



*Montana Sheriffs & Peace Officers Association*  
PO Box 794 • Helena, MT 59624 • (406) 443-5669 • [www.mspsoa.org](http://www.mspsoa.org)

## **SB 303 – Local Detention Center Information**

### **Questions Asked**

1. How much money is collected in fees and commissions per month?
2. What are the fees used for?
3. What are the commissions used for?
4. If you have an inmate welfare fund, how are those funds utilized?
5. Total budget for your detention facility
6. Percentage of inmates in your facility who are county inmates vs. state inmates
7. How much did your facility pay to have the inmate calling hardware and software installed? What is the total value of the equipment?
8. What security measures do you have in place for phone monitoring, data storage, etc?

### **Broadwater County**

1. Last month we made \$1000 but paid TurnKey \$2000. This varies month to month.
2. Fees are used for Inmate Welfare
3. Commission is also for Inmate Welfare
4. Inmate Welfare fund is utilized for things like TV's, Pizza, special things for Christmas, new washer and dryer etc. It is always used in the jail to help the inmates.

### **Cascade County**

1. How much money is collected in fees and commissions per month?  
We only collect a commission, approximately \$4,300 a month.
2. What are the fees used for?  
We do not collect fees.
3. What are the commissions used for?  
Our commission is used for inmate assistance, meaning we hired an Inmate Specialist employee. She is charged with daily hiring and maintaining lists of inmate laborers within the facility. She replaces and organizes hard drives, to include finding video clips from older hard drives. She creates login information for employees and monitors facility cameras to ensure they're working properly (safety). Troubleshoots and keeps track of all inmate tablets to include returning broken tablets and being the liaison between the facility and Securus. She handles all Securus phone issues, including troubleshooting and inmate PIN changes, Securus Video Visitation issues, answering inmate questions via e-messaging, she gives access to employees or other approved outside entities, handles all kiosk issues to include Commissary password resets and ConnectUs account login issues, etc. Because we have so many inmates coming and going daily, she stays very busy with assisting inmates with tablets, PIN numbers, getting their accounts set-up, etc. Frankly, if I lose commissions, I will have to cut this position and then I eliminate the tablets, kiosks, etc. because I simply don't have the staff (DO's) that could take on her workload and also maintain the security and safety of the Facility of their regular duties.

4. If you have an inmate welfare fund, how are those funds utilized?  
Inmates can place funds on their account and purchase either Commissary and/or music, videos, games, etc. via their tablets or make phone calls. It's 100% their money and they decide how they want to spend their funds.
5. Total budget for your detention facility.  
\$21,755,112.00
6. Percentage of inmates in your facility who are county inmates vs. state inmates.  
Average daily, we house around 28 MSP Waits/Holds, the other 370 are locals, Pre-Trial or Feds
7. How much did your facility pay to have the inmate calling hardware and software installed? What is the total value of the equipment?  
We paid \$8,900.00 per video terminal; we have 28 video terminals in our jail for the inmates.
8. What security measures do you have in place for phone monitoring, data storage, etc?  
Best I can explain here is see attached for what we offer in our Facility. Securus stores everything for us at their Center in Texas. We can retrieve data/phone/video up to two years later. We also have "Officer" tablets so they can monitor phone calls and video visits live, which is something often that our Central Control Officer does. The software also picks up on key words/flags key words and sends us intel reports immediately so we can investigate further if need be. We have volunteers who listen to tons of inmate phone calls and we have solved numerous crimes just by listening to phones calls even though inmates are informed that the call is being recorded and they have no privacy via the phone calls. In fact, GFPD just solved a homicide about three weeks ago off one of our jail phone calls because the guy admitted to his mom that he killed a guy downtown; very powerful. If this all goes away, we will have no choice but to lose all of this monitoring ability, which we and the inmates benefit from.

On our Jail Management System (JMS), I can see in real time what my jail count numbers are and "who" our inmates belong to. Hopefully the below codes are self-explanatory.... CITYCRT, JP and PRETRIAL would be "locals" essentially and everyone else belongs to the State (P&P or DOC) and USM is the Feds.

