

MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON JUDICIARY

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE

January 28, 1981

The Senate Committee on Judiciary was called to order by Chairman Melvin D. Close at 9:10 a.m., Wednesday, January 28, 1981, in Room 213 of the Legislative Building, Carson City, Nevada. Exhibit A is a copy of the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator Melvin D. Close, Chairman  
Senator Keith Ashworth  
Senator William Raggio  
Senator Don Ashworth  
Senator Jean Ford  
Senator William Hernstadt  
Senator Sue Wagner

STAFF MEMBERS PRESENT:

Iris Parraguirre, Committee Secretary

Senator Sue Wagner explained that the five bills being considered at this hearing were the result of efforts of the Sub-Committee on the Nevada Prison System, established by the Legislative Commission. The sub-committee was asked to study several areas dealing with the prison system. It was asked to examine the need for additional construction within the prison system and to study the costs and locations of any additional construction. The effectiveness of the state prison system in rehabilitating inmates was studied. The major portion of the study was the consideration of alternatives to incarceration, including the cost of those alternatives. See Exhibit C attached hereto.

Senator Wagner stated that the committee made twenty recommendations which have been incorporated into the five bills being considered before this hearing. These recommendations were approved unanimously by the sub-committee, with one exception.

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Senator Wagner explained that the primary reason the sub-committee was established was to examine the ever-increasing appropriations being allocated to the Department of Prisons and to look at more cost-effective ways of dealing with criminal offenders. More funds were allocated in the 1979 legislative session than were allocated in the 1971, 1973, 1975 and 1977 legislative sessions, and Governor List made it quite clear in his State of the State address that he feels this pattern will continue.

SENATE BILL NO. 55:

Revises eligibility for preliminary evaluation of convicted felons.

Senator Wagner stated that last session, Senate Bill No. 575 was enacted which provided for the commitment of certain convicted felons to the Department of Prisons for a period not exceeding 120 days for evaluation purposes prior to sentencing. See Exhibit D attached hereto. To be eligible for the evaluation program, Senator Wagner explained, the convicted felon must "have never been held in any detention facility for more than 30 consecutive days." Only 11 individuals, as of April 1979, had entered the evaluation program. Testimony before the sub-committee indicated that the law excludes individuals from the program who had been unable to post bail and had been held in a county jail for more than 30 days. The sub-committee felt the law was too restrictive and Senate Bill No. 55 proposes to change the language to "sentenced to imprisonment and never have been sentenced to imprisonment for more than six months." This was recommended by many agencies dealing with the criminal justice system and the sub-committee heard no opposition to this concept of expanding the law to include more individuals.

Senator Hernstadt asked why the bill wasn't changed to read "excluding the events that would be subject matter of the evaluation" rather than changing the wording from 30 to six months.

Mr. William Bible, Fiscal Analyst for the Legislative Counsel Bureau, replied that Senator Hernstadt's suggestion creates the possibility that a person would be excluded from the program who was being held in jail more than 30 days awaiting sentencing and perhaps that sentence turned out not to be for incarceration. The present language does not address a person's guilt or innocence in establishing 30 days as criteria for entering the program, he explained.

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Mr. Charles I. Wolff, Jr., Director of the Nevada Department of Prisons, stated that the Assembly inserted the 30-day measure into the law last session because it wanted to restrict the number of inmates that could be considered for the 120-day program. The provision has been found to be so restrictive that some judges simply ignore it. Also, he explained, most people who have any prior charges pending will spend more than 30 days in a facility before they can ever be considered for the evaluation program or sentencing.

Mr. Wolff suggested eliminating lines five and six of the bill, which read: "held in any detention facility for more than 30 consecutive days," and, instead, giving the judge the discretion to permit anyone to participate in the program who he feels needs evaluation.

Chairman Senator Close asked what the success rate has been with people who have already participated in the program.

Mr. Wolff stated that of the 53 participants, 36 were recommended for probation, five were recommended for prison, 12 are currently in-house and five were received in the last 14 days and evaluation has not been completed. Four returned from court sentenced, two violated probation, and in three cases, the judge did not follow the recommendation of the Department of Prisons. Mr. Wolff stated it seems that for the most part, the program is successful. Only four participants have returned to prison with a felony sentence.

