

MINUTES

WAYS AND MEANS COMMITTEE

NEVADA STATE LEGISLATURE - 60th SESSION

February 22, 1979

Chairman Mello called the meeting to order at 8:00 a.m.

PRESENT: Chairman Mello, Vice-Chairman Bremner, Mr. Barengo, Mrs. Cavnar, Mr. Glover, Mr. Hickey, Mr. Mann, Mr. Rhoads, Mr. Vergiels, Mrs. Wagner, and Mr. Webb.

ALSO PRESENT: Bill Bible, Fiscal Analyst; Judy Matteucci, Deputy Fiscal Analyst; Mike Alastuey, Deputy Budget Director; Steve Robinson, Budget Office; Robert Gagnier, Executive Director, State of Nevada Employees Association; Charles L. Wolff, Jr., Director, Department of Prisons; Mike Medema, Chief Administrative Officer, Department of Prisons; Bryn Armstrong, Chairman, State Board of Parole Commissioners. (See guest list attached.)

BDR 23-160* and BDR 23-162**

Chairman Mello introduced Bob Gagnier of SNEA and asked Mr. Gagnier to address himself to these BDR's. Mr. Gagnier explained that one of the BDR's deals with payment for unused sick leave, and the other deals with longevity. They are both part of the negotiated agreement which was reached with the Governor.

The first, BDR 23-160, has two basic parts. The first part will lower the number of days of sick leave for new employees; that is, during the first six months of their new employment they will be unable to use any sick leave. This new sick leave policy will then be consistent with current annual leave policies. The second part has a graduated scale for paying employees for their unused sick leave. Currently, employees with 15 or more years of service can collect up to \$2,500 for unused sick leave over 30 days. This BDR will change the law so that an employee with between 10 and 15 years of service will get up to \$1,500. With 15 years of service or more, the employee can collect up to \$2,500; and with 20 years of service or more, an employee can collect up to \$3,500.

The other, BDR 23-162, proposes a change in the longevity plan--or career incentive--which currently tops out at 17 years of service. This bill will increase the upper limit from 17 years to 20 years. Chairman Mello indicated that Mr. Gagnier would like introduction of these two BDR's by the Ways and Means Committee. Motion made by Mr. Bremner, and seconded by Mr. Glover. Motion carried unanimously.

AB 295

Chairman Mello said the bill which makes appropriations to the emergency fund has been amended to delete Section 2. Motion made by Mr. Hickey "DO PASS, AS AMENDED," seconded by Mr. Bremner. Motion carried unanimously.

*AB 444
**AB 445

Assembly

DEPARTMENT OF PRISONS

ONE-SHOT APPROPRIATIONS

Chairman Mello introduced Mr. Wolff and Mr. Medema from the Department of Prisons.

Mr. Wolff explained the one-shot appropriation of \$200,548 for the Nevada State Prison are items that were not covered in the construction that is currently occurring at the maximum security prison. The items are for security equipment, medical and dental equipment, equipment for transportation, and communications equipment for internal security of the institution.

Mr. Bremner asked for a breakdown on the transportation equipment appropriation request for \$53,162. Mr. Wolff said the equipment cost includes two three-wheel, steel cab Cushman scooters with trailers for use inside the institution rather than using four-wheel vehicles. Mr. Wolff felt that the use of the scooters would enhance their internal security at the prison. The total for the scooters would be \$7,510. The transportation equipment request also includes a panel truck for the laundry, \$7,000; replacement of two station wagons, \$11,066; one three-quarter-ton pick-up as a state vehicle replacement, \$6,529; one compact pick-up for general maintenance use; and one forklift, \$17,000.

There is also a one-shot appropriation request of \$201,900 for the Southern Nevada Correctional Center which includes five-yard trash compactors, an x-ray package scanner for metal detection and for detecting other items of contraband, a five-yard dump truck, and a bus for correctional officers which is erroneously listed under the Northern Nevada Correctional Center. The bus would be used to provide transportation for employees at the Southern Nevada Correctional Center because of the distances they must travel to work. Most of the employees are at least 30 miles one-way from work.

Mr. Mann asked for clarification on the request to purchase a bus for transporting prison employees to and from work, and inquired whether or not this was a new approach in providing such service to employees. Mr. Wolff commented that the approach is not novel since some of the localities, such as Clark County, provide a travel allowance to their employees. However, the Department of Prisons believes that the most economical method for transporting their prison employees would be by bus. Mr. Mann said what we are actually talking about by providing the bus transportation service for employees is a fringe benefit. Mr. Wolff replied that was correct.

