



A REPORT  
TO THE  
MONTANA  
LEGISLATURE

PERFORMANCE AUDIT

*Evaluating Education and  
Training Opportunities in  
Montana's Prisons*

*Department of Corrections*

APRIL 2024

LEGISLATIVE AUDIT  
DIVISION

22P-04

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Performance audits conducted by the Legislative Audit Division are designed to assess state government operations. From the audit work, a determination is made as to whether agencies and programs are accomplishing their purposes, and whether they can do so with greater efficiency and economy.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Members of the performance audit staff hold degrees in disciplines appropriate to the audit process.

Performance audits are conducted at the request of the Legislative Audit Committee, which is a bicameral and bipartisan standing committee of the Montana Legislature. The committee consists of six members of the Senate and six members of the House of Representatives.

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# LEGISLATIVE AUDIT DIVISION

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April 2024

The Legislative Audit Committee  
of the Montana State Legislature:

We are pleased to present our performance audit of education and career training programs managed by the Rehabilitation and Programs Division within the Department of Corrections.

This report provides the Legislature information about education and career training opportunities at Montana's adult secure correctional facilities. This report includes recommendations for improving the monitoring, maintenance, and supply of education and career training opportunities by the Department of Corrections at Montana's state and contracted secure facilities. A written response from the Department of Corrections is included at the end of the report.

We wish to express our appreciation to Department of Corrections personnel for their cooperation and assistance during the audit.

Respectfully submitted,

*/s/ Angus Maciver*

Angus Maciver  
Legislative Auditor



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## APPOINTED AND ADMINISTRATIVE OFFICIALS

### **Department of Corrections**

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Cynthia Wolken, Deputy Director, Department of Corrections

Scott Eychner, Director, Rehabilitation and Programs Division

Travis Anderson, Bureau Chief, Education Bureau (effective January 2023)

Gayle Butler, Bureau Chief, Montana Correctional Enterprises  
(through August 2023)

Ross Wagner, Acting Bureau Chief, Montana Correctional Enterprises  
(effective August 2023)





# MONTANA LEGISLATIVE AUDIT DIVISION

## PERFORMANCE AUDIT

### Evaluating Education and Training Opportunities in Montana’s Prisons

DEPARTMENT OF CORRECTIONS

A report to the Montana Legislature

#### BACKGROUND

The Rehabilitation & Programs Division is the administrative unit at the Department of Corrections responsible for providing education and work program opportunities to inmates in public incarceration facilities. The Education Bureau provides formal education within the division, such as high school equivalency and vocational education opportunities. The Montana Correctional Enterprises Bureau manages enterprise-funded work programs that are traditionally referred to as industries.

**Program:** Rehabilitation & Programs Division

**Program FTE:** 90 (MCE & Education Bureaus)

**Program Revenue FY 2023:** \$19.4 million

**Program Expenses FY 2023:** \$19.5 million

Expanding education and career training for inmates can significantly cut down on recidivism rates. Yet, only 25 percent of Montana inmates engaged in education from 2020 to 2022. The Department of Corrections (department) faced various hurdles during this time, hampering program growth. To enhance opportunities for inmates, the department must establish data procedures, develop new and improve existing programs, support inmate reentry, and boost contract facility oversight and support.

#### **KEY FINDINGS:**

**The Department of Corrections does not maintain usable program data to assess education and work program performance and compliance or monitor recidivism.** The department does not track participant records and other program data accurately or reliably. Current processes and systems used to collect this information are not adequate. Staff rely on disparate and unmonitored spreadsheets to track program information separately. Data is difficult to access, incomplete, and includes errors.

**Education and work programs across the state do not meet demand and are not regularly assessed to ensure continued relevance or quality.** Few inmates can participate in education or career training opportunities, and many find available opportunities are not useful for their future careers. The department does not regularly evaluate the performance or relevancy of existing programs or develop proposals for expanding these opportunities.

**Inmates are not consistently provided education, career counseling, or reentry assistance.** Seventy-eight percent of inmates reported never meeting facility staff to discuss education or career goals. Opportunities to participate in reentry education or other reentry services before release are limited. Limited program opportunities are not assigned based on inmate risk and needs.

