

**Responses to Sept. 30, 2013, Law and Justice Interim Committee Questions  
Montana Department of Corrections – October 2013**

**Question 1: Recidivism rates for the past 40 years.**

**Answer 1:** The Department of Corrections can provide reliable recidivism rates\* from 1998 to 2010. Since recidivism measures the number of inmates who return to prison within three years of their release, 2010 rates are the most recent available. Any information prior to 1998 would not be complete.

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
<b>Male</b>	41.6%	42.8%	43.1%	43.3%	38.1%	49.2%	45.6%	41.9%	39.1%	40.4%	38.0%	39.9%	36.1%
<b>Female</b>	42.6%	42.9%	25.6%	33.7%	30.8%	42.8%	33.2%	28.1%	26.5%	27.1%	27.6%	34.4%	31.1%

\*The Montana Department of Corrections defines recidivism rates in accordance with Association of State Correctional Administrators (ASCA) standards:

The recidivism rate is the rate at which adult offenders return to prison in Montana for any reason within three years of release from prison. Each release can have only one corresponding return.

**Question 2: Average populations for MSP, MWP, and Shelby for the past 40 years.**

**Answer 2:** The attached spreadsheet provides a complete picture of male and female prison inmates in Montana for the past 26 years. We do not have complete information prior to 1988.

**Male Average Population**

In addition to the Montana State Prison and Crossroads Correctional Center in Shelby, the male inmate statistics provided also include the Great Falls Regional Prison, Dawson County Regional Prison and, since 2013, the new Lewistown Infirmary. To provide a historically accurate count, the data also includes the Missoula Regional Prison (2000-2002), and the five-year span from 1996-2000 during which a number of inmates were housed in prisons out of state.

**Female Average Population**

To provide a complete picture for female inmates, the spreadsheet also includes a number of facilities that were used briefly in the past. For example:

- Female inmates were housed in prisons in New Mexico from 1998-2000.
- The Intensive Challenge program, a female boot camp, operated from 2002 to 2010.
- Crossroads Correctional Center in Shelby housed female inmates from 2000-2003.

**County Jail Holds**

County jail hold numbers associated with managing prison populations are incomplete prior to 1995.

**Question 3: Capacity for treatment and waiting lists.**

- a. Capacities for the various substance abuse and sex offender programs offered at MSP, MWP, and Shelby.
- b. Capacities for admission to Connections, Passages, WATCH, MASC, START, Nexus, and Elkhorn.
- c. Capacities for the pre-release centers under contract with DOC.
- d. Waiting lists for these programs and/or facilities. Because I know the waiting lists probably change a lot, maybe just a snapshot of the waiting list on a particular day or just a yearly or monthly average for each of these programs and facilities?

**Answer 3a and 3d: Capacity for treatment and waiting lists at Montana State Prison**

- a. The maximum capacity for each substance abuse and sex offender program offered at Montana State Prison and the contract secure facilities is 15 offenders in each group. The number of groups varies depending on the availability of facilitators. In October 2013, there were 16 groups available.
- d. As of October 13, 2013, waiting lists for treatment programs were as follows.

**NOTE: one inmate may be on the waiting list for multiple programs.**

	Montana State Prison	CCC-Shelby	Great Falls Regional Prison	Dawson Co. Correctional Facility	Treasure State Correctional Training Center	On Leave to Court
<b>*Sex Offender Treatment Program – Phase I</b>	102					
<b>SOP Phase II</b>	5					
<b>SOP Phase III</b>	80					
<b>SOP Outpatient</b>	88					
<b>SOP Special Needs</b>	6					
<b>Intensive Treatment Unit</b>	253	88				
<b>Anger Management</b>	20	8	3			
<b>CP &amp;R</b>	238	271	71	66	1	10
<b>Parenting</b>	58	28	7	1	1	
<b>ADSP</b>	29	4				
<b>Medicine Wheel</b>	17	6				1
<b>Primary Care</b>	52	35	22	16		2
<b>Relapse Prevention</b>	90	28			1	2
<b>Screening</b>	4	4		1		
<b>Meth Treatment</b>	77					2
<b>Personal Finance</b>	7					

**\*NOTE: Sex Offender Treatment is available at MSP only. Inmates in the other facilities who need sex offender treatment to be parole eligible are transferred to MSP to complete their required treatment.**

### **Answer 3: Capacity for treatment and waiting lists at Montana Women's Prison**

- a. The maximum capacities for each substance abuse program offered at Montana Women's Prison range from 12 to 15. The number of groups varies depending on the availability of facilitators and demand. In Oct. 2013, there were 8 groups available:
- **Dialectical Behavior Therapy (DBT)-Based Relapse Prevention** Group – maximum of 12 participants for 12 weeks; maximum capacity of 48 individuals per year.
  - **TAMAR (Trauma, Addiction, Mental Health, and Recovery)** – maximum of 12 participants for 12 weeks; maximum capacity of 48 individuals per year.
  - **Picking Up the Pieces (grief therapy group)** – maximum of 12 participants for 8 weeks; maximum capacity of 72 individuals per year.
  - **WRAP (Wellness Recovery Action Planning)** – maximum of 12 participants for 8 weeks; maximum capacity of 72 individuals per year.
  - **Relapse Prevention Program (Chemical Dependency)** – capacity of 12 to 14 participants for 12 weeks; maximum capacity of 56 per year.
  - **Medicine Wheel Program** – capacity of 12 to 14 participants for 12 weeks; maximum capacity of 56 per year. Open to anyone interested in this approach.
  - **Matrix Substance Dependence** – 8 to 15 group members per 16 week session.
  - **Anger Management** – 8 to 12 group members per 40-hour (10 week) session.

