



C.L. "Butch" Otter
Governor

BOARD OF CORRECTION

To promote a safer Idaho by reducing recidivism

Robin Sandy
Chair

David McClusky
Vice-Chair

J.R. Van Tassel
Secretary

Board of Correction Meeting Minutes

November 6, 2014 – 9:30 a.m. – 4:00 p.m. MT
Idaho Department of Correction
1299 N. Orchard St., Suite 110, Boise, ID 83706

Members Present:

Robin Sandy, Chair

David McClusky, Vice-Chair

J.R. Van Tassel, Secretary

Comprising a quorum of Board of Correction (Board)

Others Present:

Brent Reinke, Director

Andrea Blades, Management Assistant

Kevin Kempf, Deputy Director

Pat Donaldson, Division Chief, Management Services

Henry Atencio, Division Chief, Probation & Parole

Teresa Jones, Administrative Support Manager

Mark Kubinski, Lead Deputy AG

Alan Anderson, Division Chief, Correctional Industries

Jeff Zmuda, Division Chief, Prisons

Sharla Means, Manager, Human Resources

Shane Evans, Division Chief, Education, Treatment & Reentry

Ashley Dowell, Dep. Chief ET&R

See attached attendance list

- Call to order
 - ❖ Chair Sandy called the meeting to order at 9:30 a.m.
- Welcome and introductions
 - ❖ Chair Sandy welcomed everyone in attendance and introductions were made around the room.

Vice Chair David McClusky moved to accept the 11/06/14 amended agenda; Secretary JR Van Tassel seconded the motion; motion carried unanimously.

- Board of Correction meeting minutes approval
 - ❖ Secretary JR VanTassel motioned to accept the 10/02/14 meeting minutes; Vice Chair David McClusky seconded the motion; the motion passed unanimously.
- Correctional Alternative Placement Program (CAPP) Update, Warden Brian Finn
 - ❖ Finn provided an update on the Program participation as of October 2014 and explained that 1680 urine analyses (UA's) have been taken with 0 positives.
 - ❖ Finn reports that everything is going well at CAPP.

- ❖ Finn informed the group of CAPP's donations to the Kuna Food Bank in effort to keep connected with the community and that the Management Training Corporation (MTC) is expanding their services into the area of probation supervision in other States.
- Corizon Update, Regional Manager Connie Smock
 - ❖ Dr. Murray Young reports in the area of Hepatitis C Treatment. Using a criteria based on the Federal Bureau of Prisons Guidelines two patients have been selected and will begin treatment at Idaho State Corrections Institution (ISCI) in 2014. The average cost for this treatment is \$100,000 per person. A list of all Hepatitis C patients in Idaho Prisons has been compiled and the list includes their current status. The list will be updated monthly to ensure accuracy.
 - ❖ Dr. Murray provided the 2015 Treatment Plan which begins with the regional medical director, in collaboration with the site medical director, using the list (same as mentioned above) of all Hepatitis C patients to identify eight candidates for treatment in 2015 if funding is approved. The anticipated treatment sites are: Idaho State Correctional Institution (ISCI), Idaho State Correctional Center (ISCC), Idaho Maximum Security Institution (IMSI), and Pocatello Women's Correctional Center (PWCC).
 - ❖ Ryan Valley provided an Electronic Medical Records (EMR) update. Valley reports that the technical & clinical assessments are 100% complete, the cabling installation is presently 90% complete, and data interfaces are in progress.
 - ❖ James Fairgrieve provided a Reentry Website update and reports that the Reentry Website Video is complete, and it includes initial entries of 1200 resources. Testing of the site will begin in January 2015. The site will require and will receive ongoing updates by collaborating with IDOC treatment staff to develop discharge and reentry plans with specific patient groups.
 - ❖ Ryan Valley reports that Corizon is currently doing well in the area of staffing despite a list of hiring challenges.
- Leadership Updates, Prisons, Chief Jeff Zmuda
 - ❖ Zmuda reports on the efforts being made in the area of staff roster management and scheduling to improve standardization, monitoring strategies, South Boise Complex Annual Bid, and Standard Operating Procedures (SOP). Regarding standardization the Prison Division is working towards standardizing all prisons in the following areas: terminologies for Post and Roster management, Master Rosters, Daily Rosters, and Scheduling Protocols. The goal is to create monitoring strategies and reports that reflect real time information for staffing compliments (PCNs), overtime accrual and overtime balances. Regarding the South Boise Complex Annual Bid the Division is working towards allowing uniform personnel to request transfers to other facilities at the beginning of the year, prior to the annual bid, to encourage movement and thereby build staff experience at different facilities. In the area of Roster management, Prisons is working to develop a Standard Operating Procedure (SOP) based on what we learn as we move closer to formalized standardization.
 - ❖ Emergency Coordinator, Chad Page, reports on an October 22, 2014 full scale Correctional Exercise that involved the Incident Command System (ICS), a standardized management tool for large or small scale emergency situations such as an act of terrorism or natural disaster. The hypothetical exercise scenario involved a terrorist attack on Idaho Maximum Security Institution (IMSI)