Mr. Glover asked about the appropriation request to buy an x-ray package scanner when he observed one already in use at the facility. Mr. Wolff explained that the x-ray package scanner currently on site is being leased, and the appropriation request is to purchase the equipment. Mr. Glover questioned the amount, \$19,000. Mr. Wolff explained that they are very expensive to purchase. The x-ray package scanner is the latest, most highly sophisticated, and most effective piece of equipment available to determine contents of letters and packages, and containers being brought into the institution.

Mr. Glover asked how much the lease is currently costing the Department for the package scanner. Mr. Wolff responded that the rent is \$1,500 per month.

Mr. Wolff detailed the items requested for the Northern Nevada Correctional Center. The equipment includes an inmate transportation van, \$9,000; and replacement of out-dated laundry equipment, \$100,000. Mr. Wolff added that other outside agencies have asked to have laundry service provided for them, and if the prison does provide such service, the laundry may become a self-supporting correctional industry. Additional equipment requested as part of the appropriation

includes a replacement cream separator, \$8,900; and a one-and-a-half-ton refrigerated compartment truck, which is a delivery vehicle for the dairy operation, \$15,000.

Mr. Wolff explained the warehouse fund request of \$250,000, a one-time appropriation necessitated by the State's accounting requirement to operate on a cash basis. The funds requested would be used solely for inventory purchases for the central warehouse.

Mr. Wolff addressed the \$3,500 one-time appropriation to the Prison revolving account. The accounting balance is currently \$1,500, and with the additional request for \$3,500, the balance would then be \$5,000. The increase is necessary because with the current inmate population, the account is constantly being overdrawn for release pay.

Mr. Medema presented the supplemental appropriation request for \$448,505. Three items are included: increased inmate population, \$326,592; unforeseen public utility fees at the Southern Nevada Correctional Center, \$93,125; and a Parole Board Psychologist position, \$28,788. The increased inmate population amount is based upon a projection made by the Department in November that has proven to be erroneous.

The Department predicted that they would have 1,445 inmates in-house by the end of 1978-79. Currently, there are 1,412 inmates in-house, and 1,445 are expected to be in-house by no later than the end of March. Four different methods for projecting prison population have been used in the last two years, and all have proven erroneous. Regardless of the method used, the prison population keeps increasing at an accelerated rate. One primary cause of the increase is court action mandating longer felony sentences.

The unforeseen public utility increase has come about because the Department based its original fund projection upon a contract that the State of Nevada had made with Mr. Peter Simon at the Jean facility. The utility rates at that time were to be based upon the prevailing rates in Las Vegas. After the contract, the 1977 Legislature changed the water quality standards within the State of Nevada; thus necessitating the installation of a special water treatment plant by Mr. Simon. Mr. Simon has applied to the Public Service Commission to be recognized as a public utility. If he succeeds in his request, the rates that he will then be authorized to charge will exceed the Department's budgeted amount for this fiscal year by \$93,125, which is the amount requested as part of this one-shot appropriation.

Mr. Medema explained that the \$28,788 amount requested is for the salary and overhead costs for a Parole Board Psychologist position. The State Parole Board has demanded a psychological work-up on all inmates being released that have a violent background. The Parole Board has made this request because of a successful lawsuit in Arizona that held Parole Board members personally liable for non-evaluated parolees released. The Budget Office approved the hiring of the psychologist on an emergency basis in July of this year.

Chairman Mello asked if this position has already been brought on board. Mr. Medema replied that it had. The position now is vacant because the person was appointed, through open competitive examination, to head of the Nevada Women's Correctional Center.

Chairman Mello further inquired if the position at the Women's Correctional Center was a new one or the filling of an already existing position. Mr. Medema responded that the position was an existing one.

Mr. Mann questioned the promotion of the party to another position when the Psychologist position they originally held was mandated on an emergency basis. Mr. Wolff said that although the Psychologist position is important, so is the Superintendent's position, and employees of the State of Nevada are allowed to apply for and qualify for open positions.

Mr. Glover asked if people in a supervisory capacity can also double as a psychologist if they are qualified. Mr. Wolff said they can.

Mr. Bremner asked about the total number of psychologists employed by the prison system. Mr. Wolff answered that in addition to this position, there is one full-time psychologist at the Northern Nevada Correctional Center, and one half-time psychologist at the Southern Nevada Correctional Center. An additional half-time position is requested in the budget which would make the Southern Nevada Correctional Center position full-time, making a total of three full-time psychologists.

Chairman Mello asked how many of the inmates to be released had violent backgrounds which required a psychological evaluation before being released by the Parole Board. Mr. Wolff said he would obtain the figures.

Mr. Medema explained that the one-shot appropriation of \$6,986 to the Office of Director was necessary because the 1977 Legislature inadvertently deleted the provision providing for the perquisites previously allowed the Director.