Senator Hernstadt said that the original idea for this bill was to be a deterrent by showing criminals what it is like in a prison, which would hopefully discourage them from repeating violations. He asked Mr. Wolff what the additional benefits were of extending the period to six months.

Mr. Wolff responded that he felt there shouldn't be restrictions on options because it is not uncommon for individuals to spend more than six months in a local jail, whether he be a first offender or has had prior probation. The law as it presently reads discriminates against people who cannot make bail. Because they cannot make bail, they are ineligible for the program.

Mr. Robert Linderman, secretary of the Northern Nevada Chapter of the American Civil Liberty Union of Nevada, stated that the ACLU agrees the law should be changed because the present law discriminates between those who are able to make bail and those who are not.

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Mr. Bud Campos, Director of the Department of Parole and Probation, stated he supported the bill but would like to see the courts have a greater role in determining who is suitable for the program. The program has a two-fold purpose. One is the shock effect for deterring repeat violations and the other is to give the court more information on the criminal. He also suggested stipulating this bill is intended to cover criminal activity in adult life so that a person's juvenile activities would not make him ineligible for the program.

SENATE BILL NO. 36

Relaxes requirements for assignment of prisoners to honor camps.

Senator Wagner explained Senate Bills 36 and 29. See attached Exhibit E.

Mr. Wolff stated that removing assault restrictions would enable filling the appropriated beds available in the honor camp program. He also proposed changing lettered (d) to read "has committed a battery upon any person during the previous year" rather than "has committed an assault upon any person." This would give incentive on good institutional behavior for inmates who would like to participate in the honor camp program. He also stated that by supporting these bills, the most economical applications to the problems of over population in the prison system would be addressed.

Senator Hernstadt asked if these kinds of procedures addressed in the five bills would endanger the public's safety and welfare. Mr. Wolff indicated that the public would not be endangered.

Senator Keith Ashworth asked if the use of the word "assault" included assault with a deadly weapon. Mr. Wolff replied that the definition of assault, although it includes use of a weapon, is much broader than that. Senator Keith Ashworth stated he would agree to changing the law to exclude minor types of assaults but would not agree to making people eligible who have committed assaults with deadly weapons. He stated that he had heard the Attorney General's office media campaign, which states, "Commit a crime with a gun, go to jail." It does not say go to an honor camp. Mr. Wolff stated that the classification committee in the Department of Prisons would restrict individuals who it is felt have the potential to be assaultive and they would not be allowed to participate in the honor camp program.

Senator Wagner explained that the sub-committee felt it would be more appropriate to leave much of the discretion on who would be eligible for these programs to the Director of the Department of Prisons and its system, rather than mandating everything in law.

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Chairman Senator Close asked what security was imposed on the honor camp inmates at night. Mr. Wolff stated that they are kept in a fenced enclosure. The Chairman then asked how many inmates had walked away from honor camps in the past year. Mr. Wolff replied that one inmate walked away from the Northern Nevada honor camp and two walked away from the Lincoln County honor Camp, and that nine inmates had walked away from each of the two restitution centers in the past year. When asked by Chairman Senator Close if there was less security at the restitution centers than at the honor camps, Mr. Wolff stated that the restitution centers have personnel on hand 24 hours per day, but basically these people are scheduling and planning jobs. The inmates are not supervised during hours of work during the day. He indicated that the evaluation criteria was more lenient for those going to a restitution center because of the restrictions of the law.

Mr. Wolff was asked to supply to the committee statistics showing what escapees have done, how many have been caught and brought back, and how many have committed crimes while they have been gone, in addition to a count on how many people participated in restitution centers and honor camps.

Senator Raggio asked when inmates were considered eligible for the program. Mr. Wolff replied that they were generally considered eligible when they have one year or less remaining on their sentences. In reply to Mr. Raggio's question concerning the eligibility of persons who have committed sexual assaults, Mr. Wolff stated that they are not allowed in the program.

Senator Hernstadt asked if sexual offenders are not allowed to participate in these programs, why type of interim adjustment is provided to them after they have completed their sentences and are to be released from prison to phase them into society in an orderly way.

Mr. Wolff responded that sexual offenders are given psychiatric or psychological treatment within the institutions, and that public opinion plays a role in keeping sexual offenders out of these programs. He stated that sexual offenders are not the only types of people restricted from participating in a program like these. If the classification committee feels inmates are not likely to succeed on the program, they are not allowed to participate.

