clark County Jail. Responding, Ms. Salling said the five beds at Casa Grande would be available for inmates that had committed a minor parole violation. She said if this did not exist, P&P would arrest the inmates and they would proceed through the process and end up in the Clark County Jail.

Director Crawford said that Casa Grande evolved due to the many inmates that were authorized for parole, but chose to remain in prison, since there were no services to help them find employment and be successful in the community.

Senator Washington questioned the number of inmates with expired sentences that chose to stay in prison. Director Crawford replied that many inmates were granted parole and realized they could not function without help and chose to stay in prison.

Senator Washington said that the Truth in Sentencing Bill had provisions so inmates would not be paroled without a plan and it allowed for some supervision. He asked if the statute allowed P&P to inform inmates that they were being paroled and that there were provisions for probation. Responding, Ms. Salling said the statute gave the Parole Board the ability to parole an inmate, if eligible. She said that often inmates were paroled without a job, residence and needed counseling or had to pay restitution. In some instances, inmates chose to expire their sentence rather than be set up for failure and jeopardize public safety.

Senator Washington asked if the recidivism rate was high since inmates did not receive services upon release. Responding, Amy Wright, Chief, P&P said that P&P had not maintained any information regarding released inmates that had flattened out their sentence. She was unable to provide any information on how often inmates recidivate; however, if inmates were released on parole and had a solid and stable release plan, they were much more likely to complete their period of parole than an inmate being released into a shelter without family support or employment.

Vice-Chairman Marvel noted that in the early 1990's, the state had problems with inmates that waived their hearings. He asked if inmates could still waive their hearings. Responding, Ms. Salling said inmates could not waive their hearings.

Chairman McGinness asked if P&P was active with inmates while in Casa Grande. Ms. Wright stressed that P&P's role in the process was for pre-release staff to assist in developing release plans. The plans would then be forwarded to an officer in the field for verification. Once the offender had reached their parole date

and had been paroled, P&P would assume active supervision of the inmate. Ms. Wright said the intention of P&P was to have pre-release staff at Casa Grande.

Assemblyman Sherer asked if the state knew the expected success rate of Casa Grande. He asked if Casa Grande was modeled after another program and whether other states were implementing a Casa Grande-type program. Responding, Director Crawford said that it was very hard to predict the percent of success for inmates since the program was so new, but NDOC was confident with their anticipated goal of 75 to 80 percent success rate for inmates finding a job and completing parole successfully. She explained that the state lagged behind other states in designing and organizing Casa Grande, and Utah, Arizona and most of the surrounding states had an expansive community corrections concept and were very successful in reducing prison population. She noted the focus was to get non-violent drug offenders and property offenders out of the prison system and into the community, saving the hard beds for the violent offenders. She reiterated that violent prisoners and sex offenders were not eligible for Casa Grande.

Assemblyman Anderson noted that inmates eligible for Casa Grande would be fiscally responsible.

Director Crawford explained that Casa Grande was an extension for inmates so they could be more successful upon release. She noted that NDOC was not advocating early release for inmates and there were approximately 500 inmates in prison that should be out on parole instead of using a bed and costing the state money.

Assemblyman Anderson noted that if Casa Grande was successful in the metropolitan areas it would be worth advocating for the rural areas. Responding, Ms. Crawford said Casa Grande would be the model for a similar program in Reno and possibly the rural areas. She said that NDOC was confident that there would be a marked improvement in recidivism, thus lower costs when Casa Grande was established.

Senator Washington questioned if parole officers were assigned to inmates upon release from the facility.

Ms. Wright replied that when an inmate was granted parole, the paperwork would be assigned to the pre-release unit at P&P. Once paroled, the pre-release unit would coordinate the release plans with the appropriate person and the plans were investigated. Staff would coordinate the pre-release plans with NDOC and the parole officer would verify and accept the plan. If the plans were adequate, P&P accepted them and the release would be effective. If the plans were unacceptable, they would go back to the pre-release unit and an acceptable plan would be developed. Ms. Wright noted that pre-release staff located at Casa Grande were non-sworn individuals.

