

BOARD OF COMMISSIONERS
JIM GIBBONS
GOVERNOR
CATHERINE CORTEZ MASTO
ATTORNEY GENERAL
ROSS MILLER
SECRETARY OF STATE

STATE OF NEVADA

HOWARD SKOLNIK
DIRECTOR



DEPARTMENT OF CORRECTIONS

A Nevada with no more victims
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MINUTES

of the meeting of the

BOARD OF PRISON COMMISSIONERS MEETING

August 12, 2008

The Board of Prisons Commissioners held a public meeting on August 12, 2008, beginning at 1:00 p.m. at the following locations:

at the State Capitol Building Annex, 2nd floor, 101 N. Carson Street, Carson City, Nevada and video conferenced at Grant Sawyer State Office Building, Room 5100, 555 E. Washington Ave., Las Vegas, Nevada.

I. Call to Order.

The meeting was called to order by Governor Gibbons. He noted Attorney General Catherine Cortez Masto was present and Secretary of State Ross Miller was absent

Also present were Senior Deputy Attorney General Janet E. Traut and Senior Deputy Attorney General Keith Marcher, Director Howard Skolnik, Deputy Secretary of State Chris Lee, Chief Deputy Secretary Nicole Lambolely and members of the Press. Members of the public were asked to sign in, and the sign-in sheet is attached [Attachment A](#).

II. Acceptance and Approval of Minutes – July 8, 2008. (action required)

The record shows the Minutes of the July 8, 2008 were approved unanimously upon corrections of a few typos noted by Attorney General Masto.

III. Discussion/possible decision regarding Department of Corrections budget reductions – Howard Skolnik, Director.

Director Skolnik provided the Board with two potential budget reductions; one for the current fiscal year 09 and the other an anticipated set of reductions should the Department be required to meet the 14½ percent reduction. He stated that IFC is scheduled to meet Thursday of this week to discuss. Director Skolnik stated roughly 78 percent of the Department's budget is personnel services or related costs, 10½ percent of the budget are inmate driven which are things such as food, clothing, mattresses and materials that are required by the courts to be provided which leaves 11½ percent of the Department's budget for everything else the Department does which includes maintenance, program materials and purchasing services outside of the general operation. This leaves little flexibility when it comes to reductions. Director Skolnik then discussed each item of the budget cuts with the Board for FY 09. ([Attachment B](#))

Additionally, he stated the primary budget reduction is the delay of Phase V at High Desert State Prison (HDSP) and the Department is anticipating as much as another 500 inmate reduction as a result of the final review of AB 510 inmates. Director Skolnik stated it appears that in the future the swing will be from minimum to medium beds so there is a medium bed issue but the Department has opened 960 beds in our pre-engineer units and the Department will be opening approximately 600 beds at HDSP Phase IV in October 2008 which will take us to the Fiscal Year.

Director Skolnik stated the Department had originally proposed to eliminate the swing shift differential as a result of staff concerns. Instead, as noted in item 10, the Department froze eight positions, closed Unit 5 at Nevada State Prison (NSP) and moved all those affected employees into vacant positions. Director Skolnik stated this allowed the Department to keep the shift differential. The total reductions are approximately \$9,400,000.00 which was the reduction the Department was asked to make in 09. He added this was the Department's proposal to IFC.

Governor Gibbons questioned if there was a difference per bed cost between the women's and men's prisons. Director Skolnik stated women's prisons are generally more expensive to operate for a variety of reasons. There are more medical costs and the women's prison has a different kind of staffing due to the 9th Circuit putting limitations on the Department's ability to use male staffing in a female prison.

Attorney General Masto inquired if the anticipated AB 510 reduction for FY 09 would be 1,000 inmates by the end of this calendar year. Director Skolnik stated the number was reduced to 500 inmates since the bulk of the inmates already seen were minimum security inmates as they were the inmates most likely to be released on parole. The current population under AB 510 is a harder population and due to this, the percentage of releases will go down.