in an attempt to free an inmate. The agencies involved included Idaho Department of Correction (IDOC), the Idaho National Guard, the FBI, Ada County Sheriff's Department and Boise Fire Department Hazmat Team. The role of IDOC was to 1) activate incident command system 2) Notify FBI and local law enforcement 3) Transfer command and 3) act as Liaison between all responders. The exercise went well and in the end there was debrief and discussion, including what is next as we are always expanding new partnerships. Page also reports that FEMA training is going on right now.

- ❖ Jeff Zmuda reports on Prison Rape Elimination Act (PREA). Pertaining to agency cooperation, the Idaho Department of Correction (IDOC) and the Idaho Sheriff's Association (ISA) have made the elimination of sexual assault in prison/jail a first priority. IDOC places approximately 600 inmates in county jails throughout the State so it is important that the two entities work closely together. IDOC & ISA have been working together to establish Idaho Prison Rape Elimination Act (IPREA) Standards and are now developing a uniform auditing process. The IPREA standards are closely based on the national Prison Rape Elimination Act (PREA) standards with some alterations: One PREA standard has been deleted; eleven standards have been significantly reworded to reflect Idaho practices also auditing practices have been modified to reflect Idaho practices.
 - ❖ Brent Reinke and Jeff Zmuda reported on the larger IPREA application. In November 2014 the Governor's Task Force presents IPREA to the Idaho Criminal Justice Commission (ICJC). In October 2015 the adopted IPREA standards would take effect throughout the State, and in March 2016 the first auditing cycle would begin. A jail standards auditing committee or certified PREA auditors would conduct audits. IDOC is looking at a possible cooperation with other states to trade audit performance. If county jails do not obtain IPREA certification IDOC will not use those facilities to house IDOC inmates. The Zero Task Force (Governor's Task Force) voted to approve the IPREA standards today, and the next meeting will occur with the ICJC next week. In December 2014 IPREA will be presented at the Idaho Sheriff's Association Meeting.
- Board of Correction Award/Recognition, Director Brent Reinke
- ❖ Reinke presented all Board members with a special issue Idaho Department of Correction badge marking 150 years of agency service to the State of Idaho.

Break until 11:00 a.m.

- Justice Reinvestment in Idaho (JRI) update, All Division Chiefs and Principle Research Analyst Janeena Wing
- ❖ Chief Henry Atencio provided a quick recap of JRI beginning with the application to the Counsel of State Governments in fiscal year 2013 to review of Idaho's Criminal Justice practices through the 2014 Senate Bill 1357 that received overwhelming support in the State Legislature. JRI includes three important recommendations 1) Strengthen supervision, 2) Reserve prison beds for high risk offenders, and 3) Track effectiveness. In the area of strengthening supervision action will involve Discretionary Jail Time (DJT), Idaho Response Matrix, discharge process, officer training, and a limited supervision unit; the objectives in each of those areas was briefly described.
 - ❖ Atencio explained that Idaho Department of Correction (IDOC) - Idaho Supreme Court (ISC) contractor Steve Bywater has been working to incorporate the