Senator Raggio stated he was having difficulty identifying the people the Department of Prisons is concerned with when asking

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to remove the assault restriction from the law, since people who commit simple assaults don't go to prison. He asked for a profile of the individual incarcerated in prison who would be restricted by the present law's term of assault. Mr. Wolff replied the evaluation committee uses the definition of assault provided by the statutes. The statutes cover almost any violence or the potential of violence occurring in the commission of a criminal act.

Senator Raggio asked where the honor camps were in proximity to urban centers. Mr. Wolff stated that the honor camp in Stewart was very close to Carson City and the Lincoln County honor camp is a little over one mile from Pioche.

Mr. Keith Ashworth stated that the problem appeared to be there was overcrowding in maximum security and there were empty beds in restitution centers and honor camps which would not be filled to alleviate the overcrowding conditions in the maximum security facilities because the law was so restrictive.

Mr. Robert A. Lippold, a correctional consultant from Carson City, stated that unless diversionary programs such as honor camps and restitution centers are developed, very expensive prison construction must be undertaken. These bills in question establish more flexibility for the restitution center.

Mr. Lippold stated that if an assault is listed on an inmate's rap sheet, he is automatically disqualified from entering the program even though they are able to work with the forestry crews and have done so for a period of years but are unable to be placed out into the honor camps simply because of the restriction. The Department of Prisons is interested in giving inmates who have a history of assault an opportunity to participate in the honor camps after they have shown a change from their assaultive behavior after a long period of time.

SENATE BILL NO. 29

Extends program of restitution by certain offenders.

Senator Wagner explained that Senate Bill 29 basically reinstates the restitution program that was established last session. The program will expire by law July 1, 1981. Despite the fact that the bill appears to have all new language, there are really only two minor changes. Page two, section eight, lines 24-26 expands the definition of someone who can be involved in this program. The provision was included to permit an inmate to initiate himself in the restitution process by volunteering

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to make restitution to the victim. The other change is in section nine, page two, line 37, where there is a delineation of what the remainder of wages are used for to include #3 (line 37) for the inmates own account to prisoner's personal property fund. That was not spelled out in the previous legislation and that is a current practice.

Senator Raggio asked where people live when they are working in the restitution program. Mr. Wolff stated the prison department has leased a small motel in Washoe County (12 to 15 rooms). A building is leased in southern Nevada which has been renovated.

Mr. Wolff asked for the addition of "Government entity" in the definition of a victim in section four.

Mr. Wolff also stated that the Department of Parole and Probation requested the added amendment be considered, stating "a center for restitution which is established pursuant to this act may be used to quarter prisoners enrolled in a work-release program." This would allow the use of extra beds for work release inmates, who would reside at the center and pay his maintenance.

Chairman Close asked Mr. Wolff how much money had been paid in the past to victims from the perpetrator of crimes. He replied that as of October of 1979, something in excess of \$17,000.00 had been paid back in the northern Nevada restitution center, and that the state has collected in the neighborhood of \$40,000.00 in what is called a "maintenance charge" that the inmates pay for residing in the center for the period of restitution.

Senator Hernstadt asked Mr. Wolff to detail an inmate's earnings and where the money goes.

Mr. Wolff responded that the average hourly rate of income in Washoe County is \$5.24 per hour. Social security and income tax is deducted from their paychecks. A certain percentage of the committment for repaying restitution is deducted, as well as the maintenance charges. \$7.50 per day is deducted for maintenance. Also, clothing expenditures and transportation expenditures are deducted. If there is any money left over, it goes into the inmate's account for release purposes.

Senator Wagner suggested that within the bill, the inmate enters into a contractual agreement setting out what will be paid out of his wages. Chairman Close asked Mr. Wolff to provide the committee with some hard figures on where the inmate's earnings go.

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Mr. Bud Campos, Director of the Department of Parole and Probation, suggested that the bill be amended stating that persons approved for the work-release program could be housed in the restitution centers. If inmates in the work-release program could be housed in centers closer to their work rather than at prisons, it would reduce the transportation costs incurred by transporting them from the prisons into the towns where they work. Mr. Wolff stated that he endorsed Mr. Campos' proposal.