Attorney General Masto inquired if bed space was still available at Jean Conservation Camp (JCC) after the closing of Silver Springs Conservation Camp (SSCC) and if the Department intended to add beds through additional construction at JCC. Director Skolnik responded there were still beds available and construction was a part of the CIP list for the future, however, the Department will more than likely request that be delayed to ensure that the funding for Prison 8 is available.

Attorney General Masto asked what the Department's intent was for SSCC now that it is closed. Director Skolnik stated there was a deed restriction on that property that requires it to be used to house female inmates only. Unless the original owner does not agree to a change in that deed restriction, we will not reopen that facility unless there is a sudden increase of minimum female inmates. Director Skolnik stated there were a couple of the counties in the area looking at that site but the ultimate decision to use that property for another purpose would be the owners', not the Department's.

Governor Gibbons motioned to approve the Director's FY 09 budget reductions as shown in subsection III. Attorney General Masto seconded the motion. It was clarified that the Advisory Commission will come before the Board at the next meeting regarding FY 10-11. The record reflects that the Board approved the budget reduction for Fiscal Year 09.

Director Skolnik presented the FY10-11 budget reductions and possible impact of an additional 14.4 percent reduction to the Board. ([Attachment B](#)) He indicated there is no way to get through this reduction without reducing people. The Department proposed that it would close NSP and would receive approximately \$4,600,000 from a lease at the Southern Nevada Correctional Center (SDCC). Director Skolnik felt confident that SNCC will be leased out. He stated he just returned from an Association of State Correctional Administrators (ASCA) conference and was asked by private companies as well as federal government about the facility and when the Department was going to put out a general RFP. He stated he directed staff to start working on that today. Director Skolnik stated the problem that the Department faces is the fact that without the closure of either another institution or up to four conservation camps the Department cannot meet the 14.4 percent reduction. The closure of a camp will cost the state more money especially in the fire season.

Attorney General Masto asked which camps the Division of Forestry operated out of and what kind of a service the camps provide to the state. Director Skolnik stated the four camps that the Department has looked at closing would probably be the rural camps as they cost the most to operate because the Department has to send staff in to help support them. He stated they were also the most critical in terms of the services they provide to the state on a daily basis in their local communities and are a revenue generated operation for the state because they charge for the assistance that they are providing. Director Skolnik stated that in the event of fires it will cost that much more for the Department to move inmates to the location of the fires than if the Department maintained the camps.

Director Skolnik stated the medical care for inmates does not have an impact for their medical needs with the closure of NSP as that is only used for NSP inmates. He stated there are approximately 900 inmates at NSP which is staffed for that many inmates. If the Department continues to go forward it will identify which parts of NSP are the most expensive to operate which provide the least service, and as positions become vacant move staff around and close other parts of NSP so in case the Department has to close the facility down completely, it will have a minimal impact on the staff and the community. Director Skolnik stated if the Legislature decides to keep the facility open the Department can use those beds at that point.

Attorney General Masto expressed her concerns that NSP was operating over its emergency capacity and the Department was not seeing a decrease in inmate population. Director Skolnik stated the Department has a situation statewide at this time wherein the Department is again using day rooms and looking at potentially converting of one bay at Lovelock Correctional Center (LCC) at the Prison Industry Bay to a temporary dormitory until the beds are available at HDSP. He stated the impact of AB 510 has been primarily minimum security inmates. Director Skolnik stated there are approximately 1,200 to 1,400 beds coming on line in October/November at HDSP and at this point the Department is planning on only utilizing half of them and that will take the pressure off of the other institutions. He stated once next year comes along and the Department has not see a reduction as a result of AB 510 beyond the 500 inmates, the Department will be in trouble and there will be some very difficult decisions someone will have to make about who the Department keeps in prison and who will be let go. Director Skolnik stated if the Department doesn't have money to operate the facilities there will be serious problems.

Governor Gibbons asked what impact the FY 10-11 budget reductions would have on current inmate programs or staff training. Director Skolnik stated the Department had chosen not to reduce inmate programs, as they result in time credits. He stated he does not plan to reduce staff training but plans to increase training. Director Skolnik stated he plans to propose the budget to the Advisory Commission and they will make their recommendations to the Board at the next meeting. Staff and the public also have the opportunity to attend the Advisory Commission and Legislature and submit their suggestions. He stated he has already received recommendations from staff and the community. Director Skolnik stated if he has to cut the Department's budget by 14 percent, he will have to close facilities.