Chairman Mello inquired if legislation is needed to reestablish the perquisite funding. Mr. Medema said that SB 208 and AB 373 were being introduced to correct this problem.

CAPITAL IMPROVEMENT PROJECT 79-7, MEDIUM SECURITY PRISON, ELY

Chairman Mello directed the Committee's attention to Project 79-7, Medium Security Prison, Ely, and asked for a brief comment on this proposed project. Mr. Wolff said that since the mid-1970's, the prison system has experienced substantial growth in inmate population. Nevada is currently seventh in the nation in the number of people incarcerated per 100,000 population. Technically, the medium security prison facilities are currently "out of beds." The amount requested for the new medium security prison will only take care of needs through the up-coming biennium.

Chairman Mello asked Mr. Wolff to cite his priority list for location of this new medium security prison facility. Mr. Wolff said his first choice would be North Las Vegas; second, land adjacent to the existing Correctional Center at Jean; third, Reno-Washoe County area; fourth, land adjacent to the existing Medium Security Prison at Stewart; and fifth, Ely.

Mrs. Wagner questioned whether or not the Department had any long-range planning goals for future prison locations since Mr. Wolff had already indicated that the request for this medium security prison would only take care of current immediate needs. Mr. Wolff said the Department did plan on having some type of structured plan for future development of prison facilities.

OFFICE OF THE DIRECTOR

Mr. Medema explained that this budget essentially covers the administrative staff positions, salaries, and other related administrative overhead costs.

Chairman Mello requested clarification of the meals income account which shows no figures in the work program column. Mr. Medema indicated that the revenue derived from the meals income account came from a project that has not been contracted for during this year, so no income figures are shown in the work program column. Mr. Medema, further explained that there is a small amount of meals income from meal sales to employees of the institution.

Chairman Mello asked for clarification of Agency Services income. Mr. Medema responded that this revenue comes from housing out-of-state inmates in the prison system.

Mr. Medema detailed that the Equal Opportunity Specialist position, Personnel Tech position, Senior Correctional Specialist position, and Stock Clerk position located in Jean are currently vacant. Four positions have been transferred from the Director's Office to the medium security prison. The transfers are representative of the continuing effort being made by the Department to get the services being performed at each institution into the institution's budget, and charged there so the Department has a true reflection of costs for each institution. The four positions transferred are: Chaplain, Psychologist, Dentist, and Physician. The Physician, Range C, is the toughest and most difficult recruiting problem faced by the system. Mr. Wolff interjected that in order for the prison system to be able to employ a medical doctor, it appears necessary to elevate the salary for the position to a higher level than that paid by other agencies. He suggested \$60,000 per annum for a full-time medical doctor position.

Mr. Medema reviewed the budget requests for new positions. It is recommended that the Prison Mediator and Administrative Aide positions, which were being funded by a LEAA grant, be assumed by the General Fund in the upcoming biennium. The Prison Mediator has contributed to increased communications between the departmental staff and the inmates. An Accountant position is recommended for inmate trust funds which are independent of the State's accounting system. A Senior Account Clerk is recommended to handle the staff payroll. The final position requested is for a Pharmacy Assistant to assist the Pharmacist working out of the central office in the Northern Nevada facility. The Pharmacist fills 200 prescribed drugs each week, and it has been necessary to hire a nurse on a contract basis to assist the Pharmacist. State law precludes the prison system from having anyone but a registered nurse dispense medications to the inmates. In addition, only one pill at a time is dispensed to each inmate. A complete patient drug record and total drug count must also be kept for each inmate according to State law.

Chairman Mello asked which positions not recommended by the Governor are required by the Department. Mr. Wolff answered that their budget was cut by 23.5% by the Governor's office, and the requested positions left in the agency request are austere and limiting in scope. However, the Department believes they can handle their responsibilities with this reduced budget as recommended by the Budget Office.

Chairman Mello commented that the Governor sends in a "bare bones" budget in certain areas well knowing that he is going to ask the Interim Finance Committee to add funds to the budget after the session is over.

Mr. Hickey asked what happens by the Department not receiving the two mail inspector positions they requested. Mr. Wolff answered that the Department had requested the two mail inspectors to establish a central mail room control operation. For all practical purposes at the present time each institution is screening their own mail whenever they have personnel with free time available to handle the job. By not getting the two mail inspector positions requested, the Department will not have a central mail room.

Mr. Glover asked what kinds of problems are being experienced by the prison system in handling and controlling the mail. Mr. Wolff replied that with the x-ray package scanner previously mentioned, they have fairly good control over incoming mail and contraband. He indicated that most of the contraband coming into the institutions is coming in on people.

Mr. Glover asked about the grounds for the Department to open incoming mail. Mr. Wolff responded that all incoming mail is routinely opened. Outgoing mail is not checked. If legal mail is incoming, it is opened in front of the inmate and only checked for contraband.

