

**MINUTES OF THE  
JOINT SUBCOMMITTEE ON PUBLIC SAFETY/NATURAL  
RESOURCES/TRANSPORTATION  
OF THE SENATE COMMITTEE ON FINANCE  
AND THE ASSEMBLY COMMITTEE ON WAYS AND MEANS**

**Seventy-fifth Session  
March 13, 2009**

The Joint Subcommittee on Public Safety/Natural Resources/Transportation of the Senate Committee on Finance and the Assembly Committee on Ways and Means was called to order by Chair Joyce Woodhouse at 8:05 a.m. on Friday, March 13, 2009, in Room 2134 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**SENATE SUBCOMMITTEE MEMBERS PRESENT:**

Senator Joyce Woodhouse, Chair  
Senator Bob Coffin  
Senator Dean A. Rhoads

**ASSEMBLY SUBCOMMITTEE MEMBERS PRESENT:**

Assemblywoman Kathy McClain, Chair  
Assemblyman Joseph M. Hogan, Vice Chair  
Assemblyman Marcus Conklin  
Assemblyman Peter (Pete) Goicoechea  
Assemblywoman Ellen Koivisto  
Assemblywoman Sheila Leslie

**GUEST LEGISLATORS PRESENT:**

Assemblyman William Horne, Assembly District No. 34

**STAFF MEMBERS PRESENT:**

Gary L. Ghiggeri, Senate Fiscal Analyst  
Tracy Raxter, Principal Deputy Fiscal Analyst  
Mark Stevens, Assembly Fiscal Analyst  
Patricia O'Flinn, Committee Secretary

**OTHERS PRESENT:**

Lorraine H. Bagwell, Deputy Director, Support Services, Department of Corrections  
Howard L. Skolnik, Director, Department of Corrections  
Steven Barr, Representative, AFSCME Local 4041  
William Shaw, Chairman, Nevada Correctional Peace Officers Political Action Committee  
Gene Columbus, President, Nevada Corrections Association  
Candice Payne, Cochair, Nevada Correctional Peace Officers Political Action Committee  
Pat Hines, Parent of resident of the Nevada Department of Corrections

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 2

CHAIR WOODHOUSE:

We will begin with a report from Assemblyman William Horne.

ASSEMBLYMAN WILLIAM HORNE (Assembly District No. 34):

I serve as Chairman of the Assembly Committee on Corrections, Parole and Probation. On February 5, 2009, this Committee toured the Nevada State Prison (NSP) and the Warm Springs Correctional Center (WSCC). The NSP was originally built in the 1860s, but has been the subject of numerous Capital Improvement Projects (CIPs) over the years. Mr. Howard Skolnik, Director of the Nevada Department of Corrections (NDOC), and the wardens and correction staff of both facilities greeted the Committee. Members toured the NSP for almost three hours. Representatives of the State Public Works Board (SPWB) accompanied us.

The tour included a walk-through and presentations regarding: the offices for management of the offenders; the kitchen and dining areas; Unit 5; the classrooms for educational programs provided by the Carson City School District; the execution chamber; the Prison Industries programs; the gymnasium; rooms used for religious services and for inmates assisting other inmates with legal research; laundry facilities operated by the inmates; and the medical treatment facility staffed by a Registered Nurse. The kitchen and dining areas were clean and well managed despite the age of the facility. Unit 5 has been closed recently, due to budgetary constraints, to save an estimated \$587,660.

This unit, while older, appeared functional. It could be reopened if needed and if funding were available. The chamber used for executions is outdated and has no space to allow separate rooms for family members of the victims and family members of the person being executed. It is our understanding it is not possible to reconstruct this execution chamber at the present location. The Prison Industries programs, including the printing and bookbindery shop, the mattress program and license plate factory, were all impressive. The inmates were working hard at the assigned tasks and the products appeared to be of good quality. These programs employ over 60 inmates from the correctional population. While we understand the Prison Industries programs could be moved to another location, logistically, it would be a massive operation to relocate the fully operational programs. Another consideration of relocating the programs is the potential impact on the inmates who have earned the privilege of working these jobs they could lose if moved. Finally, some dogs that were part of the Puppies for Parole program were seen throughout the grounds.

Committee members noted some structural problems with the facility. Many areas, including housing units and the locations for educational programs and Prison Industries programs, are not Americans with Disabilities Act compliant and would not be accessible to persons in wheelchairs or elderly persons. The Department has advised that the majority of older inmates are concentrated at the Northern Nevada Correctional Center (NNCC), but there are older inmates throughout the institutions. The roof in the gymnasium is in need of repair; insulation hangs down from holes in the interior lining of the roof. The third and fourth floors in one of the housing units have significant plumbing problems which has resulted in cells remaining unlocked so inmates can access bathroom facilities in dormitory style. We were assured that inmates who pose the least security threat, such as those involved in Prison Industries, were housed in

these units. When asked about the cost of repairs, we found that an estimate for the cost of the plumbing had not been requested. We were advised the plumbing parts are no longer regularly stocked and would take more time to order and receive. We have been advised an estimate for repairs at the NSP is expected in early March from the SPWB.

Warm Springs Correctional Center is a medium security facility housing male inmates. It was built about 50 years ago and housed female inmates until 1997. At this facility, the Committee toured the older and newer housing units, the kitchen facilities and areas used for educational programs. Items to note at the WSCC include the housing in older units of up to four inmates in small cells. The new housing units reflect better security designs and optimal use of correctional staff.

My impressions are the Department, acting under the direction of the Governor, is planning to close the NSP in response to the budget crisis. The Department has stated it has no objections to keeping the NSP open if there is money available. A binder of information provided to the Committee details the reasoning used in selecting the NSP in response to the Governor's direction to present a budget for fiscal year (FY) 2010-2011 with a 14.5-percent General Fund reduction, \$41.5 million according to their documentation. In comparison to other facilities, the NSP met the target based upon multiple considerations including cost, bed availability, age of the facility and operating efficiency. However, it is also the impression of this Chair the decision to close the NSP should be revisited by the Legislature in connection with the cost of building and operating Prison No. 8 at Indian Springs.

While there are concerns with repairs needed at the NSP, I urge this Committee to wait to make any decisions until the cost of repair and the new prison population projections are available. Both of these reports are due in early March. I am reminded of our closure of the Jean Conservation Camp last year in response to the need for budgetary reductions. The facility may need repairs, but may also still be in working condition as other agencies, such as the U.S. Immigration and Customs Enforcement (ICE) may seek to use that facility.