changes embedded in Senate Bill 1357 into the Board of Correction IDAPA Rules by revising IDAPA 06 - Board of Correction, Title 02, Chapter 01 (06.02.01) Rules Governing the Supervision of Offenders on Probation or Parole by the Department of Correction, Division of Probation and Parole and the IDAPA 06 - Board of Correction, Title 02, Chapter 02 (06.02.02) Rules Governing Establishment and Operation of a Limited Supervision Unit by the Department of Correction, Division of Probation and Parole. The IDOC, County Agencies, and District Judges prefer to see SB 1357 reflected in the IDAPA Rules instead of IDOC policy.

- ❖ IDAPA Rules update, Steve Bywater, IDOC/ISC Contractor. Bywater explained that at Patti Tobias's request he has worked with 44 counties to develop the revised IDAPA Rules presented which carry a 12/27/14 submission deadline and he gave some background on how the rules presented were created. The rules presented today are not the final draft but they are nearing the final document. The first IDAPA Rule (06.02.01) was developed in cooperation with the Courts and it basically stipulates that the IDOC will develop policy to implement the matrix and govern how they use the matrix and when the Courts are involved. The second IDAPA Rule (06.02.02) sets the rules for creation of the limited supervision unit and sets forth the assessed potential to reoffend – the individuals forming the IDAPA standards would appreciate input in this area. Today, this is an introduction, Bywater will be returning at a future meeting to request a Board vote to adopt the newly revised IDAPA Rules.
- ❖ Atencio explained that working closely with the Courts and Counties at the level JRI dictates is going to be a learning curve, and all the “new ways” are going to pose a challenge to obtain “by in” and staff confidence. The Parole Commission is also developing a revised set of IDAPA Rules. IDOC needs to be ready to implement the changes by March 2015 and the roll out plan is to start at the top and train down.

- Leadership updates continued, Probation & Parole, Chief Henry Atencio
 - ❖ Atencio reports that the Cost of Supervision (COS) collected in the Probation & Parole Division supports a significant portion of the Division's budget. This year 19 positions were moved off the COS budget with 81 positions still funded by COS. JRI calls for the creation of a Limited Supervision Unit, which may involve a reduction in offender COS fees, and there is concern about how a change like that will impact P&P's overall budget. JRI also calls for the creation of a Victim Restitution Fund, with seed dollars (\$500,000) being taken from COS; if this involves a onetime transfer, recovery should be quick, but if it's an ongoing thing it will have a significant budget impact.
- Executive Session
Secretary JR Van Tassell motioned to adjourn to executive session at 12:05 p.m.; Dr. David McClusky seconded the motion; motion carried unanimously. Roll call was taken.

- A. *I.C. 67-2345(1)(b)* To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

B. *I.C. 67-2345 (1)(f)* To communicate with legal counsel for the Idaho Department of Corrections to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

➤ Regular Session

Secretary JR Van Tassell motioned to end executive session; Dr. David McClusky seconded the motion; motion carried unanimously. Returned to regular session at 12:34 p.m.