Senator Washington questioned the steps for pre-release of inmates. Ms. Wright said that a parole officer would be assigned to an inmate upon his/her release into the community for active supervision. She said the investigation of the placement plan in the community would be assigned to a parole officer. Traditionally the parole officer would supervise the inmate in the community and would have the ability to come to Casa Grande and to give an overview of parole to the inmate.

Ms. Wright expressed her support for the project and said it would benefit the community, division and inmates. She said many inmates were released to shelters because they had no family support or residence.

She indicated that Casa Grande would create a stable environment for offenders released into the community.

Referring to the handout, Exhibit D, Ms. Wright explained the statistical data for the population at Casa Grande and said inmates could return to Casa Grande for violating conditions of parole and if they had not committed a new offense. She said the data included parolees that failed to report to the division or that moved residence, making their whereabouts unknown. Ms. Wright indicated that a 17-month trend revealed 20 inmates per month returned on condition violations.

Vice-Chairman Marvel asked if inmates from the honor camps were eligible for Casa Grande. Director Crawford replied that a majority of the inmates would come from the honor camps since those inmates were usually in the rural areas working and there was no opportunity for them to return to the metropolitan area. Many inmates were working to earn good-time credits, but lacked the money and the opportunity to establish themselves; they would benefit from Casa Grande. Director Crawford reiterated that inmates in the honor camps were not a risk to the community and NDOC would not jeopardize the safety of the community. She said there were approximately 1,200 to 2,000 inmates in the community that needed an opportunity and assistance to be successful.

Ms. Wright addressed the population of inmates in the Clark County Detention Center and said they were mainly probation violators and not included in the target population. Ms. Wright said NDOC was mainly addressing parole violators, not probation violators. She noted that once the center was open and established there was a potential for growth in the program to address more of the prison population.

Senator Washington asked if P&P collaborated with local law enforcement agencies to deal with the inmates that had violated probation. Responding, Ms. Wright said that P&P had a strong relationship with local law enforcement agencies and met regularly to discuss pertinent issues dealing with offenders. She noted that law enforcement agencies were aware of the role of P&P in the community and they were supportive of Casa Grande. She said the parolees were screened to make certain they were eligible for Casa Grande and not a risk to public safety.

AGENDA ITEM II, B – PUBLIC SAFETY/COMMUNITY ISSUES

Continuing, Mr. Whorton discussed the public safety and community issues, Exhibit C, page 37 and reiterated NDOC's concern for public safety. He said Casa Grande would prepare inmates for release into the community and teach them to be successful by changing their behavior with services and programs. He said many inmates were discouraged because they lacked the personal infrastructure and there were a lack of services for them to emigrate into the community.

In addition, Mr. Whorton said that Casa Grande would be close to industrial areas that would provide job opportunities for inmates. NDOC was trying to find a location that would establish a 1,500 foot buffer from residences, schools and parks, yet still be close to mass transit.

Senator Washington asked if local planning agencies were involved in finding an appropriate location within the zoning requirements for this type of facility. Responding, Mr. Whorton said the zoning issues and the location of the facility were the most difficult part of planning Casa Grande. He indicated that Director Crawford had worked with the local governments and state lands and explored every option in determining where Casa Grande could be developed in a timely way. He noted that this type of facility was needed because the risk for public safety was higher when inmates were released without appropriate plans.

Director Crawford reiterated that the location of Casa Grande was the biggest issue. She noted that many businesses in Las Vegas had contacted NDOC to hire general laborers and were very interested in Casa Grande. She said that a major steel company had contacted NDOC and were willing to hire 200 inmates and pay them prevailing wages.

Senator Washington asked if NDOC had a priority or check-list from Las Vegas. Responding, Director Crawford said NDOC was working with state lands regarding available land. She noted that Casa Grande was not attractive to some local governments because the state does not pay taxes.

Senator Washington asked if the IFC was aware of the transaction for land and asked the cost ratio for

inmates. Responding, Director Crawford said that NDOC had been working on a proposal for the March 2004 IFC meeting.

Chairman McGinness asked if the funding that had been set aside was adequate to build Casa Grande. Director Crawford replied that Darrel Rexwinkel would explain the costs for obtaining and building Casa Grande later in the presentation.