The construction of Prison No. 8 involves an issue of particular concern to some members of the Committee who asked questions on the tour regarding medical care for our current population and plans for medical care of the aging population in the prison system. Clearly, unless major remodeling was undertaken, the NSP is not a site that could house elderly inmates. Currently, inmates needing more serious medical attention must be transferred to another facility or to a local hospital which involves a great deal of staff time and cost. I understand the design for Prison No. 8 includes a self-contained Regional Medical Facility (RMF).

Another concern noted by the Committee is the differing testimony on the population within the prison system. The Department's administration has stated overcrowding is not a problem. Representatives of the correctional officers have stated, to the contrary, that the facilities are overcrowded. Recognizing the Assembly Committee on Ways and Means has received detail on the budget of the Department of Corrections, it is important to determine the reason for this apparent contradiction. Possible methods of arriving at the

discrepancies include looking at operating costs versus emergency capacity and comparing the budgeted and actual population for the Department as a whole versus each institution.

The Department distributed a physical bed report summary to the Committee which provided an overview of the types of beds available in male and female institutions ([Exhibit C](#)). According to this summary, short-term emergency management housing is currently being used, along with "second bed in single house," which indicates overcrowding at certain facilities. However, there are vacancies on the total lines. The January statistical data provided by the NDOC indicates the total actual versus budgeted monthly population is 91.04 percent which is below budgeted amounts (page 2 of [Exhibit C](#)). While many facilities are below budgeted amounts, several institutions are above budgeted amounts. The Southern Desert Correctional Center (SDCC) is 108.19 percent of budgeted population for FY 2008-2009. The WSCC is 100.72 percent of budgeted population. The Pioche Conservation Camp is 108.98 percent of budgeted population and the Stewart Conservation Camp is 145.89 percent of budgeted population. I plan to pursue this issue of accurate data regarding the prison populations and overcrowding within the Assembly Committee on Corrections, Parole and Probation, and I urge this Subcommittee to do the same for the safety of both the officers and the inmates.

ASSEMBLYMAN GOICOECHEA:

Why are offenders not moved from one similar institution to another if the first has over 100-percent capacity and the second has under 100-percent capacity?

ASSEMBLYMAN HORNE:

Director Skolnik is in a position to answer that question. What I have gathered is due to the budgetary constraints and the efforts made by the NDOC to meet budget reductions; they have closed units and moved inmates to meet budget projections.

CHAIR WOODHOUSE:

We will now open the hearing on the budget for the Ely State Prison.

PUBLIC SAFETY

CORRECTIONS

NDOC - Ely State Prison – Budget Page CORRECTIONS-22 (Volume III)  
Budget Account 101-3751

LORRAINE H. BAGWELL (Deputy Director Support Services, Department of Corrections):

Budget Account (B/A) 101-3751 for the Ely State Prison has no unique decision units. The Department requests \$26,970,075 in General Fund appropriations for FY 2009-2010 and \$27,134,916 for FY 2010-2011. There are 336 full-time equivalents (FTEs) at this location.

CHAIR MCCLAIN:

Have we received the JFA Associates population projections?

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 5

HOWARD L. SKOLNIK (Director, Department of Corrections):  
I have not received it yet, no.

CHAIR MCCLAIN:  
Is there a due date for the report?

MR. SKOLNIK:  
It is due to come into the Department of Administration today. They will then send it to the NDOC later.

CHAIR MCCLAIN:  
How much later?

MR. SKOLNIK:  
Probably an hour after they receive it.

CHAIR MCCLAIN:  
Please get it to staff as soon as possible.

CHAIR WOODHOUSE:  
We will now open the hearing on the budget for the High Desert State Prison (HDSP).

NDOC - High Desert State Prison – Budget Page CORRECTIONS-27 (Volume III)  
Budget Account 101-3762

MS. BAGWELL:  
Budget Account 101-3762, for the HDSP, is slated to have 559 FTEs. The major decision unit within this account is M-202, the request for funding for operations and staffing for Phase V, which is scheduled to open in September 2009.

M-202 Demographics/Caseload Changes – Page CORRECTIONS-29

CHAIR WOODHOUSE:  
Would you confirm the recommended amounts for the operating and utilities costs should be adjusted to reflect the operation of the Phase V expansion for ten months instead of a full year?

MS. BAGWELL:  
We will look at that and get the information to the Subcommittee.

CHAIR MCCLAIN:  
If we decide not to close the NSP, is it possible to postpone opening Phase V?

MR. SKOLNIK:  
We have looked at that possibility. It will depend on the projections from JFA Associates. If the projections come in flat, as we expect, we can probably further delay Phase V.

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 6

CHAIR MCCLAIN:

If we do have to open Phase V, are the supplies for inmate food production and bedding in the budget?

MS. BAGWELL:

We have inmate-driven items within the budget. As we receive the reports and determine the best course of action, we can make the necessary adjustments.

CHAIR MCCLAIN:

There is money in this budget for equipment, furnishings and some supplies. Did the \$58,000 that came from the 74th Session of the Legislature go into reversions for budget cuts?

MS. BAGWELL:

We will look at the whole budget and time it with whatever new decision we make concerning when things come online. We can fix all those at the same time.

CHAIR MCCLAIN:

Are you going to have to wait for us to make the decisions before we get all these numbers?

MR. SKOLNIK:

No. We will provide a new ten-year plan as soon as we get the JFA numbers. We will make our recommendations in terms of the opening and phasing in of the facilities. Ultimately, of course, it will be your decision, but we will give you definite recommendations based on the population projections.

CHAIR MCCLAIN:

Can you include the two scenarios: opening Phase V and closing NSP; and keeping NSP open and delaying Phase V?

SENATOR COFFIN:

I had hoped we would have that report today. We may have to have another Subcommittee meeting in the near future. If there is only a Work Session scheduled, I would be nervous without the opportunity to study the report before we get into a pressure situation regarding closure of this budget. Even informal unanimous agreement sometimes needs to be expressed publicly.

CHAIR WOODHOUSE:

That is a good point. We will talk to the fiscal staff to see if we can fit it into the schedule.

MR. SKOLNIK:

We will be able to put a thoughtful plan together containing both scenarios and meet with you anytime after next week.

CHAIR MCCLAIN:

Can you explain why there are two wardens and four associate wardens at the HDSP?

MR. SKOLNIK:

We have one of the lowest ratios of administrative staff to inmates in the United States. The High Desert State Prison has a two-mile perimeter and is over a mile front to back. We have divided it into two separate institutions. Phase IV has opened. The second warden is responsible for: the programming for Prison Industries; all of Phase IV; the Youthful Offender Program; the Tonopah and Pioche Conservation Camps; and has recently been given the responsibility for reentry and the development of programs for intermediate sanctions. We did not fill that position until we opened Phase IV due to budgetary constraints. However, we have had issues at that institution that have been administratively driven and inappropriately handled simply because it is too big. There are too many staff, too many inmates and too many operational issues. Four-thousand-bed prisons are not built anymore, but we built one. We divided the institution into a high-medium yard, and a low-medium program yard. Ultimately, the industrial park will also be supervised by that warden. I do not see how I can expect one warden to run the HDSP with any success.