Break until 12:45

➤ Leadership updates continued, Human Resources, Sharla Means

- ❖ Means reports that the 2014 IDOC Agency turnover is 13%, Correctional Officer (CO) turnover is 20%; Parole Officer (PO) turnover is 6% year to date marking improvement from the previous year. Overall turnover at ISCC is at 12%, and currently there are 4 staff vacancies. The Agency is retaining ISCC staff at a higher level than expected. To accommodate new ISCC staff IDOC stepped up 100 and 200 level leadership training and it is speculated that has had a favorable impact. At the moment the Agency is in a good place in the area of staffing.
- ❖ IDOC conducted an offsite Challenge Academy in May 2014 and the total turnover from staff who attended is 30%; total resignations initiated by employees are 19% and total Failure to Completes (FTC) probation period is 11%. For comparison, IDOC conducted a similar Wedge Academy at POST in August 2013 and the total turnover from staff who attended is 46%; total resignations initiated by employees are 32% and total Failure to Completes (FTC) probation period is 14%.
- ❖ Means reports the total vacant Correctional Officer (CO) positions in the South Boise Complex is 21; IMSI-2, ISCI-10, SBWCC-1, ISCC-4, SICI-4. All Human Resources (HR) staff positions are currently filled. A career fair will be held in Lewiston & Orofino November 13-14. Academy #48 has 53 enrolled (the highest number ever) and 3 FTCs. At POST we have an issue with CAPP and firearms, and the Probation & Parole Office Academy has been changed from 6 weeks to 5 weeks.

➤ Leadership updates, Education, Treatment & Reentry (ET/R), Chief Shane Evans

- ❖ Evans reports that the Idaho Department of Correction (IDOC) is now a member of the newly revamped Idaho Behavioral Health Planning Council.
- ❖ Both the adult and the juvenile Sex Offender Management Board (SOMB) Rules are prepared and awaiting Idaho Criminal Justice Commission (ICJC) approval. The proposed Rules include Tiered Registration for adults and juveniles.
- ❖ Evans provided brief updates on GAP Analysis-Behavioral Health, enhanced parole readiness, and LSIR Re-norming Project. And informed the Board that ET/R is expanding Assessment Protocol-VRAG-R and recruiting for a clinical supervision in Eastern Idaho.
- ❖ SUD Director Greg Lewis reports on the Millennium Fund application status. Idaho's Millennium Fund was established from the 1998 Masters Tobacco Settlement Agreement. The IDOC Millennium Fund Application is due annually and subsidizes the IDOC direct services budget by 1.85 million dollars.

- ❖ Evans reports that in the area of Health Care Services, Hepatitis C treatment has commenced and a budget enhancement has been submitted requesting funding to treat 8-10 annually, also the addition of 6 new positions for Hepatitis C treatment.
- ❖ GED Update given by Julie Oye-Johnson. Julie reports that the increased GED Standards have influenced the restructure of the Education Unit, impacting a total of 13 sites with computer lab conversions, rewriting of SOP and staff training. GED testing started in April and 43 have passed the GED and as of today 549 practice tests have been administered; note: there is a fee for official tests. Also there are online resources that we are not taking advantage of and we may need to reconsider our online restrictions. A final note to consider when looking at the past years GED statistics, in expectation of the increase of standards teachers were working like crazy to get as many through as possible which makes the previous year's numbers unnaturally high.
- Leadership updates continued, Management Services, Pat Donaldson
 - ❖ Donaldson report that the Food Service contract was audited recently and no problems are expected. Recent meeting with CAPP regarding contract renewal and requested the renewal period be reduced to 2 years to give IDOC flexibility in connection with JRI (Justice Reinvestment Initiative). Donaldson reports that 18 vendors are interested in the commissary Request for Proposal (RFP). IDOC recently provided comments and response to the Division of Purchasing's negotiated rulemaking revisions which could potentially involve a significant financial impact, a copy of the memo dated October 22, 2014 was provided to the Board members.
 - ❖ Donaldson reports on the Communication Contract: Since implementing the new phone contract inmates have made 45,000 more contacts with family and friends. Via written communication dated October 17, 2014 IDOC made another request to the Federal Communications Commission (FTC) regarding interstate rates limiting what IDOC can charge for inmate phone calls outside of the actual cost for a call and a copy of the letter was distributed to the Board members.