Senator Raggio asked what incentives existed to make the inmates apply for the restitution program. Mr. Wolff stated he felt more incentives were needed, however, people participating in the restitution program are given extra consideration from the parole board.

Ms. Phyllis Kaiser, representing the American Friends Service Committee in Reno, stated she supported further consideration for the restitution center. She said inmates participating in the restitution program put themselves into triple jeopardy. They are serving time for the crime they committed, they are fulfilling certain specific treatment requirements, and they are paying money for the crime. These three elements inhibit inmates from participating in the program. Consequently, inmates participating in the restitution program should receive some special consideration. She said the committee should consider the financial cost. The restitution program costs \$600.00 per year per inmate versus \$10,000.00 for being housed in the prison. She also asked the committee to consider the human cost.

Wesley Frensdorff, Episcopal Bishop for Nevada and president of the Nevada Conference of Churches stated he supported the report and recommendations of the sub-committee. He supported providing more alternatives and giving the classification system more flexibility. He felt incentives and atmosphere must be provided that will increase the probability that a person will become rehabilitated. He stated Sheriff McCarthy of Las Vegas supported the sub-committee's recommendations.

Senator Raggio said he felt the initial offender should be dealt with more effectively as they are usually granted probation by the courts, however, the probation departments are not staffed sufficiently to deal with the first offenders. He stated money would be much better spent to staff the probation portion of the system so that the first offenders could be given guidance, help and assistnace in obtaining employment since they don't have the disadvantage of being incarcerated or being made into the hard-core individual.



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SENATE BILL NO. 43

Authorizes establishment of residential centers by Department of Parole and Probation.

Senator Wagner explained that Senate Bill 43 is a new concept which would develop residential centers to house individuals who had not served prior prison time. The sub-committee felt that it would not be wise to co-mingle individuals who have served prison terms with those who have not. SB 43 specifically states that the proposed multi-purpose centers not be used to house parolees. The advantages of this program would be the resident would earn money to provide financial support for his family, he would pay taxes, he would contribute a portion of his income to room and board. The Department of Parole and Probation indicated this bill could result in approximately 150 fewer prison commitments per year, and the cost would not be substantially different from the cost of maintaining a person in prison.

Senator Raggio stated he endorsed this concept but would like to see programs where more supervision would be provided for the people on probation who are not living at residential centers.

Mr. Bud Campos stated he supported the bill but would recommend some minor amendments. He asked that on page one, line six, where it says "felony" be changed to "crime." He stated that the restrictive use of the word felony would mean that anyone convicted of gross misdemeanors would not be able to be placed in these centers. He indicated that about one-third of the district court convictions are gross misdemeanors. He also asked that in Line 17, the line "report of the pre-sentence investigation" be deleted, insert "by the Department of Parole and Probation." The department wants to maintain control over who goes into these centers so that the courts would not place people who would be inappropriate into the centers, which could easily cause the destruction of the center and the program.

Mr. Campos also asked that line 20, reading "determine fixed amounts to be deducted from the wages from each probationer assigned to a residential center to partially offset the cost of providing the probationer with housing, meals, and medical and dental services at the center" be changed to delete the reference to medical and dental services. It is not traditional in houses of this type to assume responsibility for medical and dental expenses. The probationer would be in charge of any money left over.

Mr. Campos explained that the whole emphasis of the center will be on coping with everyday life so that some level of stability within the community can be achieved. He indicated that most of

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the types of people who would be assigned to this program would be the borderline types of cases that don't need long-term structure but are a little too unstable to be allowed no supervision at all. Lacking this type of program today, the only alternative is to sentence these borderline cases to prison. The department estimates that the prison population would be reduced by 100 per year by the institution of the proposed centers.

Mr. Linderman stated that ACLU supports the basic concept of alternatives to prison, particularly SB 43. This concept would prevent borderline cases from becoming hard-core and would provide an economical alternative to the high expense of prison expansion.

Ms. Barbara Durbin, Deputy Chief of Parole and Probation, discussed line 3 on page two which "requires the earnings of a probationer assigned to the residential center to be paid directly from the employer to the department." She suggested that to avoid burdening the employers by having to change the payee of a check that the multi-purpose probation centers be handled in the same way as the work release programs in which the work releasees are responsible for turning in their checks.