Continuing, Mr. Whorton said NDOC was working on the location. He reiterated that it should be near to mass transit, but that \$158,000 per year had been set aside to provide inmate transportation if needed. He said inmates would be counted throughout the day. The doors to the facility would be alarmed and inmates would enter and exit through the appropriate areas for monitoring purposes. He said NDOC would develop relationships with the employers to explain the requirements of the inmates and ask employers to communicate to the facility if an inmate had to work overtime or had a schedule change. He said that employers had an investment in the inmate and would cooperate in the monitoring process. Mr. Whorton said Casa Grande had caller ID allowing inmates to call at specific times to advise staff of their whereabouts. Casa Grande would know specific schedules of inmates and the approximate travel time for their commute. There would be unannounced on-site visits by correctional staff, random drug and alcohol testing and money would be controlled so that inmates would not have the opportunity to spend inappropriately.

AGENDA ITEM II, C - FISCAL ISSUES

Darrel Rexwinkel, Assistant Director for Support Services, NDOC addressed the fiscal issues of Casa Grande, Exhibit C, page 42.

He noted that the facility costs included:

- Land – 8.40 acres.
- Office and administrative space – 29,722 square feet which included the culinary dining area and classrooms.
- Residential dorm space – 52,400 square feet for up to 400 persons.
- Furniture, fixtures and equipment.

The total development cost estimate was \$16,315,000. Financing would include Violent Offender Incarceration and Truth-in-Sentencing Incentive (VOI/TIS) federal grant money and lease/purchase using NRS 353.500 through 353.630. NDOC would work with the Attorney General's office and the Treasurer's office on the lease/purchase.

Senator Washington asked if the VOI/TIS money was for hard beds, for violent offenders, and whether NDOC had to account to the federal government for grant money.

Responding, Mr. Rexwinkel said VOI/TIS money could be applied toward the transitional facility since it would free up hard beds and since there was no need for construction of additional beds. He said the grant had to be used by July 2006.

Mr. Krmpotic advised the Committee that the VOI/TIS grant was one-time money that had to be used and the grant funding source had not been re-authorized.

Continuing Mr. Rexwinkel noted that the remainder of the money would be used for the lease/purchase and financing. He explained the annual amortization of the financed amount and the operating costs for one year. He noted that the operating costs included:

- 12 correctional officers.
- One case worker.
- One maintenance/repair specialist.

He said there would be some travel and operating costs, including the lease payment, contract services and inmate transportation that included approximately \$30 a month for bus passes.

Senator Washington asked if the inmates were responsible for the cost of the bus pass or if it subsidized by the state. Mr. Rexwinkel replied the inmates were expected to pay \$14 a day after obtaining a job; that money would offset the budget.

Mr. Rexwinkel noted there would be start-up costs including equipment costs, maintenance fees, Department of Information Technology expenses, utilities, uniform allowances and inmate food, clothing and supplies. He said the number of occupants was 200, less four culinary workers and five return-to-custody inmates, and the average stay would be four months.

Moving to the next item, Mr. Rexwinkel referred to Exhibit C, page 45 and discussed the fiscal impact of Casa Grande on other agencies. He explained the cost comparison for institutional centers versus transitional housing. He stated that the projected cost for 200 inmates at Casa Grande in FY 2006 was \$2,978,597 and for 400 inmates in FY 2007 was \$3,949,550. Funding for Casa Grande came from General Fund, rental income from Prison Industries, Inmate Services, Parole Board and Room and Board charges.

Vice-Chairman Marvel asked if there would be interest in a lease/purchase for Casa Grande and whether this would count against the bond indemnity. Responding, Mr. Rexwinkel noted that under the statutory provisions, legislation was passed in 2001 that provided for a lease/purchase transaction. He said that there was one prior transaction completed that used the legislation, and the Treasurer's office, in conjunction with the Attorney General's office, set up the Nevada Real Property Corporation, a shell corporation that included directors from the Department of Administration and the State Public Works Board as well as other individuals. He said the developer would build the facility and take care of all the interim and financing costs and once completed, the developer would sell the property to the Nevada Real Property Corporation and the Corporation would issue the Certificate of Participation (COP). He said the COP would not count against the debt amount, and the proceeds from the COP would pay off the developer. The Nevada Real Property Corporation would lease the facility to NDOC and NDOC would pay The Nevada Real Property Corporation who would pay off the COP holders.