Mr. Bremner pointed out that in looking through the Department's budgets there is a wide discrepancy between what was requested by the Department and what was actually granted, and asked if, in view of the increasing prison population, the prison system will have enough people on board to provide society with adequate protection. Mr. Wolff replied that it all depends on how the prison system generates the additional beds that are needed to house the inmates. In the second year of the biennium, there are 34 correctional positions approved, and these positions are all based upon projected growth in the inmate population. For the first year of the biennium, the current staff will be adequate, and in the second year of the biennium, how the Department manages with the additional staff "is anybody's guess."

Mr. Bremner reiterated that if the prison system does not have enough staff to responsibly perform their job then the Department should let the Committee know. Mr. Wolff said he was not trying to be evasive. The budget the Department had originally requested would fulfill most of the obligations of the Department of Corrections. The recommended budget does not contain any new programs or any requests for expansion of existing programs. The only additional recommendation the Department would make would be to establish a contingency fund, similar to the one in the last biennium, to deal with emergencies as they arise from the increased inmate growth.

Mr. Bremner commented that the Department currently has a very ambitious capital improvement program underway, and asked if the Department would still find the projects necessary without additional available staffing. Mr. Wolff said that most of the capital improvement projects covered will not have an operation budget impact in the upcoming biennium. Additional staffing will not be required until the next session of the Legislature.

Mrs. Wagner requested clarification on the reasons for eliminating the restitution fund program from the budget. Mr. Wolff said the funds were cut because the Budget Office would not allow any program expansion in any of the Department's budgets.

Chairman Mello asked if the Department still favored the restitution program and considered it to be a high priority item. Mr. Wolff said definitely.

Chairman Mello asked for an explanation of why and who travels out-of-state for the prison system. Mr. Medema answered that the \$3,000 requested is for the Director to attend the American Correctional Association annual conference with one other staff member. It also allows for one trip to personally contact LEAA officials in Washington, D.C., to obtain LEAA grant funds.

Chairman Mello requested an explanation of the in-state travel request for \$13,010. Mr. Medema explained that the in-state travel amount will allow for the large volume of travel between the Northern and Southern Correctional Centers.

Chairman Mello asked for clarification of the specialized equipment request in the amount of \$11,750. Mr. Medema answered that \$8,000 is designated for the purchase of an electrifier security storage filing system for the centralized inmate files; \$3,000 is for a weight scale to provide accuracy in weighing the meats and produce purchased from vendors to assure compliance with purchasing bids; and \$750 is for a two-way radio for the prisoner transportation van in each year of the biennium.

Chairman Mello questioned the 1977-78 aircraft expense of \$11,930. Mr. Medema could not immediately answer, but during the break, Mr. Medema said he checked the item and found that it was miscoded and in the wrong section of the budget.

Mr. Medema explained that currently inmates are given up to \$50 upon release from the institution. The Department is proposing, based upon their expected number of releases, to give each inmate released \$50 plus a bus ticket to anywhere within the Continental U. S., preferably out of Nevada. The Department requested an increase in gate money to \$100 for each inmate released, but the Budget Office recommended \$50.

Mrs. Wagner requested an explanation of the truck driving school funds. Mr. Wolff said that this past year, through CETA, the Department received funding for a simulator that was leased and other program materials. The school qualifies people completing the course to obtain a truck driver's license.

Ms. Matteucci asked who exactly participates in the truck driving school. Mr. Wolff answered that since the program is under CETA, private citizens can and have participated in the classes at the same time as the inmates.

SOUTHERN NEVADA CORRECTIONAL CENTER

The Southern Nevada Correctional Center was opened in January of 1978, with Phase II of construction completed in January of 1979. The Center is designed for medium security inmates who are readily programmable. The Center currently has 350 bed spaces, including security cells. There are 280 inmates in-house at the present time, and the population is expected to increase to 350 by mid-March. The emphasis of the institution is the work ethic. Inmates refusing or unable to program are sent to the Northern Institution.

Referring to the Meals Income account, Mr. Medema stated that the revenue is obtained from selling meals to employees of the institution.

The Prison Employee Services Income account is revenue derived from services performed by the inmates for the staff, for example; ironing.

Mr. Medema explained that three new positions are requested: one whole position and two partial positions. An Institution Business Manager is a full-time position recommended for the Southern Nevada Correctional Center due to the inability of the business staff at the Northern Center to effectively prepare, implement, and control the institution's budget because of geographical separation and remoteness of the Southern Nevada Center. A Medical Records Librarian is a half-time position recommended to be responsible to the physician for maintenance of all inmate medical records. A Psychologist position currently half-time is recommended for a full-time basis. The Psychologist is responsible to the Superintendent for preparation of evaluations on any disturbed inmate referred by a unit counselor.