CHAIR McCLAIN:

It depends on the population. If we do not open Phase V or VI, will you still need a second warden at the HDSP?

MR. SKOLNIK:

The population does not impact the number of programs and the number of responsibilities that exist in that facility, simply the number of people who will participate. Obviously, the will of the Committee is the will of the Committee. I would strongly urge you not to eliminate those positions. We need them. The individual who has been hired as the warden has prior experience with youthful offenders, and he has previously been the deputy director of community services in another state.

CHAIR McCLAIN:

Are youths now in that prison?

MR. SKOLNIK:

The youths are under his purview.

CHAIR McCLAIN:

Are they continuing the program?

MR. SKOLNIK:

All of the programs have been maintained.

CHAIR McCLAIN:

Would he also be in charge of the inmates who will work in the new industrial park?

MR. SKOLNIK:

Yes, as well as the Pioche and Tonopah Conservation Camps.

CHAIR McCLAIN:

That budget is later on the agenda, but how is the industrial park progressing?

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 8

MR. SKOLNIK:

The contract has been signed, the renderings are in process, and they are finishing the design of the facility. We anticipate an 18-month to 2-year delivery date. Since I have been wrestling with that for about six or seven years now, I am going to be thrilled to see the John Marvel Industrial Park open.

CHAIR MCCLAIN:

When you get the numbers and give us some scenarios to look at, perhaps you could consider one warden and two or three associates.

MR. SKOLNIK:

I will not willingly do that. I will only accept it if it is forced upon me.

SENATOR COFFIN:

We have a long history of trying to provide enough manpower. It is productive in the long run. Nevada's correctional system has a good record of being proactive in regard to violence. How many prison riots do you read about? That is the answer to what we have done over the years. It has cost us more money every now and then but not much. We have been frugal. Administrative manpower is a way to ensure that messages get to us.

ASSEMBLYMAN HOGAN:

If you do wind up with the super staffing, with the qualifications of the individual you described, it would be the place to incorporate innovation and successful things being done in other prisons. We have been restricted in our ability to establish and carry out any large-scale efforts to help people prepare for the transition back to society. If you have someone with both an interest and a background in that area, it seems to present an opportunity to implement some new programs.

MR. SKOLNIK:

The second warden at the HDSP will be that person. In addition to the background I already described, he was warden of a gang-free debriefing institution in the past and has a number of contacts throughout the country. We will be charging him with finding and implementing new concepts for us.

CHAIR WOODHOUSE:

We will now open the hearing on the budget for the Northern Nevada Correctional Center (NNCC).

NDOC - Northern Nevada Correctional Center – Budget Page CORRECTIONS-34  
(Volume III)

Budget Account 101-3717

MS. BAGWELL:

The Department has requested \$46,739,946 in General Fund appropriations for B/A 101-3717 over the biennium. There are 263 FTEs. There are no other decision units. There have been several questions about the biomass program. You have some information in front of you regarding this program ([Exhibit D](#)).



SENATOR COFFIN:

There is concern about the amount of biomass fuel available. Are we going to be able to contract enough fuel?

MS. BAGWELL:

We currently have three contracts. They are now able, depending upon the weather, to get into the forest lands to create the biomass for us. So far, we have been able to maintain the 80-percent mark to create a 70-percent reduction in our electrical use.

CHAIR McCLAIN:

Have you had any savings to date on the cost of energy?

MS. BAGWELL:

We have had approximately a 70-percent reduction in the use of our electricity and a 40-percent reduction in the use of gas.

CHAIR McCLAIN:

Have you generated any energy to sell back to make money?

MS. BAGWELL:

That generally happens during this time of year. We bank our excess fuel so during the summer, when we would pay for high-demand charges because we overuse, we will not be billed.

CHAIR McCLAIN:

Do you expect to have enough excess to sell back to the power company at any time?

MS. BAGWELL:

That is our hope.

CHAIR McCLAIN:

Can you explain what created the increase in the price of chips?

MS. BAGWELL:

The price of fuel skyrocketed to \$4 a gallon and more for diesel. To get to the chipping location required diesel vehicles, and the chippers themselves are diesel. The vendors were unable to meet the commitment at the price because of the escalation in the price of fuel.

CHAIR McCLAIN:

The price has dropped now.

MS. BAGWELL:

The contracts we were able to negotiate have come down from \$80 or \$90 a ton to \$56 a ton.

CHAIR WOODHOUSE:

Has the Department determined if there will be opportunities to obtain assistance through the stimulus package?

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 10

MS. BAGWELL:

The Department has submitted some grant applications to help offset wood purchases. Anything we can do to decrease our need to pay for wood helps. We are working with the U.S. Forest Service to create more bins to allow us to accept free wood. We have also submitted bids to the U.S. Energy Office for geothermal assistance at the Lovelock Correctional Center.

CHAIR MCCLAIN:

If we get grant money, how will that affect this contract? What are the terms of the contract?

MS. BAGWELL:

We are under no obligation to purchase from the contractor if we are able to access wood from a different source.

CHAIR MCCLAIN:

How will receiving, or not receiving, the grant affect your cash flow at the plant?

MS. BAGWELL:

The budget is currently whole, based on the price in the contract. We hope to return some money if we bring in grants and our bin project works out.

CHAIR MCCLAIN:

How long is this contract?

MS. BAGWELL:

The contract is for two years with two-year-optional renewals.

CHAIR MCCLAIN:

Are the U.S. Forest Service grants competitive?

MS. BAGWELL:

No, they are not.

CHAIR MCCLAIN:

Will you automatically get some funds?

MS. BAGWELL:

They had more applications than they have money. They are trying to determine how to distribute resources.

CHAIR WOODHOUSE:

We will now open the budget hearing on the SDCC.

NDOC - Southern Desert Correctional Center – Budget Page CORRECTIONS-46  
(Volume III)

Budget Account 101-3738

MS. BAGWELL:

Budget account 101-3738 requests \$41,810,081 in General Fund appropriations. There are 241 FTEs. There are no unique decision units.

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 11

CHAIR MCCLAIN:  
Is the SDCC currently overpopulated?

MR. SKOLNIK:  
Two additional units recently opened at that facility which are not part of the original budget. We opened two of the pre-engineered buildings there for a total of 480 additional inmates.

CHAIR MCCLAIN:  
Does that mean the SDCC is not overpopulated?