Cory

Jail Count	
Held For 72HRHOLD	4
Held For BOP000000	1
Held For CITYCRT	25
Held For DISTRICTCRT	2
Held For JP	5
Held For MHP	2
Held For MSPWAIT	25
Held For MWP	3
Held For OTHERMT	3
Held For PAROLCONR	2
Held For PAROLEE00	2
Held For PRC000000	4
Held For PRETRIAL	170
Held For PROB000000	26
Held For USM	105
<b>Total</b>	<b>379</b>

## **Custer County**

1. How much money is collected in fees and commissions per month?

We collect no money or fees. All of ours goes back to Securus so we can provide video visiting and we are also currently working on getting tablets into the facility. All of this allows more inmate contact with their families.

2. What are the fees used for?

N/A

3. What are the commissions used for?

N/A

4. If you have an inmate welfare fund, how are those funds utilized?

We still have a fund and the revenue is from commissary. It is primarily used for cable tv, games, basketballs, etc. We have also used it to buy bus tickets and some meal money for indigent inmates who don't live here and need a ride back home.

## **Dawson County**

1. Total budget for your detention facility  
4.5 million, annually; for both the County Jail and the Contracted MT DOC Beds.
2. Percentage of inmates in your facility who are county inmates vs. state inmates  
144 Inmate Beds Contracted to MT DOC. 24 County Jail Beds with 4 Jail Holding / Temp Beds.
3. How much did your facility pay to have the inmate calling hardware and software installed? What is the total value of the equipment?  
Dawson County paid zero dollars to install required equipment for Inmate Phone Services.
4. What security measures do you have in place for phone monitoring, data storage, etc?  
Via the Inmate Phone System provider, ICS, we have access to their security software and recordings. Staff monitor live calls as time allows; staff monitor recorded calls regularly.

## **Gallatin County**

1. How much money is collected in fees and commissions per month?  
\$5000 - \$8000 per month
2. What are the fees used for?  
No additional fee is charged to the inmate
3. What are the commissions used for?  
Money gets put into the general fund.
4. Total budget for your detention facility  
Approximately \$7.5 million
5. Percentage of inmates in your facility who are county inmates vs. state inmates  
Our facility only holds county inmates who are pretrial/ sentenced to county time and inmates awaiting transport to DOC or MSP. We don't hold inmates to serve state time.

6. How much did your facility pay to have the inmate calling hardware and software installed? What is the total value of the equipment?  
We did not pay anything to have the equipment installed nor do we own any of it.
7. What security measures do you have in place for phone monitoring, data storage, etc?  
Phone/ Video visitation is done by officers on an irregular basis and by GTL. All data storage is done by GTL.

### **Glacier County**

1. How much money is collected in fees and commissions per month?  
\$200-\$500 depending on jail population.
2. What are the fees used for?  
Detention revenue offsetting the monthly cable bill and supplies for outgoing correspondence by inmates.
3. What are the commissions used for?  
Detention revenue offsetting the monthly cable bill and supplies for outgoing correspondence by inmates.
4. If you have an inmate welfare fund, how are those funds utilized?  
N/A
5. Total budget for your detention facility  
\$399,000 which includes payroll for six detention officers
6. Percentage of inmates in your facility who are county inmates vs. state inmates.  
Averaging about 17 inmates in a 24 bed facility; 4 state, 5 county, 7 city and 2 MHP. We aren't able to bill on a city inmate.
7. How much did your facility pay to have the inmate calling hardware and software installed? What is the total value of the equipment?  
Unknown, installed by Consolidated Telecom approx. 8-10 years ago. Updated contract in 2021.
8. What security measures do you have in place for phone monitoring, data storage, etc?  
Department head and some admin users have a web portal to download and monitor and enter numbers to prohibit certain inmates from calling. All data is offsite and can be downloaded if needed.