**Contracted secure facilities do not provide comparable programs.** Education and job opportunities are outlined in contracted secure facility agreements, but these requirements are not monitored or enforced. As a

*(continued on back)*

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result, inmates in these facilities have less opportunity to participate in these types of programs before meeting the parole board or being released to the community.

### **RECOMMENDATIONS:**

In this report, we issued the following recommendations:

To the department: 4

To the legislature: 0

#### **RECOMMENDATION #1 (page 12):**

##### *System and Information Management*

We recommend the Department of Corrections formalize and modernize data tracking, monitoring, and reporting for education and industries by identifying information needs, developing roles and procedures, and developing a method to track and maintain data with the implementation of the department's new management information system.

**Department response: Concur**

#### **RECOMMENDATION #2 (page 19):**

##### *Governance, Risk Assessment, and Planning*

We recommend the Department of Corrections assess new programs, evaluate existing programs on an ongoing basis, and complete biennial plans to coordinate and identify necessary resources to expand educational and industry opportunities across the facilities.

**Department response: Concur**

#### **RECOMMENDATION #3 (page 23):**

##### *Management and Operational Effectiveness*

We recommend the Department of Corrections integrate education and career counseling into case management, create a partnership with Department of Labor and Industry to provide inmate reentry services, develop criteria to guide program participant selection, develop criteria to guide program participant selection, and design and provide targeted reentry education and services to inmates exiting the system.

**Department response: Concur**

#### **RECOMMENDATION #4 (page 29):**

##### *Procurement, Contracting, and Grants Management*

We recommend the Department of Corrections enforce education and job-related contract provisions, monitor program quality and adherence to industry standards, and establish a process to identify and review programs for contracted facilities.

**Department response: Concur**

# Chapter I – Introduction and Background

## Introduction

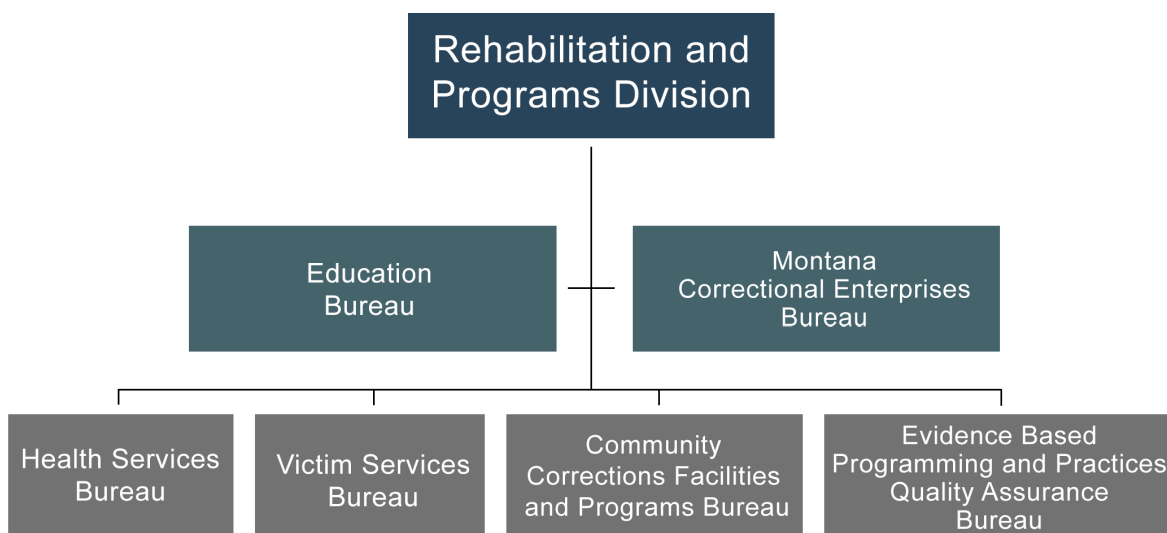
Between half and a quarter of Montana inmates lack a high school diploma upon entering the prison system each year. Research indicates that participating in educational and vocational programs can decrease recidivism by a third. The state committed to evidence-based practices through Justice Reinvestment in 2017. The Department of Corrections (department) is mandated to promote inmate education and rehabilitation in accordance with inmate risk and needs assessments. Legislative scrutiny led to a 2021 resolution for a performance audit, uncovering data, supply, and contract challenges in inmate education programs.