2:22 p.m. short Break until 2:30

- Leadership updates continued, Correctional Industries (CI), Alan Anderson
 - ❖ Anderson reports that CI recently had a quarterly review considering key performance indicators (KPIs) to assist in moving the organization forward; CI's income is increasing. The US Department of Labor is going to accept the records already assembled to certify CI's Labor Training Program. CI plans to place more emphasis on retaining trained inmates so we are beginning to examine the reasons behind inmates leaving prison employment. PIE is doing well and the AG Program is doing well.
- PREA – already covered during P&P update.
- Leadership updates continued, Teresa Jones, Director's Office

- ❖ Teresa reports that regarding Employee Association raffles a memo dated October 20, 2014 was distributed to all staff informing them that Idaho State Correctional Employees Association (ISCEA) raffles are illegal unless proceeds are used for a charitable cause thus cancelling all holiday raffles and refunding all collected money. The United Way does provide a temporary sellers permit allowing for proper taxes to be paid and that alternative is being considered. This issue has stirred conversations about how to help staff when there is a significant life issue and financial help is needed. The DAG's at IDOC and The Lottery Commission will continue conversations to work out legalities.
 - ❖ The Performance Measures were presented by Jones and a hand out was provided to all the Board members.
 - ❖ Jones provided a copy of the Public Records Report recently created and submitted to the Governor's Office that documents the total numbers of public records requests released by IDOC in 2013 & 2014.
 - ❖ The Board members were provided with a copy of a Ball State University (BSU) student term paper. The paper was written by a BSU grad student (David Martin) who was invited by IDOC to document the entire Idaho Correctional Center (ICC) / Idaho State Correctional Center (ISCC) transition as it occurred and Jones explained that the report is excellent.
 - ❖ Jones reported on Corrections Connections and explained that three meetings have been held so far, one in August, September, and October. At the meetings attendee questions mostly centered around Medical, Probation & Parole, and Treatment (Therapeutic Community specifically) issues. The meetings were instrumental in helping with rumor control and at this point they seem to serve a purpose.
- Leadership updates continued, Deputy Director Kevin Kempf
 - ❖ Research & Analysis/Population update given by Janeena Wing, Principle Research Analyst.
 - Director Report, Brent Reinke.
 - ❖ Reinke informed the Board of conversations surrounding the possibility of reintroducing a firing squad option in the execution statute.
 - ❖ Reinke reports that since the transition of ICC to ISCC there has been challenges; with the managing 2060 adult male medium/close custody offenders problems were expected. The Agency has been focusing on standardizing operations and changing a lackadaisical culture that contributed to the establishment of a significant criminal drug enterprise at ISCC. The statistics provided today reflect a push back from that established drug culture. A statistical breakdown of the distribution of the Serious Threat Group (STG) inmate population was presented via PowerPoint as well as photos of discovered drug contraband which excludes the drug activity connected to Suboxine. Urinalysis (UA) statistics were provided and one out of 12-13 UA's are returning positive for drugs. Assault/battery statistics (provided) are a concern, the majority of the assaults are taking place in the open but a few are still occurring in hidden areas. The collection of drug debts and a disruption in the drug hierarchy are expected to be behind these problems. Disciplinary Offense Reports (DORs) are increasing every month. IDOC has begun strategic distribution of STG members, and implemented methods of contraband control, consistent rule enforcement, and holding rule violators accountable; at the same

time it needs to be pointed out that changes to promote positive activities have also been implemented, like the improvements to the ball field and a new recreation schedule developed to provide more out of unit time.

- ❖ IDOC will be posting on its website a notification that dogs will be in the facility parking lots over the next couple of weeks and there will be more upcoming organized searches involving dogs.
- ❖ Jan 15, 2015 is when Corrections at the Capitol is scheduled and a Board meeting occurring on that same day is proposed.
- ❖ The proposed Board meeting dates for 2015 were presented and Reinke proposed that 1 or 2 of the Board meetings be held around the State.

- Final Board discussion
 - ❖ None

- Adjourn

Secretary JR Van Tassell motioned to adjourn the meeting at 4:12 p.m.; Vice Chair David McClusky seconded the motion; motion carried unanimously.

Submitted by:

Andrea Blades, Management Asst.

Date

Approved by:

Robin Sandy, Chair

Date