MR. SKOLNIK:  
We are not overpopulated for the operation but we are for the core. The original institution was designed for 750 inmates, and we currently have about 2,200 inmates there. It has been a challenge in terms of getting everyone fed every day and getting everybody involved in programming. It will continue to be a challenge until the core expansion is completed.

CHAIR MCCLAIN:  
When is that expected to happen?

MR. SKOLNIK:  
There has been a legal challenge and an injunction by the original bidder. The SPWB could give you a better answer, but my understanding is there were some questions raised about the low bidder's ability to deliver given the disparity in pricing between their bid and the other bids. The SPWB decided to reopen the bidding for the project and the original bidder filed an injunction.

CHAIR MCCLAIN:  
Can you get us an update when you find out more?

SENATOR COFFIN:  
The core of the prison is about 25 or 26 years old. How is the building infrastructure faring?

MR. SKOLNIK:  
We have a project in process to redo the heating core. We have had problems providing hot water and heat to some of our units because the loop that carries those services is old. Additionally, it is across the highway from the U.S. Air Force bombing range which has created vibrations similar to small earthquakes. There are constant issues with that facility. We hope the build out of the core and replacement of the roof will solve those problems. Until that time, we frankly keep our fingers crossed.

SENATOR COFFIN:  
It must be eight or nine miles across the highway to the dry lake where the bombing takes place. Do you really feel vibrations?

MR. SKOLNIK:  
When they drop 1,000-pound bombs, you can feel it.

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 12

SENATOR COFFIN:

If the HDSP is only a mile away, is the geology the same?

MR. SKOLNIK:

I have never felt the vibrations at the HDSP. It may be due to the increased distance and the increased altitude. I do not know why, but I have felt the vibrations at the SDCC but not at the HDSP.

SENATOR COFFIN:

Is there deferred maintenance at the SDCC, or have we not paid attention?

MR. SKOLNIK:

There is no money in our budget for those things this biennium due to the budget reductions.

SENATOR COFFIN:

Is there a maintenance plan?

MR. SKOLNIK:

There is a response, more than a plan. The plan is the new build out of the core and the replacement of the heat room. In the meantime, essentially, we respond to crises.

CHAIR WOODHOUSE:

We will open the budget hearing on the Lovelock Correctional Center (LCC).

NDOC - Lovelock Correctional Center – Budget Page CORRECTIONS-51  
(Volume III)

Budget Account 101-3759

MS. BAGWELL:

Budget account 101-3759 has no unique decision units.

SENATOR RHOADS:

We originally selected Lovelock as a prison site to spread out the economic activity in the State. Has there been any measurement of how it affected their economy? Do most guards drive from Reno into Lovelock?

MR. SKOLNIK:

To my knowledge, no economic impact study has been done in that location. I do know there are a substantial number of staff who do not live in Lovelock. They do not all drive from Reno. There are a number of communities between Reno and Lovelock. There was an effort a few years ago to build some additional housing in the Lovelock area that never came to fruition.

ASSEMBLYMAN GOICOECHEA:

At the LCC and the SDCC, the population is approximately 700 beds over emergency capacity. Our information is this will be the status until the conversion of the Southern Nevada Correctional Center (SNCC) to a male-inmate facility upon the opening of the female-inmate facility, Prison No. 9, in 2017. Is this correct? Will this overcrowding continue for nine more years?

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 13

MR. SKOLNIK:

We have reduced the emergency bed count at the LCC. We had been housing inmates in dayrooms, and they were not moved out when beds became available. We have remedied the situation. Most of the recent use of emergency beds at the SDCC has been due to the construction of additional beds. Throughout the system, 732 additional beds are under construction.

ASSEMBLYMAN GOICOECHEA:

According to our information, there are 480 beds above emergency capacity at the LCC. Is that number accurate, or do we need to refer to Assemblyman Horne's report ([Exhibit C](#))? His report shows an inmate total of 1,667. We need to get an accurate count.

MR. SKOLNIK:

I agree. We will address that when we get the new JFA population numbers.

CHAIR WOODHOUSE:

We will now open the hearing on the SNCC.

NDOC - Southern Nevada Correctional Center – Budget Page CORRECTIONS-56  
(Volume III)  
Budget Account 101-3715

MS. BAGWELL:

Budget account 101-3715 requests \$166,657 in General Fund appropriations. There is one FTE. The Request for Proposal (RFP) for the lease has been released and will open on April 6, 2009. Tours of the facility took place yesterday.

CHAIR McCLAIN:

How many people toured the facility?

MR. SKOLNIK:

Two companies toured yesterday: Cornell Companies, Inc. and GEO Group, Inc. A third company, Corrections Corporation of America (CCA), toured previously. We have also had an inquiry from the state of Alaska. We are responding to that. The U.S. ICE has also asked us what we cannot afford to do in advance of reimbursement. They may still be interested in the facility.

CHAIR McCLAIN:

I am not sure I like the idea of leasing to private prisons. Where do they get their customers?

MR. SKOLNIK:

Most of their customers will be coming from the federal government. They contract primarily with ICE and the U.S. Marshall Service. However, they can put whoever they want in there. I understand there is a bill or a BDR to create oversight of private prisons. There are two others that are under construction or being planned that the NDOC would not control.

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 14

CHAIR McCLAIN:

That is my concern. I do not want these private prisons coming into Nevada and contracting with people who will send us the worst of the worst.

MR. SKOLNIK:

I agree with you. There should be some legislative or administrative oversight created for these prisons before they become occupied.

CHAIR McCLAIN:

The private prisons are in the business of making money. It is in their best interest to contract for the worst of the worst.

MR. SKOLNIK:

We will have some control over the SNCC because we still own it. We will monitor what is going on out there. The two facilities that have been targeted for Storey County and Pahrump, however, we have nothing to do with.

CHAIR McCLAIN:

Do you think whoever leases the SNCC will have their own staff?

MR. SKOLNIK:

They will provide their own staff unless it is ICE or the state of Alaska and then we would staff the facility.

CHAIR McCLAIN:

What is the revenue amount expected based on leasing to an entity with its own staff versus having to staff it ourselves?

MR. SKOLNIK:

We anticipate it to be relatively close. We have been told the State's take will be \$25 to \$35 a bed. I do not know what the bids will be. I know the tentative negotiation with ICE was about \$30 a bed over our actual cost of operation.

CHAIR McCLAIN:

Are those the bidding parameters? How much will the State of Nevada be paid above the cost of operations?

MR. SKOLNIK:

That is correct. We will also ask what type of population they expect to house.

CHAIR McCLAIN:

Do we have veto authority?

MR. SKOLNIK:

Yes.

SENATOR COFFIN:

I understand the federal government is going to move the prisoners from Guantanamo Bay to the continental U.S. Have they selected a location?