## Background

In recent years, education and training programs in secure facilities were managed by various administrative units, including the Montana Correctional Enterprises (MCE) Bureau, individual prisons, or contracted out. A 2021 department reorganization established the Rehabilitation and Programs Division (RPD) to facilitate evidence-based programs for successful offender reintegration. This includes managing education and vocational training opportunities in secure facilities. RPD recently moved education-specific responsibilities out of the MCE Bureau and into a new Education Bureau. The MCE Bureau still manages work programs in the state facilities. See the RPD organization chart below for details.

Figure 1

### New Division Organization Chart Includes Education and Career Training in Two Separate Bureaus



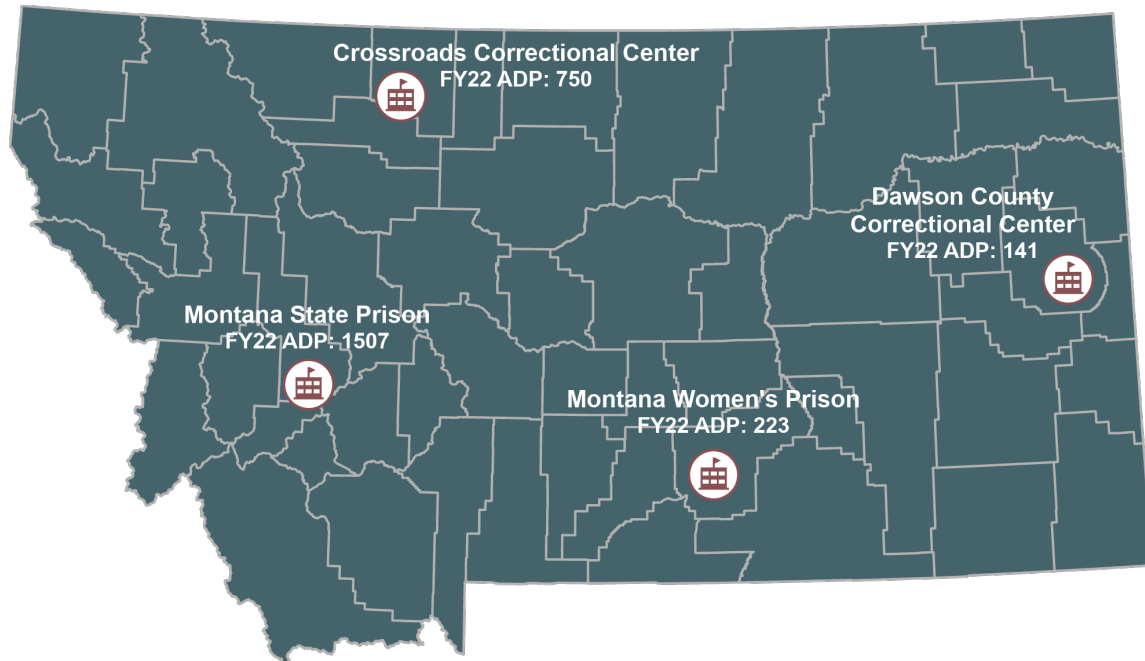
Source: Created by Legislative Audit Division from department records.

With few exceptions, adult inmates in Montana are housed in one of four secure facilities: a state men's prison, two contracted men's prisons, and one state women's prison. These facilities are dispersed across the state and have an average daily population (ADP) of over 2,600. The four facilities offer a mix of

adult basic education, secondary education, post-secondary education, vocational education, work programs, and jobs for inmates to improve themselves while incarcerated.

Figure 2

**Different Prison Types and Sizes Are Used to Incarcerate State Offenders**



Source: Created by Legislative Audit Division.