Senator Washington asked if developers were willing to work with a COP and whether it would be the same process as a Request for Proposal (RFP). In response, Mr. Rexwinkel said there were developers interested and that it was customary in many states to use a COP to finance public structures. He said the statute provided for sole-source design/build construction, so it did not have to be a RFP process. Mr. Rexwinkel noted that finding the appropriate location and approval of special use permits were the major issues with Casa Grande. He said the statute provided that State Public Works Board would work with the local entities regarding zoning and land use.

Chairman McGinness asked if the project would be under the direction of the State Public Works Board. Mr. Rexwinkel responded that because Casa Grande was located on state land, they would be involved. He said that even if it were not located on state land, they would be involved to make certain that building specifications and materials met state requirements. He noted that Casa Grande would be fire appropriate and would be constructed with non-combustible materials.

Senator Washington asked if the architectural cost and design was included in the budget. Answering, Mr. Rexwinkel noted that \$16.3 million included a design/build for the developer, architect, construction costs and

furniture and fixtures.

Chairman McGinness asked about the zero walkaways projected from Casa Grande. Director Crawford noted zero walkaways were the goal of NDOC and she anticipated that the goal would be met. Director Crawford said that inmates in Casa Grande had a significant amount of pressure to succeed. Chairman McGinness asked about the number of inmates in the honor camps that walked away. Responding, Director Crawford said that Nevada had a great record.

Mr. Whorton noted that there were approximately 30 walkaways in 2003 and one inmate escaped through the fence at High Desert. He said that it was extremely unusual and a review board would look at the cause and how it could be corrected. He said that the classification of inmates would be the major component of security for NDOC. He noted that in 1995 NDOC had over 70 walkaways, including inmates on residential confinement. Mr. Whorton stressed that NDOC had an extremely good record of protecting the public.

Senator Washington asked for a brief summary of the residential confinement program and asked whether it was used in relocations. Mr. Whorton responded that there was an active residential confinement program used mainly for inmates with an exemplary prison and community record.

Senator Washington asked whether it was hard to track the whereabouts of registered level 2 and level 3 sex offenders that expired their sentences. Ms. Wright replied that in 1995 a law passed that required lifetime supervision of convicted sex offenders. That law included individuals on probation, parole and those that had flattened out their sentence within the institution. On completion of parole or probation, if the offender did not parole they would be under the supervision of P&P for their lifetime. She noted there were provisions allowing offenders to petition the court for removal from supervision after 14 years.

Senator Washington asked about residential and job placement services for sex offenders. Responding, Ms. Wright stated that had been an issue for the division, NDOC and the Parole Board. She said the offenders often did not have family to return to or employment and were not accepted in the community. She reiterated that very few residential placement homes accepted sex offenders.

Director Crawford indicated that there was a large population of sex offenders that would eventually need to be addressed. She indicated that NDOC needed to be sensitive to the public and at the same time would need to deal with the sex offenders.

Senator Washington stated that liability was enormous when dealing with public safety. He said that when sex offenders entered into communities without proper job placement, housing or counseling they had a greater chance of committing another crime.

Director Crawford said there were some treatment programs designated for sex offenders in Lovelock and other rural areas. She noted that the inmates had to pass the psyche panel before being released.

Chairman McGinness affirmed that sex offenders would not be included in Casa Grande.

Assemblyman Anderson noted that due to the cost, sex offenders could not be held in prison forever. He said after Casa Grande was established and successful, the Committee would look at programs for sex offenders. He mentioned his concern with the psyche panel and noted his lack of confidence with them. He said when any discussion came up during the Legislative Session there were reports on how ineffective the panel was in obtaining a long-term picture of the inmate's problems.

Vice-Chairman Marvel asked if there was any progress in the Cook-Chill program. Responding, Director Crawford noted that there had been progress and information gathered would be presented at a future Prison

Industries Advisory Committee meeting.