The Operating Accounts are based upon inmate derived expenses, with the most significant item in the Operating Accounts being the utilities cost. The cost is based upon the previously explained request of Mr. Peter Simon.

Chairman Mello asked if any consideration has been given to installing the State's own utility plant. Mr. Wolff answered that there has been some light dialogue about the possibility of Mr. Peter Simon being willing to sell his present installation to the State, if the State is willing to buy it. Mr. Wolff added that it is his opinion that the State would be dollars and cents ahead if they elected to purchase the installation from Simon and run it themselves.

Chairman Mello asked how much Simon wants for his installation. Mr. Medema said Mr. Simon's asking price is \$1.2 million.

Chairman Mello commented that he had some figures for constructing an installation--a waste disposal plant and water facility--for \$1.4 million.

Chairman Mello asked if Mr. Simon's asking price of \$1.2 million was confirmed. Mr. Medema replied that a firm offer has not been extended.

Mr. Glover added that although the price for the installation seems to be reasonable, every time the State has had dealings with Mr. Peter Simon in the past, it has been a losing proposition for the State. Mr. Glover expressed reluctance in entering into any further agreements with Mr. Simon.

Mr. Mann asked Mr. Wolff to get a firm purchase price from Mr. Simon on the utility plant installation.

Chairman Mello added that it was also necessary to know the cost of operation. Mr. Wolff said he would follow through on both requests.

Mr. Medema stated that there is an additional problem at the Southern Center which has come up since the budget was prepared. The lime content in the water at the institution is so heavy that the water control valves, usually good for a five-year period, are being replaced on a yearly basis. To eliminate the problem, the Department is asking for an \$8,000 appropriation to purchase a water softener for the system. The water softener would resolve the problem with the water control valves; and, in addition, the State has considerable money invested in institutional laundry equipment which would suffer expensive future boiler damage without the water softener.

The specialized equipment includes \$30,000 for the parts to build a fire tanker for fire protection and for fire fighting equipment, and \$4,000 for replacement tools for the maintenance and medical/dental departments.

The amount recommended provides for continuing maintenance as required by court order without any expansion of the inmate law library.

Mr. Glover asked if the inmate law library request can be cut in any way. Mr. Wolff replied that the \$7,780 requested is the absolute bare minimum for continued operation.

The amount requested provides for continuation of the inmate recreation program (purchase of recreation equipment) plus maintenance of an inmate recreation library.

Mrs. Wagner asked what items the Department had in mind in their agency request versus the Governor's proposed budget. Mr. Wolff said the Department wished to fund a full competitive program. Mr. Medema said that of their original request of \$13,573, \$7,573 was to support a general use library at the Southern facility and \$6,000 was for the purchase of athletic equipment and for building a football/recreational field at the Southern Center, to cover inmate travel costs to participate in city athletic competition, and for funds to cover the cost of the annual awards for inmates who participate in the athletic and educational programs.

Mrs. Wagner asked if Mr. Wolff, as a correctional officer, felt that such a program was valuable to the institution. Mr. Wolff replied that it definitely was valuable as organized activities are one of the most effective ways of eliminating inner frustrations in a correctional facility.

Chairman Mello questioned if any inmate money was available to help fund the program. Mr. Wolff responded that some money is generated by nominal profits from the inmate-operated store and some funds are donated.

CAPITAL IMPROVEMENT PROJECT 79-1--MISCELLANEOUS IMPROVEMENTS, NORTH-ERN NEVADA CORRECTIONAL CENTER AND WOMEN'S CORRECTIONAL CENTER, CARSON CITY - \$427,300

Mr. Wolff explained that this project is a consolidation of a number of projects in the three Northern institutions. It is to replace fire alarm systems which were found to be deficient according to the State Fire Marshal. The alternate fuel system is for the Women's facility which currently has no such system. An expansion of a walk-in freezer at Stewart is recommended because of the increase in inmate population, and an expansion of the closed-circuit television system at the Women's facility is for monitoring areas where there is no daily supervision available.

CAPITAL IMPROVEMENT PROJECT 79-9--EMERGENCY POWER SYSTEMS, NEVADA STATE PRISON AND NORTHERN NEVADA CORRECTIONAL CENTER, CARSON CITY

Mr. Wolff stated that the funds requested, \$292,000, are to be used for an emergency power generator for the maximum security prison to provide stand-by power in case of power outages, and for two automatic transfer switches--one for each facility--and for a stand-by portable generator.