## **Adult Basic Education and Secondary Education**

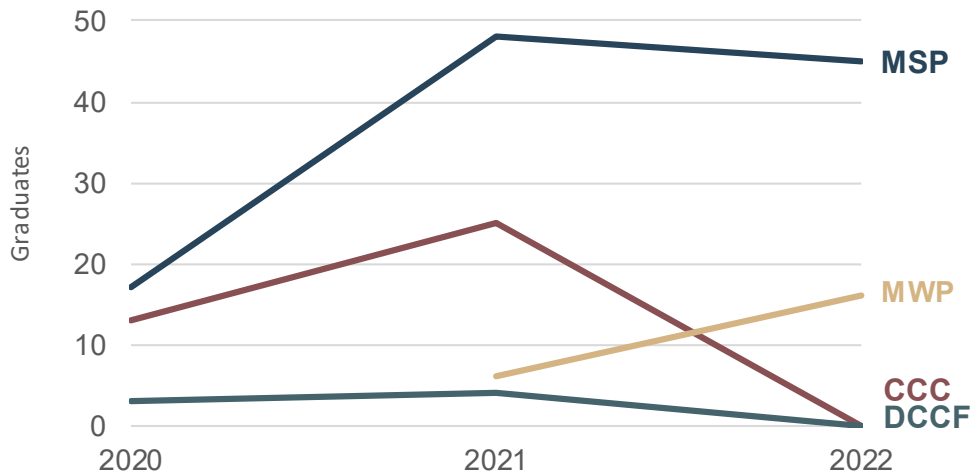
The department assesses every individual entering the prison system to determine educational attainment and current literacy level. Those without a high school equivalent degree must enroll in either adult basic education (ABE) or High School Equivalency (HiSET) preparatory classes, depending on their test scores. To attain a high school equivalency in a Montana facility, a student must pass a HiSET exam. A HiSET certificate is similar to a GED and is an alternative to a high school diploma. Typically, ABE and HiSET classes include a mix of students at different levels and subjects, though Crossroads Correctional Center sometimes offers classes on concentrated subjects.

We observed significant variation in the ability of the different facilities to move inmates through high school education to a HiSET certificate. In 2020, prisons had to accommodate the ever-shifting challenges of the pandemic, including fewer individuals in classes, more restrictions on mixing different housing units, and increased frequency of staff and students absent for health reasons. Montana Women's Prison's 2020 data is entirely missing due to these services being contracted out to the local school district, which subsequently refused to provide student records back to the department.

By 2021, graduations recovered in MSP and CCC and were picking up at MWP as the facility began offering HiSET courses directly. For much of 2022, CCC could not test students due to an investigation into a cheating allegation and technical difficulties following a change in the HiSET software vendor. Due to staffing issues, Dawson County Correctional Facility (DCCF) could not offer HiSET instruction, bringing both private facilities down to zero graduates.

Figure 3  
**Facility HiSET Graduations**  
(2020-2022)

HiSET graduation numbers changed due to external factors throughout the audit.



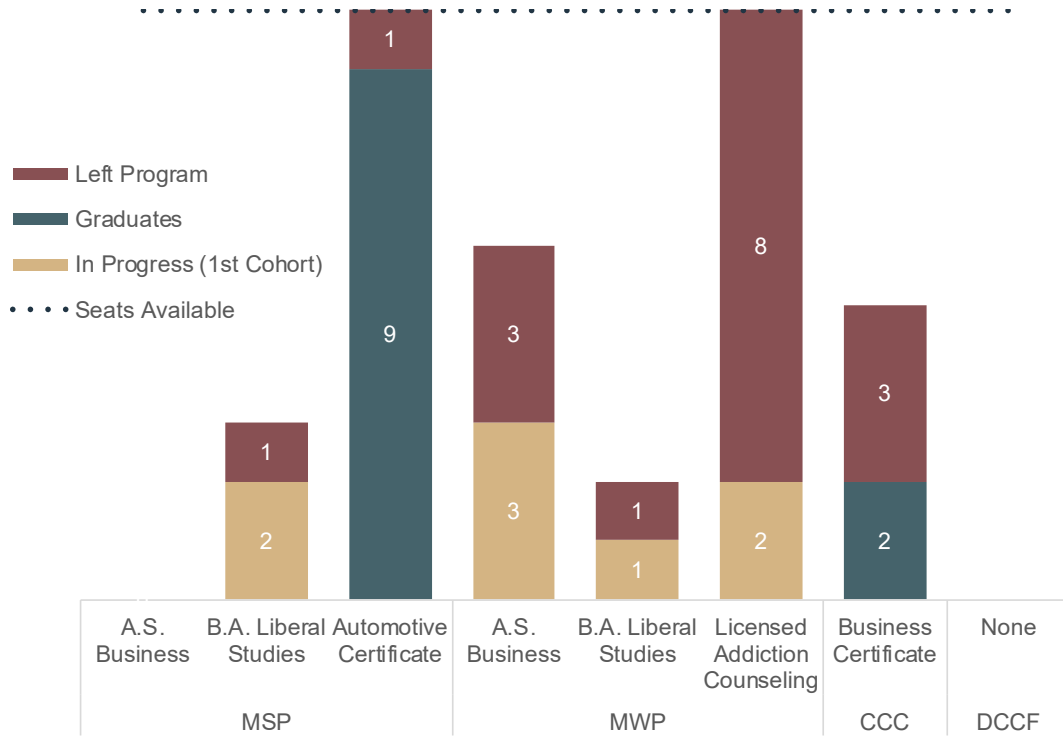
Created by Legislative Audit Division from department records.