Mr. John Smalley, representing the American Friends Service Committee in Reno, stated his group advocates alternatives to prison incarceration and are encouraged by SB 43. However, the organization is concerned that in supporting this concept, there will be no increase in the number of persons in the proposed custodial setting who, if there was not a multi-purpose center, would have remained in the community on probation.

The meeting was adjourned at 11:00 a.m. and the bills not discussed on this date will be discussed on January 29, 1981.

Respectfully submitted by:

  
Iris Parraguirre, Secretary

APPROVED BY:

  
Senator Melvin Close, Chairman

DATE: 1-28-81

SENATE AGENDA

EXHIBIT A

COMMITTEE MEETINGS

Committee on Judiciary, Room 213.

Day Wednesday, Date January 28, Time 9:00 a.m.

S. B. No. 28--Creates committee to select sites and design for prisons.

S. B. No. 29--Extends program of restitution by certain offenders.

S. B. No. 36--Relaxes requirements for assignment of prisoners to honor camps.

S. B. No. 43--Authorizes establishment of residential centers by department of parole and probation.

S. B. No. 55--Revises eligibility for preliminary evaluation of convicted felons.

ATTENDANCE ROSTER FORM

COMMITTEE MEETINGS

SENATE COMMITTEE ON JUDICIARY

EXHIBIT B

DATE: January 28, 1981

<u>PLEASE PRINT</u>	<u>PLEASE PRINT</u>	<u>PLEASE PRINT</u>	<u>PLEASE PRINT</u>
<u>NAME</u>	<u>ORGANIZATION &amp; ADDRESS</u>	<u>TELEPHONE</u>	
Robert Bayer	Dept of Prisons	885-5715	
THOMAS ROBINSON	" " "	355 5045	
Walter Kelley	" " "	935-5269	
Frank K... (faded)	" " "		
J. Morrow	Apprentice		
McFann	Reno Newspapers		
ROBERT A. LIPFOLD	Correctional Consultant	883-1557	
WESLEY FRENSDORFF	BISHOP OF NEV / PRES NV CONF OF CHURCHES	747-4949	
Bruce Bruman	St. Paul's Episcopal Church Box 548 Elko, NV 89801	738-6104	
ROBERT LINDERMAN	AMERICAN CIVIL LIBERTIES UNION OF NEVADA	358-6253	
William Birk	L.C.B.	5640	
Paul Langer	People & Prof.	5040	
Tom Spivey	AFSC Reno		
William H. H...	AFSC Reno		
William H. H...	AFSC Reno		

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Alternative Forms of Incarceration:

EXHIBIT C

Page 1

~~As previously detailed in this report,~~ the Department of Prisons currently operates honor camp and restitution programs that allow inmates to live and work away from the more structured, institutional prison environment. The Honor Camp Program was reestablished by the legislature in 1977 through the appropriation of funds to establish a 36-inmate camp or Prison Farm adjacent to the Northern Nevada Correctional Center. In reestablishing the camps, which had been closed in the late 1960's, the legislature, in chapter 512, detailed a number of qualifications that must be met before an inmate could be assigned to a camp. These qualifications included the provision that an inmate would not be eligible for assignment to a camp if the inmate had "committed an assault on any person."

In 1979, the legislature expanded the Honor Camp Program by appropriating funds to expand the Northern Camp to 100 inmates and to start a 36-inmate camp in southern Nevada (Lincoln County). The 1979 Legislature also provided for two restitution centers, one in Washoe County and one in Clark County, with a capacity of between 30 and 40 inmates each.

These two programs provide the Department of Prisons additional flexibility in placing and programming inmates and provide additional bed capacity at considerably less cost, both capital and operating, than the traditional prison setting. Since the restitution centers are located in leased space, capital costs for this additional bed space involved only remodeling expenses and was minimal in cost when compared to prison construction costs. Honor Camp capital costs, as of 1979, were budgeted at less than \$7,500 per bed. Operationally, the two programs run about one-third to one-half of the average per inmate costs experienced in the System's four institutions. Also, both programs have the additional advantage of having inmates help participate in the cost of their maintenance and supervision through a system of charges to program participants.

The Department of Prisons told the subcommittee that the statutory restriction on placing inmates in Honor Camps who have committed an assault severely restricted the number of inmates available for the program. The Department indicated that they were having difficulty in filling the existing authorized 136 beds because of this restriction and would not, if the restriction is maintained, be able to expand existing or fill any possible new camps. The Department felt that normally between 15 and 20 percent of the total inmate population could be considered for these alternative type of incarceration programs.