CAPITAL IMPROVEMENT PROJECT 79-12--PSYCHIATRIC UNIT, NORTHERN NEVADA CORRECTIONAL CENTER, CARSON CITY

Mr. Wolff explained that this will be a 30-patient unit to be placed at the medium security facility at Stewart to house and provide treatment for psychiatric cases that are acute and where treatment can be effective prior to the patient's return to society.

CAPITAL IMPROVEMENTS PROJECT 79-14--EXPAND EDUCATION BUILDING, NORTHERN NEVADA CORRECTIONAL CENTER, CARSON CITY

Mr. Wolff indicated that this project was to provide additional classrooms, faculty offices, and related facilities.

Mr. Bremner asked if there was some way a program could be set up to interchange with the community college instead of expanding the educational facilities at the prison. Mr. Wolff replied that the community college does come out to the prison to conduct classes, so the classroom space at the prison is still required because of the number of inmates involved in the programs.

Mrs. Cavnar asked if the recommended expansion included the vocational building covered earlier. Mr. Wolff indicated that the two were separate projects.

Mr. Mann requested a list on utilization in the present classrooms, number of students enrolled in the classes, and the classes that are offered. Mr. Wolff answered that the information has been provided.

CAPITAL IMPROVEMENTS PROJECT 79-18--FOURTH VOCATIONAL BUILDING, NORTHERN NEVADA CORRECTIONAL CENTER, CARSON CITY

Mr. Wolff explained that this is a multi-purpose vocational building, but if legislation currently introduced passes, this facility will probably become an industrial shop to manufacture products to place the correctional industry on a self-supporting basis.

Chairman Mello questioned the low figure, \$35,800, for furnishings. Mr. Wolff replied that they will need more funds in the future for furnishings but once the industry is established they will generate their own monies to purchase the needed equipment.

Mr. Bible asked how can they generate money to buy the equipment when they do not have the initial equipment to manufacture the product. Mr. Wolff answered that the Department's request for equipment is a minimal amount necessary to start up the prison industry.

Mr. Medema explained that the Northern Nevada Correctional Center was opened in the 1960's as a minimum/medium security institution with an ultimate designed capacity of 522. Since the opening, the facility has been expanded to its present capacity of 612. The impetus of this institution is work training, educations, and teaching job skills.

Mr. Medema explained that the farm income revenue is the most significant of the income accounts. The prison operates a dairy farm at the Northern Nevada Correctional Center, selling milk to the institutions within the prison system and to the Childrens' Home. The Department charges 10¢ below the current wholesale price per gallon. The farm charges \$1.35 per gallon if the other agency supplies the containers, and \$1.45 per gallon if the prison dairy farm supplies the containers.

Mr. Medema indicated that the Meals income account reflects the sale of meals to the institution staff, and the revenue generated from the Department's agreement with the Clear Creek Youth Camp for meal services. The Youth Camp reimburses the Department on a cash basis.

This income account shows the amount of funds provided by the Parke Davis Company for security officer salaries at the plasma center located within the confines of the institution. This project is a primary source of income for the inmates, and they also receive "good time" credit for participating in the program.

The Governor is recommending five and one-half new positions for the Northern Nevada Correctional Center. The positions requested include an Administrative Aide II to assist in typing the Parole Board reports, Pardon Board reports, admission summaries, and psychological evaluations, plus any other correspondence which cannot be handled by inmate clerks. A Dental Lab Technician is needed to assist the Dentist in operation of the dental laboratory which provides all dental materials for the Department, thereby reducing overall medical costs. A Locksmith is recommended to help keep pace with the repair and upkeep of institutional locks and locking systems. A Cook III is recommended to aid in the supervision of all meal preparation utilizing inmate labor. A Medical Records Librarian is a half-time position necessary to maintain inmate medical records and to bring them up to standard. A Registered Nurse is also requested to work with the medical doctors.

NEVADA STATE PRISON

Mr. Medema explained that the Nevada State Prison, commonly known as the "max unit," is the maximum security institution of the Department. The facility is located upon the site of the original State Prison. Currently, under extensive re-modeling construction, the facility will be designed to hold 288 medium to maximum security inmates with six segregation or disciplinary cells available when necessary.

New positions recommended in the first year of the biennium total six and one-half. Mr. Medema explained that in the medical area, an additional Senior Physician position is needed, a half-time Medical Records Librarian, two LVNs, a Registered Nurse, a Psychologist position, and a Cook III position are requested. In the second year of the biennium, 33 Correctional Officer Trainees are recommended to make possible the opening of the new housing units now under construction.

HONOR CAMP

Mr. Medema said that the Honor Camp is adjacent to the Northern Nevada Correctional Center at Stewart. It was started two years ago on an experimental basis. An agreement has been reached with the Forestry Department that establishes that the Department of Prisons is responsible for the Honor Camp itself, with Forestry responsible for the staffing and the funding for the work crews once they are outside the facility. The Department is requesting \$60,000 to add three trailers to the Honor Camp to expand the program, and \$7,539 to enable the Department to start cooking and providing meal service at the Camp.