### **Higher Education**

Incarcerated individuals with a high school equivalent credential can participate in various post-secondary or higher education opportunities. Some community colleges offer certificates and degrees at some of the adult facilities through the federal Second Chance Pell Experiment, now called the Prison Education Program (PEP). Inmates who participate can access Pell Grants to fund their education.

Four colleges offered higher education opportunities to students as part of Pell in 2023. Participants were enrolled as a cohort to take part in each online program, with some level of self-paced study. Below is a chart showing program availability and participation by facility for 2023.

Figure 4  
**Federal Pell Grants Allowed Students to Study for Higher Education Degrees in 2023**



Source: Created by Legislative Audit Division from department interviews.

Despite significant interest by inmates, only a fraction of those who expressed interest were accepted into programs, and class maximums were not met. The cause of low acceptance rates was not clearly understood by the department due to limited information regarding why inmates are or are not accepted for these programs. Two of these programs will not continue after this cohort, including the only certificate available at CCC. Some inmates independently participate in higher education correspondence courses with colleges outside of Pell, but not all facilities support students participating in these programs.

## **Vocational Education, Work Programs, and Jobs**

Vocational or Career Technical Education opportunities include a combination of time in the classroom and practicing hands-on skills. Inmates can also earn certificates such as pre-apprenticeships, recognized by the Montana Department of Labor and Industry, either as part of one of these educational programs or through self-study while working in a related field. Existing prison programs are described in Table 1 (see page 6).

Training is also available through on-the-job training. Montana Correctional Enterprises runs work programs with training components at both state facilities. Other jobs, such as janitorial and food service assignments, are typically offered at all of the facilities with the primary purpose of supporting facility operations. These jobs may or may not include any formal training or certificate component.

State facilities provide more vocational and work program options compared to contracted facilities. Staffing issues led to significant reductions in vocational opportunities at CCC during the audit period, and DCCF lacks vocational education or work programs entirely. The next page lists generalized vocational and work program opportunities available at the different facilities. The table excludes short safety-related trainings offered by the public facilities for most workers, such as fire extinguisher use and hazardous material handling.

Table 1

**Public Facilities Have More Available Vocational Education & Job Opportunities Than Contracted Facilities**

| Program Types (2023)                         | MSP | MWP | CCC               | DCCF        |
|--|-----|-----|-------------------|-------------|
| <b>Vocational Education/Training</b>         |     |     |                   |             |
| Administrative Assistant                     |     | x   |                   |             |
| Adobe  | x   | x   |                   |             |
| AutoCad                                      | x   | x   |                   |             |
| Automotive Technology                        | x   |     |                   |             |
| Braille*                                     |     |     | x                 |             |
| Commercial Driver's License                  | x   |     |                   |             |
| Basic Computer Skills/Typing                 | x   | x   | x                 |             |
| Carpentry                                    | x   |     | x (inconsistent)  |             |
| Coding (Last Mile)                           | x   |     |                   |             |
| Gardening                                    | x   |     |                   |             |
| Welding                                      | x   |     | x (inconsistent)  |             |
| OSHA-10                                      | x   | x   | No longer offered |             |
| Forklift Certification                       | x   |     |                   |             |
| Work Place Readiness (Intro to Construction) |     | x   |                   |             |
| Flagging                                     |     |     | x (inconsistent)  |             |
| <b>Work Program</b>                          |     |     |                   |             |
| Automotive                                   | x   |     |                   |             |
| Carpentry                                    | x   |     |                   |             |
| Fire Crew                                    | x   |     |                   |             |
| Industries                                   | x   | x   |                   |             |
| Institutional Cooks                          |     | x   |                   |             |
| Pet Care (Training & Grooming)               |     | x   |                   |             |
| Pheasant Rearing                             | x   |     |                   |             |
| Ranch  | x   |     |                   |             |
| Upholstery                                   | x   |     |                   |             |
| <b>Other Jobs</b>                            |     |     |                   |             |
| Administrative Assistant/Computer Basics     | x   | x   | x                 |             |
| Aide (i.e. ADA aide, library aide)           | x   | x   | x                 |             |
| Custodial                                    | x   | x   | x                 | x           |
| Food Service                                 | x   | x   | x                 | x           |
| Grounds Worker                               | x   | x   | x                 | x (limited) |
| Institutional Cooks or Bakers                | x   |     |                   |             |
| Laundry                                      | x   |     |                   |             |
| Maintenance                                  | x   |     | x                 |             |
| Other  | x   | x   | x                 |             |
| Recycling                                    | x   |     |                   |             |
| Stocking (Canteen)                           | x   | x   | x                 | x           |
| <b>Reentry Classes</b>                       |     |     |                   |             |
| Job Readiness                                | x   | x   |                   |             |
| Life Skills                                  | x   | x   |                   |             |
| CAAMP (Parenting)                            | x   | x   |                   |             |