IV. Public Comment

Valerie Green submitted a written statement for the record. ([Attachment C](#))

Teresa Werner requested to speak. She stated she supports the closure of NSP due to the serious infrastructure problems and noted the institution has plumbing problems. She said her husband told her there were areas that had no intercom and inmates could be screaming for hours before they were ever heard by a guard or visa versa. Ms. Werner pointed out that the inmates have been on lockdown for the past few weeks because of shortage of staff which is creating problems with short tempers of inmates and stress at the Warm Springs Correctional Center (WSSC). She also stated because of the combination of medium and minimum inmates some staff members told her they were "freaking out" now because they are getting murderers and scary people. Mrs. Werner stated she was concerned that four people were in cells built for only two. She stated she is also concerned about LCC as the inmates have told her it is only a warehouse. She stated the Parole Board requires inmates attend certain programs but that they don't exist. Mrs. Werner suggested the Parole Board look at long term inmates and to look at certain inmates with consecutive sentences to see if they could run their sentences concurrent.

Correctional Officer Gene Columbus addressed the Board. He stated that the Department could not cut 14 percent out of the budget and be able to do that safely and effectively and we need NSP just like California needs San Quentin. He stated prisons are a booming business and will always be that way according to the statistics. Parolees will return, crime will continue to occur and county jails will continue to fill. He stated it is a drastic mistake to close NSP and working there was not that bad as it is a very functional prison that holds over 900 folks which the Department will most likely need in the future. Mr. Columbus stated it will hurt the economic impact if we lose jobs and he asked the Board to please consider leaving NSP open and find somewhere else to cut.

Jeff Fontaine, Executive Director of the Nevada Association of Counties, requested to speak on behalf of NACO. He stated he wanted to make sure the Governor was aware of the possible impacts of the closures not only for the Department of Corrections but also the budget and services of the Nevada Division of Forestry, as well as the impact on county governments. Mr. Fontaine stated the impact would be severe. In Pioche, there would be 30 jobs that would be affected out of a population of 800 people. Mr. Fontaine submitted a letter to the Board regarding the proposal of closing the honor camps that was part of the recommendation for budget cuts. [Attachment D](#)

Pat Hines requested to speak. She stated Ms. Werner had already spoken to most of what she had intended to say. Ms. Hines gave the members of the Board a list of how many inmates were on a waiting list for programs at the institutions and camps and expressed her concerns. She asked that programs not be cut. [Attachment E](#) Ms. Hines stated there were two areas that should be looked at. Lockdowns were being used more and more for security reasons giving an example of how some inmates at NNCC do not want to go to meals, the other inmates had to stay in the unit as there were not enough staff to supervise those inmates and there is not enough staff to take the other inmates to the culinary. She inquired how much money was spent on transportation as it seems inmates were being transported to this facility and that facility which is a big cost. She suggested looking into transportation costs in the 10-11 budgets. Ms. Hines stated that the use of Casa Grande has been neglected and Director Skolnik informed her that there were only about 40 empty beds. She stated maybe it was time to take a look at the requirements that stipulated no violent or sex offenders for Casa Grande. Ms. Hines said that she had heard from inmates who were seen by the Parole Board and they were asked by the Board to take a program on Empathy but she could not find any class called Empathy on the list.

V. Adjournment

Motion to adjourn was approved by unanimous vote. The meeting was adjourned at 1:50 p.m. The next Board of Prison Commissioners' Meeting is scheduled for October 14, 2008.

APPROVED THIS DAY _____, MONTH OF _____
BY:

GOVERNOR JIM GIBBONS

ATTORNEY GENERAL CATHERINE CORTEZ MASTO

SECRETARY OF STATE ROSS MILLER

Recorded and Transcribed by Susan Cochran
Executive Assistant to the Director
Nevada Department of Corrections