MR. SKOLNIK:

I have no idea. I just know that it is not Nevada.

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 15

SENATOR COFFIN:  
At this point, it is not us.

MR. SKOLNIK:  
It is not us at any point because they have to contract with us and we would not contract for those individuals.

SENATOR COFFIN:  
We would not?

MR. SKOLNIK:  
I do not believe we would want to do that unless we had an entire institution, and there are not enough people in Guantanamo to fill an institution. I would not want to mix those inmates with our population.

SENATOR COFFIN:  
I would not suggest we mix those inmates with another population. On the other hand, if we had solely those kinds of inmates in one place, could we not consider it? They will not be in custody forever; they will be adjudicated out of the United States eventually.

MR. SKOLNIK:  
We would have to get approximately \$100 profit per bed to meet our budget numbers.

SENATOR COFFIN:  
These are prisoners who will need to be housed. Why overlook the possibility of having those inmates here?

MR. SKOLNIK:  
We have not discussed that internally. If you would like the NDOC to explore it with the federal government, we will.

SENATOR COFFIN:  
If we are going to use this facility for non-Nevadans, I cannot think of a better group of people. You know who they are and what their needs are.

CHAIR MCCLAIN:  
What does the state of Alaska want?

MR. SKOLNIK:  
They requested information from all the states. They have a total of 1,150 inmates they are looking to place. Their preference is to place them all together, but it is not required. The NDOC has answered their questions about the facility in Nevada. It has been an exchange of paper only with no site visits or discussions.

CHAIR WOODHOUSE:  
Will you confirm that the recommended funding for maintenance and utilities will not be necessary if this facility is leased?

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 16

Ms. BAGWELL:

That is correct. It would be wrapped into lease costs instead.

CHAIR WOODHOUSE:

We will open the hearing on the Warm Springs Correctional Center (WSCC).

NDOC - Warm Springs Correctional Center – Budget Page CORRECTIONS-60  
(Volume III)

Budget Account 101-3716

Ms. BAGWELL:

This budget has no decision units.

CHAIR WOODHOUSE:

Could you explain why the recommended budget has inmate-driven expenses for the increased population associated with the one new housing unit in March 2011 when staffing and operating costs are not included in the budget recommendations?

Ms. BAGWELL:

When we put the plan together, there was a CIP project that dealt with the housing unit. The population automatically spreads against our base for every housing unit existing in the plan. However, when we looked at everything for all the numbers, we intentionally did not put in the cost of operations because we estimated the inmate population will remain flat or decrease. We were 200 inmates below the existing population plan. We took a calculated risk that the numbers will come in lower.

CHAIR McCLAIN:

Can we extend that March 2011 date until July 2011?

Ms. BAGWELL:

When we receive the report from JFA Associates and create a new plan, we will look at all options.

CHAIR McCLAIN:

Has the Department considered building two extra housing units at Warm Springs for \$108.6 million rather than spending \$221 million to build Prison No. 8?

MR. SKOLNIK:

Postponing the construction of Prison No. 8 and constructing a total of three units at the WSCC is an alternative plan developed with the SPWB. We would still need the RMF in the Clark County area. If we are going to perform executions in Nevada, we would need a new execution chamber. We could forestall the facility. Originally, Prison No. 8 had both the execution chamber and the RMF designed to be stand-alone facilities.

CHAIR McCLAIN:

I suspect the execution chamber will be delayed. There is a current bill for a moratorium on the death penalty.



Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 17

CHAIR WOODHOUSE:

We will now open the budget hearing on the Florence McClure Women's Correctional Center (FMWCC).

NDOC – Florence McClure Women's Correctional Center – Budget Page  
CORRECTIONS-65 (Volume III)  
Budget Account 101-3761

MS. BAGWELL:

Budget account 101-3761 contains a request for \$28,949,012 in General Fund appropriations. There are 152 FTEs. This budget has no unique decision units.

CHAIR McCLAIN:

You have 300 new beds, but only 200 will be opened. The continued lack of transitional housing is disturbing.

MR. SKOLNIK:

We have 50 beds of transitional housing set aside for the female population at the Casa Grande Transitional Housing Center. Given current classification requirements, we have been unable to fill those 50 beds.

CHAIR McCLAIN:

When you get the revised recommendations to the Committee, can you ensure the numbers for this facility reflect ten months of operation during FY 2009-2010 instead of the 12 months in the current recommendations? Will 200 new beds be adequate?

MR. SKOLNIK:

Yes. When we see the JFA actual projections, we will know for sure. We have looked at the possibility of converting the pre-engineered building on site into some type of usage.

CHAIR McCLAIN:

Have you considered leasing the extra 100 beds to local detention units or some other option?

MR. SKOLNIK:

We cannot lease it to local detention because we cannot mix the populations. We could lease those beds to another state jurisdiction. We have discussed that possibility.

CHAIR McCLAIN:

Other jurisdictions have an overflow of women?

MR. SKOLNIK:

Yes.

SENATOR COFFIN:

In the Joint Subcommittee on Human Services/Capital Improvements, you reported a structural failure at the FMWCC. At the time, you suggested it could have been related to the 3.0 earthquake that occurred in the vicinity. That was news to us. It is a young institution. Have you investigated that event?

MR. SKOLNIK:

There was a serious structural failure in the culinary area of the FMWCC. Engineers have been in there and the roof has been temporarily shored up. The T-connections of the beam separated to such a degree some of the rebar was broken. There is currently a series of hydraulic jacks supporting the roof. We have been advised by SPWB engineers the building is safe to reoccupy and we have done so. We do not have a definitive solution to the problem. We do not want to shut the kitchen down as it has already been under renovation. We have been told the earthquake was not the ultimate cause, although it may have been the proximate cause of the event. We added weight to the ceiling during the remodel and we placed air-handling units at the opposite end of that roof which may have caused a teeter-totter effect and led to the separation. We have filed a report with the Risk Management Division. They will determine whether this was a natural disaster, or manmade. As of last night, we were back in business.

The inmates, staff and local community all responded well. The Clark County detention center offered us five buses and their drivers if we had to move the inmates. The Las Vegas detention facility offered us 50 beds if we needed them. The inmates ate sandwiches brought in from the HDSP without complaint for two days.

SENATOR COFFIN:

Is the break just over the food preparation area or the entire culinary area?

MR. SKOLNIK:

It is over the freezer and eight feet off the freezer at the end of the building.

SENATOR COFFIN:

I am concerned about the building; it is not that old.

MR. SKOLNIK:

We have had engineers scrutinizing the building and their assessment is there is no other structural problem.

SENATOR COFFIN:

Have we checked the diameter of the rebar and the content of the rebar?

MR. SKOLNIK:

I assume the engineers involved have been doing that. Our department does not have the expertise to do so.