### **Granite County**

1. How much money is collected in fees and commissions per month?  
\$10.00 in fees – no commission
2. What are the fees used for?  
Care of Prisoners Fund – We use it to purchase inmate supplies
3. What are the commissions used for?  
No Commission – Just fees
4. If you have an inmate welfare fund, how are those funds utilized?  
All monies collected for phone rates go into the same fund "Care of Prisoners"

### **Jefferson County**

1. We have no fees attached to out phone calls. Our phone calls are simply .25 cents a minute. From 1-1-21 through 12-31-21 we collected \$5657.68 in phone call commissions
2. We have no Fees
3. All of our commissions go to the inmate welfare account
4. I utilize our inmate welfare fund for multiple things to make the inmates' stay in our facility much more pleasant. This is a simply a summary of what we do but it is certainly not a detailed list. The inmate fund in our facility is utilized for purchasing of better jail equipment. For this example, I will use mattresses. I utilize this fund so I don't have to shop for the cheapest, thinnest mattress on

the market that fits our budget. I will use the inmate fund to spend more on a thicker mattress that will be more comfortable for the inmate. We also pay for Cable and purchase TVs for the inmates out of this fund. We pay for the fast case system monthly out of the inmate fund, which gives the inmate access to not only Montana law, but laws from other states as well, as frequently inmates have pending cases in other states at the time of their stay here. It also gives them access to case law for research purposes. Additionally, I like to provide special things to the inmates on Holidays or special occasions. For example, over the last year, inmates got Pizza and Wings for the super bowl, Banana splits on the 4<sup>th</sup> of July, Christmas goodie bags from Santa on Christmas (these bags cost about \$70 each). We also provide traditional meals for the inmates on Easter, Thanksgiving and Christmas. Once again this is just a summary and not an entire list. If money is spent out of our inmate fund, it is spent for inmate related items or activities.

5. Our total jail budget is \$678,706 for this fiscal year
6. Currently 10% of our inmate population is D.O.C. and 90% is county
7. We paid nothing for the equipment or software for inmate communications. Cost of equipment and installation was \$29,150. All paid for by the provider
8. All of our inmate communication is recorded and stored indefinitely by our phone provider. This obviously excludes attorney calls. We also have the ability to live monitor calls if necessary.

In summary, I think for our facility that capping the phone rates will eliminate commissions and thus will have the inmate fund for our facility disappear. I pride myself on treating the inmates in our facility so they feel like people and not a number. Jail is tough for people and it would get even tougher if we did not have the ability to utilize an inmate fund for better jail products and making holidays feel like a different day while people are incarcerated here.

### **Lewis and Clark County**

Sheriff Dutton requested I provide a report to you regarding our current accounting process regarding fees charged to inmates for making telephone calls. As part of this process, I would like to begin with the requirements established by the Montana Jail Standards adopted in 2019. Per Chapter 12, Inmate Rights, Inmates are afforded the following rights when it comes to the use of a telephone:

Chapter 12.01 "...The facility's written policies and procedures shall provide for the following:

- a. Inmate access to counsel is ensured. Inmates are assisted in making confidential contact with attorneys and their authorized representatives. Such contact includes, but is not limited to, telephone communications, uncensored correspondence, and visits."

Chapter 14 of the Montana Jail Standards provides further guidance regarding an inmates access to telephone services. These are further explained in Chapter 14.07-14.09, which is listed below:

14.07 The facility has written policy and procedure which provides for inmate access to telephone services.

14.08 All inmates, except those restricted as a result of disciplinary action, are provided the opportunity to complete telephone calls to maintain family and community ties.

14.08.01 At least ten (10) minutes are allotted for each telephone call.

14.08.02 If calls are monitored, inmates are notified.

14.08.03 The facility may require that any costs for telephone calls be borne by the inmate or the party called.

14.08.04 Inmates with hearing and/or speech disabilities, and inmates who wish to communicate with parties who have such disabilities, are afforded access to a Telecommunications Device for the Deaf (TDD) or comparable equipment. Telephones with volume control are also made available to inmates with a hearing impairment.

14.09 Inmates are allowed to make a reasonable number of telephone calls to their attorneys.

- 14.09.01 Calls to attorneys are of reasonable duration.
- 14.09.02 Calls to attorneys are not monitored.
- 14.09.03 Calls to attorneys are not revoked as a disciplinary measure.

In addition, our current system for making phone calls, Turnkey Corrections, also handles our canteen orders. Chapter 17 of the Montana Jail Standards covers the use and administration of detention canteens. These are further explained in Chapter 17.15-17.17, which is listed below:

17.15 Where Commissary programs exist, an inmate can purchase approved items that are not furnished by the facility. The commissary's canteen's operations are strictly controlled using standard accounting procedures.