Subcommittee Recommendations:

The subcommittee recommends that the statutory provision prohibiting the Department of Prisons from assigning inmates who have committed an assault to Forestry Honor Camps be repealed. The Department has no such statutory requirements in their other programs--i.e., restitution centers and work-living programs--and is able to assign inmates based on their own classification findings. Assignment to the Honor Camp Program should also result from the internal classification decisions of the Department of Prisons. (B.D.R. 16-58, Appendix K.)

↑

AN ACT relating to presentence investigation; revising the requirements for the preliminary evaluation of convicted felons; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

EXHIBIT D

SECTION 1. NRS 176.158 is hereby amended to read as follows:

176.158 1. If a defendant has:

(a) Been convicted of a felony for which he may be sentenced to imprisonment; and

(b) Never been [held in any detention facility for more than 30 consecutive days.] sentenced to imprisonment for more than 6 months, the court may, before sentencing the defendant, commit him to the custody of the director of the department of prisons for not more than 120 days. The period of commitment may be extended once for another period of 60 days at the request of the department of prisons. During the time for which a defendant is committed to the custody of the director, the director may assign the defendant to appropriate programs of rehabilitation to facilitate the evaluation of the defendant required under subsection 2.

2. The department of prisons shall conduct a complete evaluation of the defendant during the time of commitment under this section, and shall inquire into such matters as his previous delinquency or criminal record, social background and capabilities, his mental, emotional and physical health, and the resources and programs available to suit his needs for rehabilitation.

3. The department of prisons shall return the defendant to the court not later than the end of the period for which he was committed under

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Wolff

The other two bills that I would like to discuss now are Senate Bills 36 and 29 because they deal with somewhat of a similar subject matter, restitution centers and honor camps. Currently the department of prisons does operate honor camps and restitution programs that allow inmates to live and work away from the institutional prison environment. The honor camp program was reestablished by the legislature in 1977 through appropriation of funds to establish a 36 inmate camp or prison farm adjacent to the northern Nevada correctional center here in Carson City. In reestablishing the camps which had been closed in the late 60's, the legislature detailed the number of qualifications that must be met before an inmate could be assigned to a camp. These qualifications included the provision that an inmate would not be eligible for assignment to a camp if the inmate had committed an assault on any person. In 1979, the Legislature expanded the honor camp program by appropriating funds for the camp in northern Nevada to include 100 inmates and to start a new one - a 36 inmate camp in Southern Nevada in Lincoln County. The last session of the Legislature also provided the two restitution centers which are currently in operation - one here in Washoe County and one in Clark with a capacity of between 30 and 40 inmates each. These two programs I think and I think you will hear testimony this morning from the department of prisons does give them some additional flexibility in placing and programming inmates and provide additional bed capacity at considerably less cost than the traditional prison environment. Since the restitution centers are located in lease space, capital cost for this additional bed space involved only remodeling expenses and was minimal in cost compared to prison construction. Honor camp capital costs as of the last session was budgeted less than \$7500 per bed. Operationally, the two programs run about 1/3 to 1/2 of the average per inmate cost experienced in the systems for institutions. Also, both programs have the additional advantage the sub-committee felt of having inmates help participate in the cost of their maintenance and supervision through a system of charges to program participants. The department of prisons, and this applies to Senate Bill 36, told the sub-committee that the statutory restriction on placing inmates in honor camps who have committed an assault severely restricted the number of inmates available for the program. The department indicated that they were having difficulty in filling the existing authorized 136 beds because of the restriction and they felt that they would not be able to fill those spaces or indeed expand the program if this restriction was still placed in the law. The department felt that normally between 15 and 20 percent of the total inmate population could be considered for these alternative-type of incarceration programs. The sub-committee recommended in Senate Bill 36 that the statutory provision prohibiting the department of prisons from assigning inmates who have committed an assault to forestry honor camps be repealed. The department has no such statutory requirements in their other programs, for instance, restitution centers and work living programs, and is able to assign inmates based on their own classification findings that they do within the prison system. Assignment to the honor camp should also result from the internal classification decisions of the director and the department. That is the background and the reason we ask for Senate Bill 36 to be drafted.