SENATOR COFFIN:

Please do not assume anything. It is a wonderful community. We want them to feel safe. If one part of a building fails, I would be afraid the rest of it would fail.

MR. SKOLNIK:

As I said, the inmate population responded extremely well to this. They do not appear to have any anxiety about it at this time.

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 19

SENATOR COFFIN:

Please provide a written report about this. I want to know who built it as well as the other possible contributory factors to the failure.

CHAIR WOODHOUSE:

Can you tell us who built the building?

MR. SKOLNIK:

I do not know. I will get that information to the Committee.

CHAIR WOODHOUSE:

We will open the budget hearing for the Casa Grande Transitional Housing facility.

NDOC - Casa Grande Transitional Housing – Budget Page CORRECTIONS-70  
(Volume III)

Budget Account 101-3760

MS. BAGWELL:

Budget account 101-3760 requests \$6,967,983 in General Fund appropriations. There are 27 FTEs. There are no other decision units in this budget.

CHAIR WOODHOUSE:

Are all the inmates housed at this facility required to participate in employment assistance, life-skills training, substance abuse treatment and educational programs?

MR. SKOLNIK:

If they have no history of substance abuse, they are not required to participate in treatment. However, they are required to participate in all other programs. For the record, we have suffered along with the rest of the State from the current economy. The employment rate at that facility has dropped from 85 percent to 65 percent in one month. The quality of the jobs has also deteriorated. More of the jobs are in the fast-food industry rather than in construction and other better-paid employment. That will have an impact on our budget.

CHAIR WOODHOUSE:

It is more difficult for the inmates to transition back to the community if they are just getting entry-level jobs.

MR. SKOLNIK:

It is. Because of the high unemployment overall, employers have more choice in hiring. I expect the unemployment rate for our releasees to be much higher than the State average.

CHAIR WOODHOUSE:

How does the employment issue affect your room and board numbers?

MR. SKOLNIK:

It will decrease them. Inmate stores generate funds for us. Those numbers will also go down. There has been a 50-percent reduction in the hours worked in

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 20

Prison Industries because of the economy. That means a 50-percent reduction in their payrolls. There will be other unanticipated impacts.

SENATOR RHOADS:  
Is the program at Casa Grande working?

MR. SKOLNIK:  
We do not see a lot of the inmates who have completed the program returning to custody. From that perspective, it has done what it is supposed to do. However, we do have a failure rate. Since we opened the facility in December 1995, there have been over 100 participants who have walked away. We have apprehended 98 of them, none of whom will be given the opportunity to return to Casa Grande when they near their current extended sentences. I cannot answer the question about how successful the program has been.

CHAIR McCLAIN:  
What luck are they having finding jobs in this economy? Are you getting their rent after the first two weeks?

MR. SKOLNIK:  
We are getting the rent when they get jobs within the first two weeks, but otherwise, no. Unfortunately, many of them are accumulating debt because they have had to pay the State a significant sum of their revenue rather than the \$16.53 a day they were originally targeted. Considering who they are and the state of the economy, they are reasonably successful: 65 percent of them find employment.

CHAIR McCLAIN:  
Do you go after them for their debt?

MS. BAGWELL:  
Pursuant to State law, the NDOC is required to place that debt with the State Controller's Office. The Controller has a contract with a vendor to pursue the collection of that debt. In the last few years, the Department has not received more than about \$300 a year from that collection activity.

SENATOR COFFIN:  
I toured Casa Grande this fall. I was impressed with the state of the facility. However, I am concerned about the drop in the employment rate. Are we providing enough programming to keep the inmates busy? If they are not working, what fills their time?

MR. SKOLNIK:  
We encourage them to look for work. That is a full-time job. Currently, every time an inmate applies for a job on a computer over the Internet, they are violating the law. We have told them to go out and look for work, but we do not ask where or how they apply. We are hopeful Assembly Bill 34 will pass and become law. We could then assist them in the job search with computers based at Casa Grande which would also help us with the walk-away problem. The increase in the number of participants who walk away is attributable to the increased frustration they experience in the job search.

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 21

**ASSEMBLY BILL 34**: Authorizes prisoners in certain state correctional institutions or facilities to use certain electronic communication devices under certain circumstances. (BDR 16-307)

SENATOR COFFIN:

They jeopardize their ability to gain good-time credit and go back where they were?

MR. SKOLNIK:

Not the majority of them, but we have seen an increase lately.

SENATOR COFFIN:

That is why I asked about programming. If programming is mandatory, that would reduce their idle time. Are we out of money for offering programming there?

MR. SKOLNIK:

Our programming is provided on a contract.

ASSEMBLYMAN GOICOECHEA:

Are those people given an option to go to an honor camp if they have been at Casa Grande awhile and have been unsuccessful in finding employment?

MR. SKOLNIK:

Yes, they are. If they have been at Casa Grande for 30 days without finding employment, they can opt to move to an honor camp.

ASSEMBLYMAN HOGAN:

Who are your main community partners in achieving those job placements? Is it the apprentice programs, individual contractors or community organizations?

MR. SKOLNIK:

I do not have the percentages with me, but I will get that information to the Committee. We have a contractor who has gone out into the community doing job development. There is also a reentry coalition that meets every two weeks that includes some people who help us find employment. Most of the construction jobs, at least at the beginning, were provided through specific companies that were targeted, talked to and agreed to hire ex-offenders.

CHAIR WOODHOUSE:

We will now open the hearing on the Northern Nevada Restitution Center (NNRC).

NDOC - Northern Nevada Restitution Center – Budget Page CORRECTIONS-75  
(Volume III)

Budget Account 101-3724

MS. BAGWELL:

Budget account 101-3724 requests \$1,679,800 in General Fund appropriations. There are 11 FTEs. This facility is scheduled to move in March 2011 and will be renamed Eagles Nest Restitution Center. There are no decision units in this budget.

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 22

CHAIR WOODHOUSE:  
Where is this facility?

MS. BAGWELL:  
This facility is in Reno.

MR. SKOLNIK:  
The new facility will be on property owned by the Reno-Sparks Indian Colony and built without State funds. The floodwall is currently under construction and the project should be on time.

CHAIR McCLAIN:  
Do you have operating costs in your budget?

MR. SKOLNIK:  
We will relocate the costs from the current NNRC budget to the Eagles Nest Restitution Center budget. There should be no additional cost.

CHAIR McCLAIN:  
What about the furniture, fixtures and equipment costs?

MS. BAGWELL:  
Those costs are included within the contract.

CHAIR WOODHOUSE:  
When does construction start?

MR. SKOLNIK:  
It has started.

CHAIR McCLAIN:  
Will you have transitional programs like those at Casa Grande at this facility?