17.16 Excess revenues derived from the operation of the commissary or canteen are used for the benefit of inmates.

17.17 Indigent inmates are provided, without charge, those items specifically authorized by facility policy and procedure.

Currently, our detention center is adhering to all the required jail standards laid out. Inmates are allowed access to make phone calls, unless on disciplinary action, calls to attorneys are not monitored, costs of the calls are put on the inmates, and any additional funding from the canteen program is directly put back to the inmates' benefit.

To go further in depth regarding the funds and income source, it shows we are going above and beyond what is required by current jail standards. I have gathered data from the current fiscal year and the past two fiscal years to show the flow of money from inmates' services to the expense the money is used for. For fiscal year 2020, our office saw \$30,238 come in from telephone revenue from inmate calls. We also took in \$51,871 dollars for commissary items bought by the inmates. This amounts to a total of \$82,109 taken in from inmates purchases in these two areas. While Montana Jail Standards only require us to use the commissary income on inmate services, our detention center uses all this money toward inmates' services.

The money taken in from telephone and commissary revenue is placed into a separate account that is only used for inmates' services. We also placed additional funds into these accounts to help offset the high costs of these two expenses. In fiscal year 2020, this included \$22,617 from inmates' medical payments for services provided, \$3,436 for fines and restitution, \$800 from SSA Incentive Fees, \$1,647 from Miscellaneous Revenue, and \$115,888 of revenue from the 24/7 Program. This adds up to only \$226,496 of revenue in this account to pay for inmate services.

The money generated from these funds goes to paying for Operations and Inmate Medical expenses. Operations covers a wider area of expenses, to include clothing, deodorant, feminine products, toothpaste, cable television, and sandals. Operations for the fiscal year 2020 cost the detention center \$93,360. Medical expenses for inmates during this time cost \$138,473 in operating costs and \$304,180 in staffing costs. The staff costs were partially due to the practice at that time of having traveling nurses cover shifts within the detention center. This added up to \$536,013 of expenses on only \$226,496 of income.

To offset this different, the Sheriff's Office was required to put in \$250,000 of money to pay for these inmate services. This was still short of the expenses and required the carry over cash of in these accounts from the previous year to be used to cover the short comings. Even with the addition of this money into the account, the difference between the income and expenses only resulted in \$1,300 of extra money. When taking into account the additional funds put into the accounts not required by Montana Jail Standards, inmates paid for \$82,109 toward their services while the Sheriff's Office paid for \$453,904 from other sources of income toward these specific inmate services.

Fiscal year 2021 only showed a slight different in the numbers. The following are a list of the same areas of income and expenses from this year:

**Revenue**

Telephone Revenue: \$63,454  
Commissary Revenue: \$60,673  
Medical Payments: \$32,680  
Fines and Restitution: \$1,863  
SSA Incentive Fee: \$0  
Miscellaneous Revenue: \$1,647  
24/7 Program Revenue: \$101,058

Total Revenue: \$263,121

**Expenses**

Operations: \$104,218  
Medical Operations: \$99,503  
Medical Staffing: \$337,743

Total Expenses: \$541,464

As shown by these accounts, the inmate funds were still short \$278,343. To help this, the Sheriff's Office again put \$275,000 into the inmate accounts. Even with this additional income, the inmate accounts went into the negative going into the next fiscal year.

Current numbers for fiscal year 2022 are looking better for the offset of the expenses paid to the inmate services accounts, but still are falling short of the amount needed to cover these costs. Below are the list of the current revenue and expenses paid through the inmate services accounts:

**Revenue**

Telephone Revenue: \$12,287  
Commissary Revenue: \$32,889  
Medical Payments: \$35,856  
Fines and Restitution: \$1,029  
SSA Incentive Fee: \$0  
Miscellaneous Revenue: \$1,807  
24/7 Program Revenue: \$64,709

Total Revenue: \$150,489

**Expenses**

Operations: \$67,432  
Medical Operations: \$51,900  
Medical Staffing: \$73,741

Total Expenses: \$193,073

As can be seen by the numbers, we are still falling short of the costs and have already moved \$50,000 from the Sheriff's Office into this account. We are also budgeting to have to move an additional \$50,000 to cover future expenses that will fall short of our revenue.