Chairman McGinness asked if there were any questions before moving to, agenda item II, C, Fiscal impact on other agencies.

Ms. Wright referred to the handout provided, Exhibit D, and noted the fiscal impact included:

- Initially - One Pre-Release Parole and Probation Specialist II position (up to two if and when the anticipated 400 beds were realized).
- Two Social Worker positions funded under the Going-Home Prepared grant obtained by NDOC. The positions would be placed in Casa Grande to coordinate treatment of parolees being released into the community and to ensure a seamless transition back into the community. Treatment would be coordinated when inmates transition into the community.

Ms. Salling noted that the Parole Board did not anticipate any fiscal impact.

Vice-Chairman Marvel questioned the number of job vacancies in NDOC and asked if the turnover rate had been reduced. He asked the number of cases that parole officers had to supervise. Ms. Wright replied that P&P had 25 sworn and 33 non-sworn vacancies, however, active recruitment to fill the positions were ongoing. She said the turnover rate had improved 60 percent since the last biennium.

Ms. Wright informed the Committee that the average caseload per officer for the month of October 2003 was:

- District 1 - Carson City - average caseload was 77.
- District 2 - Reno - average caseload was 75.
- District 3 - Rural areas - average caseload was 75 (including three vacancies for the district).
- District 4 - Las Vegas - average caseload was 89.

Chairman McGinness asked if there were any questions. Being none, he moved to agenda item D.

Jennifer Dunaway, Bureau of Licensure and Certification (BLC) explained that Casa Grande would not require licensure through the BLC. She noted the BLC only had the statutory authority to license halfway houses for recovering alcohol and drug abusers.

Assemblyman Anderson said Casa Grande would need some type of drug and alcohol counseling programs; he asked if it could be done through inter-agency agreements. He felt there should be a consistency in the programs since many inmates would be monitored for the rest of their lives.

Maria Canfield, Bureau of Alcohol and Drug Abuse (BADA), State Health Division, clarified that BADA had the statutory authority to certify programs that provided substance abuse treatment which included out-patient, intensive out-patient, residential and BADA's definition of transitional housing. Continuing, she noted that residents in Casa Grande would be given addiction counseling and would be evaluated appropriately and given the proper referrals when released into the community. Ms. Canfield said that BADA had partnered with NDOC on their substance abuse subcommittee to make sure the process was seamless.

Assemblyman Anderson indicated that it was difficult to get BADA certified counselors to the rural areas of the state and asked if there had been a change in the availability of BADA programs and counselors in the rural areas.

Addressing the question from Assemblyman Anderson, Ms. Canfield noted that counselor certification had

separated from BADA in 1999 and was done independently by a Board of Examiners for Alcohol and Drug Abuse Counselors.

Layne Wilhelm, Treatment Supervisor, BADA, affirmed that it was difficult to build and maintain programs in the rural areas. He said BADA had partnered with Mental Health and Developmental Services to provide substance abuse services, through their facilities, since many were located throughout the rural areas of the state. He also noted that BADA had used dual licensed counselors to provide ongoing services.

Vice-Chairman Marvel asked if Vitality House and drug courts were successful. Responding, Mr. Wilhelm indicated the rural drug courts were another tool to assist clients that had been mandated into a treatment program.

Ms. Canfield addressed the question and said that Vitality House in Elko provided services to Winnemucca, Lovelock and occasionally Ely, Eureka, Battle Mountain and Wendover and the statistics were equally good to all other statistics in the state. The treatment programs were very effective and were of good quality and often exceeded the national average in some indicators for employment and housing.

Senator Washington stated that since no certification was needed as long as there was no treatment program administered within the transitional setting, many inmates would need counseling or programs to help deal with certain addictions. He asked what effort had been made to coordinate with NDOC and P&P to ensure their successful transition into the community. He questioned whether treatment for certain addictions could it be done onsite or offsite to satisfy the certification issue.