MR. SKOLNIK:  
No. The NNRC is a long-standing operation that has essentially been for employment purposes. I do not have the employment numbers with me but I understand they are better than at Casa Grande.

CHAIR McCLAIN:  
The Eagles Nest Restitution Center is the same concept located in a new building.

MR. SKOLNIK:  
Yes.

CHAIR WOODHOUSE:  
What is the status of the contract between the State of Nevada and the Reno-Sparks Indian Colony to carry out the provisions of A.B. No. 299 of the 73rd Legislative Session?

MR. SKOLNIK:  
My understanding is all the contracts are signed, sealed and delivered.

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 23

CHAIR WOODHOUSE:

We will open the budget hearing for the Three Lakes Valley Conservation Camp.

NDOC – Three Lakes Valley Conservation Camp – Budget Page  
CORRECTIONS-90 (Volume III)  
Budget Account 101-3725

MS. BAGWELL:

Budget Account 101-3725 requests \$4,539,908 in General Fund appropriations. There are 38 FTEs. The major decision unit within this budget is M-202 which requests \$1.6 million for the opening expansion of the facility in April 2010 and includes 15 staff. We will determine if this opening can be delayed as part of the new planning documents we will be working on over the next week. There are no other decision units within this budget.

M-202 Demographics/Caseload Changes – Page CORRECTIONS-92

CHAIR MCCLAIN:

How long can you delay the opening?

MS. BAGWELL:

We can delay until whenever is necessary to keep Tonopah open. We will not know until we get the numbers from JFA.

CHAIR MCCLAIN:

Is this facility being built currently?

MR. SKOLNIK:

Yes. It includes the conservation camp, and the boot camp would be moved into this facility to allow for expansion.

CHAIR MCCLAIN:

If it goes according to the original plan, you are front-loading the hiring of new personnel. Why do you have 12 new hires the first year and only three in the second year?

MR. SKOLNIK:

Those were the numbers we received from JFA. We will review them when we get the new numbers. We will also look to the possibility of postponing this throughout the biennium and taking the funds identified for the expansion to maintain Tonopah as an operational camp.

CHAIR WOODHOUSE:

We will open the hearing on the Silver Springs Conservation Camp.

NDOC - Silver Springs Conservation Camp – Budget Page CORRECTIONS-116  
(Volume III)  
Budget Account 101-3749

MS. BAGWELL:

The Department has requested \$82,017 in General Fund appropriations to maintain this facility in mothball status. We do not believe we have sufficient

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 24

minimum-custody females to require the reopening of this facility within the next ten years.

CHAIR McCLAIN:

Is it possible the donor of the land will change the deed restriction that requires it only be used for a women's conservation camp?

MR. SKOLNIK:

We have asked, as have local government and others. The decision to limit the lease to female inmates was generated from the donor's wife, and she is insistent that it remain a condition of the deed.

When we closed the Silver Springs Camp, we were asked by the Department of Conservation and Natural Resources if we could expand the number of crews available in the area to ensure adequate numbers to meet the needs of northern Nevada. We did that by increasing the population at the Stewart Camp. That is why the population number is high at the Stewart Camp.

CHAIR McCLAIN:

What would it cost to buy that land?

MR. SKOLNIK:

I have no idea.

CHAIR McCLAIN:

We did all the improvements.

MR. SKOLNIK:

That is why we would like to keep it mothballed so it does not totally deteriorate.

CHAIR McCLAIN:

Does the mothball status violate the deed restrictions? There are no women there.

MR. SKOLNIK:

We have not asked that question.

CHAIR McCLAIN:

We should probably find out. We need to do some creative thinking about this facility. It does not make sense to leave it idle.

CHAIR WOODHOUSE:

We will open the hearing on the Tonopah Conservation Camp.

NDOC - Tonopah Conservation Camp – Budget Page CORRECTIONS-124  
(Volume III)

Budget Account 101-3754

MS. BAGWELL:

Currently, the budget includes \$105,632 to place this camp in mothball status. As previously stated, the Department will work with staff and the Budget Office



Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 25

to review alternatives to the closure of this facility when we receive the report from JFA Associates.

CHAIR McCLAIN:

We need to do a cost and benefit analysis of the closure of this camp. The facility is important to the local government and economy. Additionally, if the camp were closed, fire crews would have to make a three-hour drive just to reach the vicinity.

MR. SKOLNIK:

We have met with representatives of the local community and have committed to them we will keep the camp open if it is possible to do so. We are looking at other places in our budget to find ways to move money internally to keep the Tonopah operation open through the biennium.

ASSEMBLYMAN GOICOECHEA:

If we close Tonopah, we will be required to overpopulate another camp. This camp is essential for central Nevada.

CHAIR McCLAIN:

Have you maintained legislatively approved staffing levels through the last biennium?

MR. SKOLNIK:

We dropped below minimum staffing for a period of time as a result of planning for the closure of the NSP. We maintained vacant positions for the staff who would have remained there to save as many jobs as possible. When we were told not to reduce the population at NSP, we began hiring staff. We have completed one full preservice training program; two more are in process to fill all those vacancies. The good news is we will be back at minimum staffing. The bad news is if the Legislature does close the NSP, more people will be impacted. Most of those people will have completed their Category III Peace Officer Training and should be able to be reemployed within a reasonable amount of time.

CHAIR McCLAIN:

Will you be able to maintain that staffing ratio during the next biennium?

MR. SKOLNIK:

Yes.

CHAIR McCLAIN:

Did you have a lot of overtime?

MR. SKOLNIK:

We have had a tremendous amount of overtime as a consequence of the vacant positions. That is one of the reasons we have chosen to fill them. Another thing we have looked at is the possibility of adding ten staff to the Northern Nevada Correctional Center on a demonstration basis: funding it out of the overtime and not requesting additional funds. The point is to demonstrate we can come closer to our relief factor which an independent audit has shown should be 1.83 rather than 1.6. Those ten positions should pay for themselves. If we can demonstrate

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 26

this, we would come back in the next Legislative Session and request additional positions in other locations. We have a substantial amount of overtime out of the NNCC due to the fact that it is an intake facility, it transfers people, it is an RMF and we are not staffed for that kind of transportation.

CHAIR McCLAIN:  
Do you have a large overtime budget?

MR. SKOLNIK:  
We have no overtime budget.

CHAIR McCLAIN:  
How will you pay for this pilot program?

MR. SKOLNIK:  
We will get the money through vacant positions, transfers and by requesting contingency funds. We have never been funded for overtime and we have always had it.

CHAIR WOODHOUSE:  
What are some of the reasons for your attrition rates?

