

Bill: HB-2: General Appropriations Act 2021-02-01 09:00 AM - (H) JAS on Judicial Branch, Law Enforcement, and Justice

Position: Opponent

Representing an Entity/Another Person: Yes

Organization: #LetThemComeHome and incarcerated persons in MT

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Written Statement: Please take a quick look at the summary of the 2020 Legislative Audit with regard to Community Corrections.

<https://montana.maps.arcgis.com/apps/MapSeries/index.html?appid=c5cff9a365024d2390e46cae7290b84b>

It seems that the community corrections facilities are extracting a large amount of money from the DOC and an astronomical amount of money from offenders personally. While staying at a pre-release center, offenders are often times having to pay rent for both an apartment in the community that they are NOT permitted to live in, because the pre-release center will not allow them to leave. So, P&P requires offenders to get an apartment, to prepare for release, but all the while they must simultaneously pay for their stay at the pre-release center. This is a significant problem that was going on long BEFORE Covid. Now with Covid it is magnified.

I did notice that approx \$26 million was paid out to the DOC for Covid. I see that DOC has distributed a significant amount to P&P and to Community Corrections. Why have probationers not been reimbursed for having to pay rent at multiple locations for so long? This should be an automatic reimbursement for offenders, not some convoluted process of requesting "subsistence payments". Did the community corrections facility like pretty leases get paid from the Covid funding plus the offender? Did they double dip? Did they triple dip by requesting Covid funds because they house people on supervision?

We recognize the likelihood of P&P imposing certain "qualifiers" that would ultimately end in a person on supervision not being eligible for the subsistence payment. Please understand that during these extended periods of quarantine, offenders were not allowed to leave the center to go to work. Even the offenders that did not test positive for Covid were not permitted to leave. At the same time, the pre-release centers were taking out payments to pay themselves rent out of the offender's account.

We are noticing a pattern in the DOC and its affiliates erring on the side of their own benefit, and not on the side of the people who are in their care. Protections provided to wards of the state regarding Covid (ie: access to cleaning supplies, sanitary living conditions, PPE etc). remain the last priority in the distribution of resources. Frankly, the individuals on supervision haven't been given ready-access to these things in any effective way, if at all. DOC personnel have and the Pre-release centers have used the Covid funding to accommodate themselves rather than the people they supervise. This is not acceptable. P&P and Community Corrections know that they run themselves with virtually no oversight. We would like them to be bound by transparency and accountability.

P&P and the Pre-release need to voluntarily put that money back in the hands of the people that earned that money. They also need to put back the money that has been duplicated or triplicated in emergency Covid funding.

Some individuals believe that there is somewhat of a monopoly on the pre-release centers in Montana and that the Pre-releases make entirely too much and they don't interface efficiently with Probation & Parole. This is the fault of both P & P not effectively managing case files, and pre-release being difficult to communicate with. Ultimately, the disconnect falls on the shoulders of the offender, often times with Probation and Parole not returning phone calls for a significant amount of time, as well.

The bottom line is the system is not cost effective. We ask that you please look into how much the cost are being pawned-off on the offenders, and if this is a set up for failure. It is difficult to have sustainability meeting no recidivism when offenders leave the starting line in such a deficit.

That stick and carrot game that Kevin Olsen talks about is just a house of cards. We want offenders to truly be able to work towards self-sufficiency without these types of land mines in their path.

We have received reports of P&P officers especially in the Great Falls Office, trying to convince landlords NOT to rent to offenders, highlighting to the potential property manager that renting to a felon can be a "liability" for their property.

Thank you for receiving these concerns. There are many more concerns that we get about probation and parole and about community corrections. But staying close to the topic of the budget, we ask that you recognize what they do with the money that they are given. It does not necessarily reach the Standards that they are expected to meet.

Your work on this is very much appreciated. Thank you for your interest.