In response, Ms. Canfield noted that she had served on the Going-Home Prepared Advisory Committee and had staffed the Subcommittee on Substance Abuse to ensure that treatment providers were partners in southern Nevada and to ensure that other providers in the area were involved and familiar with the Going-Home Prepared project. She said the focus would be on getting clients ready for treatment once released and making sure assessment instruments were used in determining whether a client had an addiction and needed a placement. She said the Bureau had to certify the quality of the treatment program and indicated that BADA was willing and able to provide technical assistance and certifications on a voluntary basis.

Continuing, Ms. Canfield said once the client received a referral, that program was certified by BADA ensuring the quality of care.

Senator Washington asked if NDOC treatment programs would operate within Casa Grande, as opposed to an out-sourced BADA certified program. Responding, Ms. Holmes said one year of aftercare was mandated by statute, for inmates that had completed a therapeutic community program in prison. OASIS was operated by NDOC staff and was not certified by BADA. NDOC only hired BADA certified counselors who were approved by the State Licensing Board. She said since aftercare was mandated, NDOC would set up the aftercare process with providers in the community. She indicated that there was a pilot project headed by Dr. Rosalind Caldwell, University of Nevada, Las Vegas (UNLV) that received a grant to set up an aftercare program to study OASIS and monitor the recidivism of inmates. Ms. Holmes stated that there were support groups like Alcoholics Anonymous, Narcotics Anonymous and Gamblers Anonymous at Casa Grande and if residents needed additional service from a BADA provider, they would be able to obtain the treatment. She noted that NDOC had a list of providers for Casa Grande and the Going-Home Prepared program providers would participate ensuring a seamless transition for the inmates.

Senator Washington asked if the Advisory Board had made provisions for after-treatment providers or BADA providers. Responding, Director Crawford noted there were provisions made and they were on the Advisory Board for the Going-Home Prepared project. The Advisory Board for Going-Home Prepared consisted of 46 partner and government agencies; 16 are government, and 31 are non-profit providers.

Assemblyman Anderson asked if former addicts could be BADA certified counselors. Responding, Ms. Canfield said that the Board of Examiners for Alcohol and Drug Counselors licensed and certified individuals, under certain circumstances, who had a criminal history of substance abuse. She noted the former addict needed to be in sustained recovery for two years and cases were looked at individually.

Assemblyman Anderson asked if counselors had gone through the State Licensing Board in addition to BADA. Ms. Canfield reiterated that BADA no longer certified personnel and was transferred from Department of Employment, Training and Rehabilitation into the Department of Human Resources, Health Division in the 1999 Legislative Session. Another change was the removal of the counselor certification licensure component from BADA to an independent Board of Examiners.

Assemblyman Anderson asked if the transfer enlarged or diminished the pool of BADA counselors. Responding, Ms. Canfield noted that the law created some after-shocks for the intern status counselors. The requirements for education were increased and some counselors could not complete their education in the time frame required, so many interns were unable to obtain their license. Educational programs were offered at UNLV and UNR and the number of licensed counselors rose over time. There were approximately 1,400 people on intern status or occasional licensure status in the state.

Assemblyman Anderson asked if the initial shock to the candidate pool was to dry it up. He asked if the long term effect was due to the higher standards set at the university system that had replenished the pool. Responding, Ms. Canfield said that was her understanding and that was against the backdrop of nationally a severe work shortage.

Ms. Holmes referred to agenda II D, and stated that unless there was grant money specifically for Casa Grande, NDOC was unaware of federal requirements for Casa Grande. She said that NDOC would have to comply with the American Corrections Association performance based standards for residential facilities like Casa Grande.

Director Crawford referred to Exhibit E, Performance-Based Standards for Adult Community Residential Services and said the booklet had gone through extensive study and testing and NDOC intended, where applicable, to utilize the standards. She said the standards were court tested and NDOC could use the standards and not have to pursue the accreditation process, if not affordable.

Ms. Holmes referred to agenda item II A, and said that the original business plan was from the 2003 Legislative Session and was no longer applicable since at that time NDOC was pursuing federal tax credits to fund Casa Grande. She indicated that NDOC would provide an amended and updated business plan at the upcoming IFC meeting.