**Sex offender treatment** is provided only to inmates who are court-ordered to receive it. On Oct. 13, 2013, one woman was in sex offender treatment.

- d. Waiting Lists – None of the treatment staff currently keeps formal waiting lists for groups. We encourage women to self-direct their treatment by joining therapy groups when we post sign-up sheets on the pods. Group selection is based on those who are court-ordered for treatment and who have the less than 6 months before their parole eligibility/discharge dates. If the number of women in these two categories exceeds the maximum number for a group, a second group is opened. If not, those who have time to wait for a later group are asked to sign up the next time the group is offered.

NOTE: Sometimes women do not sign up for recommended groups because they are not ready or willing to enter treatment. Others do not sign up because they have scheduling conflict such as a conflicting group or class, or they are working. In these cases, the women can enter a future group, or they can enter a similar treatment group at a pre-release center after being paroled from MWP. If the Board of Pardons and Parole requires women to complete their recommended programming at MWP prior to being paroled, those women are prioritized for group placement when they sign up.

**Answer 3 b, c & d: Pre-Release and Community Corrections Capacity and Wait List, as of October 8, 2013**

FACILITY/PROGRAM	CAPACITY/BEDS	WAIT LIST (Approved for immediate transfer)	PENDING WAIT LIST
<b>Butte PRC</b>	120 men, 55 women	32 men, 4 women	85 men, 26 women
<b>Bozeman PRC</b>	34 men		
<b>Great Falls PRC</b>	135 men, 34 women	0	62 males, 23 females
<b>Missoula PRC</b>	90 men, 20 women		
<b>Billings PRC</b>	165 men	14	83
<b>Helena PRC</b>	105 men	3	32
<b>Passages PRC</b>	69 women	0	51
<b>CCP West (Connections)</b>	52 men		
<b>CCP East</b>	52 men	0	20
<b>Nexus</b>	84 men	43	58
<b>Elkhorn</b>	42 women	5	9
<b>Passages Alcohol &amp; Drug Treatment</b>	45 women	0	29
<b>WATCh West</b>	115 men	5	60
<b>WATCh East</b>	50 women/men		
<b>Treasure State Correctional Training Center</b>	60 men		
<b>MASC</b>	141 men		
<b>START</b>	138 men	18	
<b>Passages ASRC</b>	50 women		

Pre-Release and Community Corrections essentially have two waiting lists:

- WAIT LIST indicates offenders who are approved to enter that facility immediately if beds were available.
- PENDING WAIT LIST indicates offenders who are waiting for an issue to be resolved before they enter a particular facility. For example, they may be awaiting sentencing, completion of treatment, resolution of an outstanding warrant, or approval for another facility.

#### Question 4: Board

1. How many and what percentage of offenders who appear before the Board are granted parole on their 1<sup>st</sup> appearance? If you wanted or could break it down into violent vs nonviolent offenders, that would work, too. The request was not just for current stats but for historical data, too. I don't know how hard this information might be to compile, so we could work on how far back to go, if you need.

#### Question 5: The average percentage of offenders' sentences that is served before they are granted parole, broken down by year.

**Answer 5:** It is not possible to calculate a meaningful average percentage of sentences offenders serve before they are granted parole. Some of the factors that affect the length of time before an inmate is granted parole are listed below. These complicating factors make producing a meaningful average impossible.

- **Severity of crime** – The type of offense committed can dramatically affect the length of sentence served. For example, the length of time served by violent sex offenders is typically much longer than the time served for property crime.
- **Multiple sentences** – Offenders are often convicted of multiple crimes and are therefore serving multiple sentences of varying lengths. For example, a single offender could be convicted of assault, kidnapping and tampering with a witness, and be serving three sentences ranging from 5 to 50 years.
- **Concurrent or consecutive sentences** – Inmates may be serving multiple sentences that run either concurrently or consecutively. The overall sentence length could be unequally split among two or more offenses.
- **Court-ordered restrictions on parole eligibility** – Some sentences specify that offenders are not parole eligible or severely restrict parole so the offenders must serve more than the normal portion.
- **Inmate conduct** – How inmates conduct themselves while in prison affects their parole eligibility. An inmate who assaults other inmates or refuses to follow prison rules is not going to have the clear conduct required to be granted parole.
- **Participation in treatment** – Inmates who refuse to participate in or complete the treatment required by the sentencing court do not qualify for parole.
- **Criminal history** – Some inmates who have been in prison only once may be paroled more quickly than an offender who committed the same crime but has been in prison multiple times.