NEVADA WOMEN'S CORRECTIONAL CENTER

CAPITAL IMPROVEMENT PROJECT 79-8--ACTIVITY BUILDING, WOMEN'S CORRECTIONAL CENTER, CARSON CITY

Mr. Wolff stated that this project involves construction of a kitchen-dining hall complex with craft, music, activity, and recreational facilities.

CAPITAL IMPROVEMENT PROJECT 79-15--VOCATIONAL BUILDING, WOMEN'S CORRECTIONAL CENTER, CARSON CITY

Mr. Wolff explained that this project requires construction of multi-purpose classrooms and shop facilities for occupational training. It is hoped that a garment factory can be established that will provide skill development for the inmates plus provide economies to the Department by having garments, sheets, towels, and other cloth material items manufactured within the prison facility.

CAPITAL IMPROVEMENT PROJECT 79-39--MEDICAL-DENTAL BUILDING, WOMEN'S CORRECTIONAL CENTER, CARSON CITY

Mr. Wolff explained that this project will provide infirmary facilities for examination and treatment, and may be constructed as part of the Vocational Building. Adequate space is required for the doctor and the dentist to perform the services necessary for the inmate patients. The facilities at the present time are extremely restrictive.

Mr. Medema explained that the Nevada Women's Correctional Center provides all the services in housing incarcerated female felons in Nevada. The institution was initially opened during the 1960s with several add-on phases.

Mr. Medema explained that Work Experience Income funds are generated by women working outside the facility in a manufacturing plant. The manufacturing plant pays for part of the cost of security and the transportation to and from the plant and meal cost while at the plant. The program has now ended as the manufacturer has left the area, but two other plants with similar programs are being established. Mr. Wolff added that no private citizen jobs are displaced by the inmate labor.

Mr. Mann questioned whether or not the Department of Prisons was entertaining the idea of taking part of the funds mandated as savings for inmates and directing the monies into a restitution fund for victims of crime or family support program. Mr. Wolff answered that when the work experience program is reinstated, the idea of restitution or family support will be given serious consideration.

Mr. Medema continued that new positions requested in this operating budget are a General Building Tradesman to provide all maintenance within the facility. A Cook III position is also recommended, and a Vocational Education Instructor position to provide for the development of business skills within the institution. There are also nine Correctional Officer and Trainee positions funded to provide security in the new 54-bed housing unit. These positions are currently authorized on a temporary basis.

NEW PRISON

Mr. Medema explained that this account represents the preliminary groundwork personnel and operating costs for the recommended new male institution. The Department is requesting four positions to be authorized on a half-time basis. These positions will be the

Superintendent, his secretary (a Supervising Administrative Aide), a Correctional Captain, and a Maintenance Supervisor. The four positions requested are the "key" positions for defining the operations of the unit. By having the staff on hand for six to nine months prior to the operation of the institution, it will be possible to phase the institution into the prison system with a minimal amount of problems.

PRISON GRANT ACCOUNT

The Department is eligible to receive grant awards from the Law Enforcement Assistance Administration, National Institute of Corrections, Comprehensive Employment and Training Act, and other Federal and non-profit organizations. All grants that the Department of Prisons receives are reflected in this account. This account permits the Department to monitor the grants, chart the expenditures, and provide a good financial reflection of the total amount of funds brought into the prison system.

Chairman Mello asked what happens to the people working in the grant funded programs when the grants expire. Mr. Medema replied that when the personnel are originally hired, they are taken on board on a temporary basis and when the grant expires, their employ is also terminated.

PRISON WAREHOUSE FUND

The Prison Warehouse Fund was created by the 1977 Legislature at the request of the Department. A one-shot appropriation of \$250,000 is recommended to establish a sufficient cash balance to permit operations within the State Accounting System. The Warehouse Fund provides all of the purchasing and inventory maintenance for all facilities in the prison system.

PAROLE BOARD

Chairman Mello introduced Bryn Armstrong, Chairman of the State Board of Parole Commissioners.

Mr. Armstrong explained that the State's first Parole Board was created by the 1977 Legislature and since that time, the Board has held 2,200 parole board hearings. In addition, the Parole Board is also part of the prison disciplinary system since the Board holds full-scale due process hearings for taking away statutory "good time." The Parole Board also holds work release hearings, and parole revocation hearings. Each hearing takes an average of one-half hour, but each Commissioner spends two hours in pre-preparation time for parole eligibility evaluation.

Mr. Armstrong indicated that the budget has a few problems which need to be reviewed with the Committee because the Budget Office has recommended restoration of some of the original agency requests. Specifically, this restoration of funds requested is reflected in the in-state travel account and in the contract services account.