Regarding the cost of our equipment being put into our building, Turnkey did not charge us any money for the installation of their equipment during the initial set up. Turnkey also did not charge us for the installation of the units when the renovation of the detention center was completed.

The detention center does pay a rate of \$0.12 per minute of phone call to Turnkey for each call made. We currently charge a rate of \$0.25 per minute to the inmates, which results in \$0.13 going to the detention center per minute of phone use by an inmate. The current contract caps the amount our detention center can charge an inmate at \$0.25 a minute for phone calls.

Any further cuts in the caps we are allowed to charge below our current rate would be a direct hit on our current budget of the Sheriff's Office. This may result in having to reduce the services we provide for the inmates due to lack of available funds. As shown above, our office goes above and beyond what is required to provide inmates by the Montana Jail Standards that were adopted in 2019. This has been done in the past with us footing the bill to continue to provide these services at a substantial loss from a budgetary point of view. However, providing the proper level of inmate services through these funds helps to maintain a better detention facility and better services for the inmates. This helps keep us in line with our Mission Statement of providing professional law enforcement services in partnership with the community.

#### **Missoula County**

1. How much money is collected in fees and commissions per month?  
MCDF Collects around \$10,000 in phone commissions per month.
2. What are the fees used for?  
We do not collect fees from our phone calls.
3. What are the commissions used for?  
Our commissions are used for a variety of inmate related purposes. They fund buying the inmates TVs in our dayrooms, hair grooming products, some furnishings like more comfortable chairs and tables for certain inmate dayrooms, games, books, indigent inmate care packs, bus tickets for inmates who need travel when released, commissary for certain inmates and other random uses when needed and appropriate. We purchase clothing for inmates that may need clothing when they are released. A good example is an inmate arrested in July wearing flip flops, is then released in January. It is not appropriate to release them without proper winter attire. The most consistent use of these funds is for Inmate worker pay for an assortment of jobs we have available for inmates in our jail. These opportunities include kitchen and laundry work, floor care crews, food service, and cleaning crews. Our payroll for these positions in January was \$6500.00. Commissions allows our jail to provide these items and services that are not required of a facility to offer. The commissions also allow us to offer these without a burden to the tax payers.
4. If you have an inmate welfare fund, how are those funds utilized?  
As described above.
5. Total Budget  
\$15,310,36
6. We have a total of 392 beds and our pre-covid average population was 365, we average 140 DOC inmates a day combining a contract unit (MASC) and DOC inmates sentenced out of Missoula County in our local jail unit. About 38% are DOC inmates.
7. Wiring for phones was part of the original build in 1998. Phone contracts since that start include costs for installing equipment and hardware. Missoula County negotiates that new install requirements are at no cost to the County.
8. In the last 10 years, the phone systems/contractors we have utilized provide a robust investigation



and monitoring system. They also store the calls indefinitely, and allow access to investigators.

### **Park County**

1. How much money is collected in fees and commissions per month?  
Approximately \$400 - \$700 per month depending on phone usage
2. What are the fees used for?
3. What are the commissions used for?  
Inmate Televisions, Exercise Equipment, Comfort items such as mattresses with pillows, etc.
4. If you have an inmate welfare fund, how are those funds utilized?  
N/A
5. Total budget for your detention facility  
\$953,447.83
6. Percentage of inmates in your facility who are county inmates vs. state inmates  
99 % County
7. How much did your facility pay to have the inmate calling hardware and software installed? What is the total value of the equipment?  
Equipment was installed by the company at no cost.
8. What security measures do you have in place for phone monitoring, data storage, etc?  
Security and data storage is maintained by the vendor.

### **Powell County**

1. How much money is collected in fees and commissions per month?  
We are currently with Securus for our inmate phone systems. Inmates are currently charged \$.045 flat rate per minute for calls. We currently average around \$130/month in commissions. We also sell inmate phone cards of which we realize about 8% return on sales.
2. What are the fees used for?  
Deposited into general fund
3. What are the commissions used for?  
Deposited into general fund
4. If you have an inmate welfare fund, how are those funds utilized?  
No inmate welfare fund
5. Total budget for your detention facility  
Operational budget is \$453,000 – this does not include staffing
6. Percentage of inmates in your facility who are county inmates vs. state inmates  
Currently, 70% of our inmates are being held for DOC
7. How much did your facility pay to have the inmate calling hardware and software installed? What is the total value of the equipment?  
No costs are involved with the inmate phone system. They install and maintain at no cost to the county.
8. What security measures do you have in place for phone monitoring, data storage, etc?  
Storage is web-based, their system is entirely stand alone. We have the ability to review and monitor calls at our discretion.