MR. SKOLNIK:  
During calendar year 2008, 169 correctional officers retired and 78 were terminated. The average total turnover rate is under 12 percent which is a reduction. We have had a problem, particularly in southern Nevada, where we train individuals to a Category III level. They then receive a \$6,000 a year raise by transferring their Peace Officer status to Henderson or North Las Vegas. It has been difficult, especially for some of our newer and younger staff not to take advantage of that.

CHAIR McCLAIN:  
With the change in the retiree health insurance, do you expect a large number of people to retire early?

MR. SKOLNIK:  
I have a lot of concerns about that. I suspect we will lose a significant portion of our institutional knowledge.

CHAIR McCLAIN:  
Do you have any idea how many people could take early retirement?

MR. SKOLNIK:  
There are more than 40 people who are eligible for retirement in Carson City alone. If we layoff any of our staff, there will be an additional expense for buyout.

SENATOR RHOADS:  
Have you ever considered a tent city like the one in Arizona?

MR. SKOLNIK:

There is a substantial difference between the population of the NDOC and the population in Maricopa County. The average Maricopa County detainee stays between 11 and 18 days; the NDOC inmates stay between one year and the rest of their lives. I am not in favor of a tent city for a prison environment. I do not know this for a fact, but I have been told that the dollar amount of lawsuits that have been lost in Maricopa County, as a result of some of the actions that have been taken, would have built another jail. I would prefer not to take that road.

CHAIR WOODHOUSE:

The meeting is open for public comment.

STEVEN BARR (Representative, AFSCME Local 4041):

There are several points I would like to make. First, I concur with the Director's observations about the ten FTE positions he is proposing as a prelude to the change in the relief factor within the Department. It would be a budget-neutral item. Second, there is currently no regulation concerning private prisons in the State, but there is a bill pending to remedy that lack. Third, regarding the RMF currently proposed in Prison No. 8, I have stated, on the record previously, it should be built within the confines of the HDSP. Additionally, if the projected number of beds is only 103, it may be insufficient based on the population. The RMF in Carson City is always full. The population at the HDSP alone is 4,000. Further evaluation of the size of the proposed RMF is necessary. Finally, addressing the private prisons themselves, the FMWCC facility was built by CCA as a result of the unexpected increase of the female population. The State was forced into a situation in which they had to have a facility built immediately. When the State exercised its early buyout option, it became unprofitable for CCA to run the facility, and they gave 90 days notice and bailed out.

WILLIAM SHAW (Chairman, Nevada Correctional Peace Officers Political Action Committee):

The \$71 million estimated to be necessary by the SPWB to retain the NSP is excessive. The facilities maintenance supervisor at the NSP said that \$5 million would bring the facility into top condition. The gymnasium roof was previously funded in the Maintenance Budget, as were the plumbing problems in Unit 8, but the money was removed from the budget. If maintenance were funded consistently, the NSP could remain open as a viable institution.

GENE COLUMBUS (President, Nevada Corrections Association):

You have heard the NSP referred to as a Model-T Ford. However, if the Model-T works, there is no need to replace it. Proper care and maintenance will keep the NSP operational. We oppose the closure of the NSP and the closure of the TCC.

CANDICE PAYNE (Cochair, Nevada Correctional Peace Officers Political Action Committee):

I want to go on record to thank everyone for their time in this matter. You have heard the "do not close the NSP" message repeatedly and you continue to take the time to listen to us.

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 28

PAT HINES (Parent of resident of the Nevada Department of Corrections):  
I have concerns regarding Casa Grande. I heard Mr. Skolnik say that 65 percent of the population there had employment, but how many people are currently in residence?

CHAIR WOODHOUSE:  
Mr. Skolnik, can you answer that question?

MR. SKOLNIK:  
There are 294 residents as of Thursday, March 12.

MS. HINES:  
When it was originally opened, it was to have 400 residents. It could have been increased to 800 with double-bunking. What is the future plan for the use of Casa Grande?

MR. SKOLNIK:  
When Casa Grande was designed, 85 inmates were identified as eligible. It was determined that construction of a unit to house fewer than 400 was not economically viable; therefore, the facility was designed to house 400. The Department has asked Dr. James F. Austin of JFA Associates to review our classification process to determine if we can safely expand our Community Trustee status and the Camps. I do not believe we can completely fill Casa Grande using the current criteria.

ASSEMBLYMAN HOGAN:  
Is there a barrier in the phrase "applicable criteria" that could be addressed to make more use of the facility?

MR. SKOLNIK:  
We are trying to effect changes that will enable us to better utilize all lower security options. Assembly Bill No. 510 of the 74th Session reduced eligibility criteria for house arrest and lower security due to its wording. There is a proposal wending its way through the system to amend that bill. Dr. Austin is reviewing our classification process. I have been meeting with a representative of the Vietnam Veterans of America to explore the possibility of using one of the modules at Casa Grande to house veterans who would otherwise be going to prison as an intermediate sanction for them. There is money available through the federal government for that program. We have met with the Division of Parole and Probation about the possibility of using some of the beds for their people, especially those who cannot find housing.

CHAIR McCLAIN:  
Have you talked to Speaker Buckley? She is trying to get a veteran's court started.

MR. SKOLNIK:  
No, I have not spoken with the Speaker about that subject.

ASSEMBLYMAN GOICOECHEA:  
Are the inmates required to go to the Casa Grande facility or is it a choice?

Joint Subcommittee on Public Safety/Natural Resources/Transportation  
Senate Committee on Finance  
Assembly Committee on Ways and Means  
March 13, 2009  
Page 29

MR. SKOLNIK:

We will not force anyone into an environment where they can walk out into the community unsupervised. If someone does not want to go, we will not send him. However, inmates who are qualified are strongly encouraged to go because we need to fill those beds. It also provides benefits to the inmates: a job; familiarity with the community; and some money when they leave custody.

ASSEMBLYMAN GOICOECHEA:

Perhaps we should be looking at one of those facilities in the north. There may be more employment opportunity here.

MR. SKOLNIK:

That is why the new facility in Reno will be larger than the existing facility.

MS. HINES:

I heard this morning about buildings and land. I would like to urge you to remember the people, both prisoners and their families. The families send a lot of money into the institutions to assist the inmates. One area that needs more financing is education, especially postsecondary education. There are no programs. Law libraries and jobs are nonexistent. Medical care needs more attention.

CHAIR WOODHOUSE:

As there is no other business and no further testimony, this meeting is adjourned at 10:01 a.m.

RESPECTFULLY SUBMITTED:

---

Patricia O'Flinn,  
Committee Secretary

APPROVED BY:

---

Senator Joyce Woodhouse, Chair

DATE: \_\_\_\_\_

---

Assemblywoman Kathy McClain, Chair

DATE: \_\_\_\_\_