Chairman McGinness asked if NDOC had partnered with a non-profit agency that would have access to funding that government agencies would not. He asked if that partnership affect the funding for Casa Grande. Responding, Director Crawford said that NDOC went through an extensive work session after which they chose not to partner with the non-profit agency. The private non-profit entity no longer existed.

Ms. Holmes said that NDOC would submit a RFP for a community provider for Casa Grande. She noted that non-profits in the community could apply for many types of funding that were not available to government agencies. She said it may be possible for the community provider at Casa Grande to obtain additional grant funding through NDOC.

Senator Washington asked if Casa Grande would be affected by the interstate compact of parolees moving into the state, or were the services only for inmates coming out of a Nevada state facility. In response, Ms.

Wright said that the project was only applicable to Nevada inmates that had been paroled and the interstate compact would be affected, however, there was always the option of a paroled individual requesting to be supervised in another state with a solid placement program. She said any individual that had been paroled from another state and requested supervision from the state of Nevada, would not be appropriate to this program.

Assemblyman Anderson asked if the facility only included males. Responding, Director Crawford said that after Casa Grande had been established, NDOC would include a re-entry center for women, but the genders definitely would be separated in different locations.

Senator Washington asked what happened to juvenile inmates that were up for parole. In answer, Director Crawford said that when a juvenile was adjudicated as an adult, they were usually in for a very violent crime and as a result, they would not be included in Casa Grande, however, that did not mean the juveniles would be forgotten and NDOC was looking at alternatives. She said that Casa Grande was committed to non-violent offenders.

Senator Washington questioned the number of juvenile inmates and asked if a section of Casa Grande could be sectioned off for juvenile inmates. Director Crawford said the number of juvenile inmates had increased and there were approximately 120 juveniles under 18 years of age and approximately 800 juveniles under 21 years of age, and many were adjudicated as adults. She said more alternatives, solutions and programs designed for the rapidly growing youthful offenders were needed.

Senator Washington asked if NDOC had worked with the local entities to develop a transitional facility for youthful offenders. Responding, Director Crawford said that the Work Investment Board, Nevada Business and other businesses were beginning to focus on juvenile offenders and money would be available to them as they began to transition into the community. She said since many had committed serious crimes, their cases were looked at individually. She noted that federal money would help to develop a transitional program. Director Crawford indicated that a section of prison had been sectioned off for youthful offenders and it worked well. She said that the Committee could study legislation enabling NDOC to develop a transitional center for youthful offenders.

Director Crawford referred to Exhibit E, page 79, Adult Community Residential Centers and noted that the performance measures were very thorough and should be used.

Chairman McGinness indicated that in the business plan from NDOC, it was noted that 70 percent of residents would not return to prison within one year and he asked if that was the national standard or if NDOC established that percent. Director Crawford said that NDOC established that percent and believed that it was realistic.

Senator Washington commended Director Crawford and staff for their effort on the Casa Grande program and he said it was very exciting and cutting edge. He expressed concern over the statute for transitional housing and the difference between group homes, transitional homes and treatment centers. He asked for clarification of the statute, making it more user friendly for non-profit agencies and individual groups that wanted to establish these types of homes. He thought the local municipalities, county commissioners and state agencies would need to be involved to help understand the statute.

Assemblyman Anderson commended NDOC and P&P for working so well together and said that it was refreshing to see the agencies working for the good of the state.

III. PUBLIC TESTIMONY

Chairman McGinness asked if there was any public testimony and being none he expressed condolences to the family of Bob Arnold, from the Legislative Counsel Bureau, in Las Vegas, who recently passed away.

IV. DISCUSSION OF FUTURE MEETING DATES

Chairman McGinness said it was discussed that the next meeting would be on February 5, 2004, in Ely, Nevada and it would be tied to the Wilderness Subcommittee meeting held on February 6, 2004. He also noted that the Advisory Committee would meet on Wednesday, February 4, 2004, at 3:00 p.m. in Ely, Nevada.

V. ADJOURNMENT

The meeting was adjourned at 12:25 p.m.

Respectfully submitted,

Donna Thomas, Committee Secretary

APPROVED BY:

Senator Mike McGinness, Chairman

Date