The Budget Office determined that three days would suffice for parole hearings at the Jean institution, and revocation hearings in Las Vegas. Mr. Armstrong stated that through a series of discussions with the Budget Office, it was agreed that the three day time limit was not a realistic approach. The number of hearings at Jean has increased from 8, originally, to an anticipated amount of 35 parole hearings each month. In addition, because of the increase in the prison population with more offenders out on the streets on parole, the number of parole revocations has also increased. In June, 1978, five revocation hearings were held; in July, 1978, nine were held; and that number has now increased on a monthly basis to fourteen.

Mr. Armstrong explained that there is a vast difference between a parole hearing and a revocation hearing. Under a U. S. Supreme Court decision, a person accused of violating his parole is entitled to a preliminary inquiry at which he can produce witnesses; is entitled to retain counsel; and is entitled to cross-examine adverse witnesses. When probable cause is found, that person accused of a parole violation appears before the Parole Board, and he is again entitled to counsel. If his revocation is not based upon a new conviction, he is also entitled to present witnesses; is entitled to confront adverse witnesses; and is entitled to introduce affidavits and other legal documents of that nature for the record. In other words, the Parole Board is conducting a "mini-trial."

Therefore, the Budget Office is introducing a revised funding recommendation to increase their in-state travel request to \$13,264 in the first year of the biennium and to \$13,560 in the second year, which was the original agency request.

Chairman Mello questioned if the in-state travel account would require an increase if the new prison is constructed in Ely. Mr. Armstrong replied that the amount necessary would increase by \$8,000 to \$9,000 per annum if the prison is built in Ely.

Mr. Armstrong explained that the contractual services account provides for payment to hearing representatives who are authorized by law to sit in at regular parole hearings. These hearing representatives become necessary when the regular Parole Commissioner has to disqualify himself. There is also vacation and sick time to be covered. The original agency request was for \$1,500 in each year of the biennium, and the Budget Office will recommend that amount.

Mr. Armstrong continued that another budgetary problem has arisen since last month after the budget was prepared, and that is a new employee who came on board who is entitled to longevity pay which amounts to \$350 in the first year of the biennium and \$375 in the second year.

Chairman Mello asked if the standards for parole decrease as the prison population increases. Mr. Armstrong replied that the Parole Board is restricted by law to grant parole only to those inmates who have a reasonable chance of making a successful parole, and further, whose release will not constitute a menace to society.

Mr. Mann requested clarification on the earlier testimony that a Psychologist was hired by the prison system to meet the Parole Board's increased demands for a psychological evaluation before parolee release. He asked if the vacating of the Psychologist position has effected the Board's ability to effectively function. Mr. Armstrong replied that the Board has been provided with a psychological evaluation on all prisoners that fall within the general category for which the Parole Board requested evaluation. The Board will not parole until such psychological documents are in their hands.

Mr. Hickey asked if the recidivism rate has changed since the Parole Board has been functioning. Mr. Armstrong said that he can't specifically comment on the exact impact, but the recidivism rate in Nevada, according to the statistics that the prison system uses, is approximately the same as the national average--about one-third. However, Mr. Armstrong added that Nevada differs from the rest of the nation because Nevada has more people placed back in the prison system for parole violation as opposed to committing a new crime, because Nevada law enforcement agencies pick up the violators faster when parolees begin to deviate and return to former life styles.

Mr. Armstrong commented that the Parole Board has a supplementary appropriation bill being introduced for the current fiscal period to handle the Jean travel fund problem. The amount requested is \$3,170 for additional travel funds to Jean.

Chairman Mello directed the Committee's attention to the Minutes of February 8, 1979. Motion to adopt the Minutes of February 8, 1979, made by Mr. Mann; seconded by Mr. Vergiels. Motion carried unanimously.

Motion to adopt the Minutes of February 7, 1979, made by Mr. Barengo; seconded by Mr. Vergiels. Motion carried unanimously.

Motion to adopt the Minutes of February 9, 1979, made by Mr. Vergiels; seconded by Mr. Mann. Motion carried unanimously.

Motion to adopt the Minutes of February 12, 1979, made by Mr. Mann; seconded by Mr. Vergiels. Motion carried unanimously.

The meeting adjourned at 10:46 a.m.

DATE: 2-22-79

WAYS AND MEANS COMMITTEE

GUEST LIST

NAME (PLEASE PRINT)

REPRESENTING:

ERIC MOON

AMERICAN FRIENDS SERVICE COMMITTEE (A.F.S.C.)

Rhea Rolfe

" " " " "

Bill Flanagan

SMC

RALPH HANDELMAN

ALL-KIE ASSOCIATES