Source: Created by Legislative Audit Division from department interviews and records.

\*This program is a combination of education and work program.



## **Scope & Objective**

We focused on institutional education and training programs provided for individuals incarcerated in adult prisons, where the state has the most opportunity to work with offenders on their needs. We excluded Riverside, a small high-needs facility, and Pine Hills, a youthful offender facility.

We developed one objective to assess the provision of education and career training in adult correctional facilities:

Determine if adult education and career training programs in secure correctional facilities are effectively and equitably provided to improve offender educational attainment and post-release employment outcomes.

## **Methodology**

To answer this objective, we completed the following steps:

- ◆ Reviewed applicable laws and rules related to education and work programs in secure adult facilities.
- ◆ Reviewed department and prison mission, goals, policies, and procedures.
- ◆ Identified and reviewed best practices for providing education and career training in secure correctional facilities.
- ◆ Interviewed stakeholders, including nonprofits working with the previously incarcerated, Board of Pardons and Parole, Department of Labor and Industry staff, Office of Public Instruction staff, and Office of the Commissioner of Higher Education staff.
- ◆ Interviewed department staff, including teachers, supervisors, case managers, administrators, wardens, data and IT managers, bureau chiefs, and division heads.
- ◆ Visited and toured four adult correctional facilities education and career programs
- ◆ Surveyed 2,380 current inmates at all four prisons regarding their perceptions of their opportunities to obtain education and career training at their facility (inmates in the intake units and at Montana State Prison's secure units were not included in the population). Survey received a 48 percent response rate.
- ◆ Analyzed program data to review the amount and type of education and work programs provided by prison.
- ◆ Analyzed education and work programs offered by each facility relative to state labor projections to assess potential post release job outcomes.
- ◆ Interviewed 11 previously incarcerated individuals who participated in educational programs.



## Chapter II – Tracking and Monitoring Inmate Education

### **Introduction**

In our evaluation of education and training in secure facilities, we encountered challenges accessing and analyzing program data. Reliable data is essential for monitoring program effectiveness and compliance. However, the Department of Corrections lacked accurate records for inmate education and work participation across public and private facilities. The data management procedures for this program are inadequate or absent. Therefore, any depiction of program data in this report should be considered an estimate due to the available data quality.

### **Accurate Program Data Supports Monitoring Program Effectiveness**

According to the Montana Operations Manual, state programs are expected to capture and maintain data to ensure complete, accurate, and valid information is processed and shared within the agency and with external parties. Most correctional data is maintained in the Offender Management Information System (OMIS), which is currently in the process of being replaced by the department. The department has policies outlining expectations for data quality and records management, including that administrators ensure roles, permissions, and operating procedures exist to ensure quality data and records management. Staff who enter or modify data are responsible for maintaining accurate, complete, and timely data.

Specific best practices are available for data collection and maintenance in correctional education programs. In 2006, a working group of 12 states and three U.S. departments developed a data guidebook to outline the importance of education-related data collection and data collection needs in correctional facilities to track performance and outcomes. This guidebook outlines the importance of standardized tracking of demographic features and program-specific information such as course enrollment, status, achievements, and course waitlist time. It also recommends states with private facilities ensure contracts include the necessary provisions to receive detailed educational achievement data.