### **Ravalli County**

1. Our jail operating budget for FY 21-22 is \$1,550,000.00, that's minus the Jail Commander's salary and capital funds.
2. For about the past year, we are running right at 15% of the population being DOC committed inmates.
3. Securus installed the phone system, both hardware and software at no cost to the county.

4. We use Securus security for monitoring and data, which is limited to users authorized by me and password/log in protected in addition to the County's IT security.

## **Sheridan County**

### *Temporary Hold Jail*

1. How much money is collected in fees and commissions per month?  
\$0
2. What are the fees used for?  
N/A
3. What are the commissions used for?  
N/A
4. If you have an inmate welfare fund, how are those funds utilized?  
N/A
5. Total budget for your detention facility:  
165,833.00 that includes wages
6. Percentage of inmates in your facility who are county inmates vs. state inmates.  
State: 0%, County: 100%
7. How much did your facility pay to have the inmate calling hardware and software installed? What is the total value of the equipment?  
We use regular phone system dialed by the officer in booking area. There are no phone recordings to the phone and there are no phones in dayrooms or cells.
8. What security measures do you have in place for phone monitoring, data storage, etc?  
Our deputy remains in the area during the call. There is audio and video recording in the Booking Area where the phone is located.

## **Valley County**

Looking only at the inmate phone fees does not paint a full picture of the needs, expectations, requirements and services in a local detention facility. Looking at this from the perspective of fees that a jail incurs, I would point specifically to legislation on medical payments and costs in local detention facilities, especially for pretrial detainees. There are medical fees that the county is charged that no one pays for (i.e. Medicaid, personal insurance, indigent persons). Any amount of "income" from commissary, phone, video, and the like is placed in the Commissary Fund. These funds are used to pay for the costs associated with the care of the inmates. They are also used to provide equipment that meets both the needs and wants while incarcerated. For example, I recently purchased chairs for each pod so they are not sitting on the hard concrete floor. I also just purchased new mattresses for the inmates from this fund. If we need new basketballs or puzzles/games we use this fund. We have had damage by an inmate in the pod where they have broken the TV, so we get a new one from this fund. When we purchase data from ENCARTEL we pay out of the commissary fund. The inmates have money on their books and when they purchase data that money goes back to the commissary fund.

Lastly, it costs money to provide this equipment in these small rural facilities. The company we use provided all the equipment, installation, and maintenance. This service is a benefit to the inmates, it assists the staff by utilizing a more streamlined format for communication (between DO and inmate), grievances, commissary, medical kites and allows for communication between the inmate and their family.

I spoke with our contractor for voice and video communications, ENCARTEL. They noted that they are not a phone company but an App to App communication service (semantics?). We currently sell megabytes of data to the inmates. For communications purposes 1 minute is equal to 1/3 of a megabyte (approx.) This works out to \$0.18 cents per minute. The inmates can communicate via voice, video, or even a text like email service to family and friends outside the facility.

Our current contract shows us receiving 52% of voice communications, and 25% of video/messaging communications. So, of that 18 cents per minute, we receive 9 cents for a phone call. If it is video/messaging we receive 4.5 cents per minute.

### **Yellowstone County**

All commissions that YC keeps are used for inmate services that improve inmate services and care, but aren't mandatory under MCA. For instance, GED, MH, anger management, etc.

I'm not sure what they mean by fees because YC only receives commissions. Unless they mean the fees charged by Telmate and then that would be in our contract with them. Let me know if you need a sample invoice from them with that information.

We don't have an inmate welfare fund (I'm assuming that is the same as our canteen fund) that has any commissions included in it. We stopped doing that last fiscal year based on new GASB reporting requirements.

An average monthly commission for tablets and phone calls is \$10,500 or about \$125,000 per fiscal year. We spend much more than that on the services we provide that I mentioned above (GED, MH, anger management, etc.).