### **Department Cannot Accurately Report Program Participation**

We intended to use department records to assess program performance and compliance with law, policy, and best practices. However, while obtaining and reviewing these records, we realized there were significant deficiencies in the data management practices within education and training programs.

We requested data from the department on program participation between 2018 and 2022 to compare the provision of these programs over time and compare performance between facilities. A description of the sources of data is shown in Figure 5. High-level work and education assignment information is held for all facilities through OMIS. The department and the private facilities collect more detailed student record data in separate databases.

Figure 5  
**Corrections Education and Work Program Data Is Scattered Across Multiple Systems**



#### Offender Management Information System (OMIS)

Managed by the Department of Corrections Information Technology Bureau

- ✓ State inmates' demographic, placement, education, and job data
- ✓ Prison employment information (title, location, date range)
- ✓ Student status (dates participating in education programs)

#### MCE Inmate Training and Education Database

Managed by the Department of Corrections' MCE Bureau

MSP and MWP class and training records

- ✓ Class descriptions
- ✓ Student individual class records (dates, status, teacher)
- ✓ Inmate training records (dates, status, expiration)

#### Trust Database

Managed by the corporate owner of CCC

CCC class and milestone data

- ✓ Class enrollment
- ✓ Student status (dates participating in education programs)

#### Additional Sources

- ✓ DCCF's spreadsheets of student data (attendance, testing, and status)
- ✓ MSP and MWP spreadsheets for data not contained in the MCE database (including most milestones)

**Source:** Created by Legislative Audit Division from department records and interviews.

## Program Data Is Incomplete

We found there was no consistent, centralized collection or maintenance of active and past student record data. Education and work program data was incomplete in multiple ways, including:

- ◆ Private facilities did not report inmate program participation to the department.
- ◆ Data was not successfully transferred after a switch in MCE databases in 2020.

- ◆ Years of MWP education data were lost when the department failed to collect or obtain data for HiSET participants taught through a contract with a school district.
- ◆ Data on some programs were unexpectedly missing from the database.
- ◆ Public facilities do not track many milestones in the database, such as certificate completion or HiSET graduation.
- ◆ Public facility databases do not collect all data used by the department, leading to reliance on a dispersed collection of nonstandard spreadsheets and hard-copy records.

## **Data Entry Practices Are Inconsistent Between Facilities**

In addition to missing data, the prisons did not consistently record information in the same way for student records. This complicates management's ability to assess activities at the different facilities, compare relative performance, and identify issues. Some examples include different naming conventions for similar classes, different or inconsistent practice in starting and ending enrollment between "sessions," and whether students were entered as enrolled when attempting to meet a milestone or were entered only after succeeding.

## **Program Data Is Inaccurate**

After working with the department and private facilities for several months, we received student record data that was inaccurate, incomplete, or difficult to decipher. We found errors in student records, including:

- ◆ Impossible date ranges,
- ◆ Incorrectly identified information, and
- ◆ Duplicate entries.

Data for some programs that require external reporting was concurrently maintained by the Office of Public Instruction and the Department of Labor and Industry, but we found their records also included errors and did not always align with Department of Corrections' records. Additionally, we also found errors in work assignment data from OMIS. Individuals were being recorded in the system as starting assignments but were sometimes never removed or removed long after they left the facility. One of the private facilities was also months behind in entering this information. Upon notification by the auditor of these errors and intent to use this data for analysis, staff attempted to correct and update these records.

## **Data Issues Hinder State Ability to Improve Programs and Target Recidivism**

Reliable data tracking is crucial for prioritizing resources to reduce recidivism. Without accurate monitoring of education and job training for Montana inmates, the department faces challenges in identifying education needs, improving programs, and communicating with policymakers. It's unclear which programs are most effective, and accurate information on course achievement is necessary to assess interventions. Inaccurate student records also hinder inmates' ability to access certificates or transcripts. The Board of Pardons and Parole also reported lacking information on education and training accomplishments for parole consideration.

## **Department Does Not Have Data Management Practices for Education and Career Programs**

Current data management practices for department education and work programs are underdeveloped or do not exist. One reason for this is frequent changes to the organizational structure and responsibility for data management in education and work programs. Education oversight has been repeatedly moved or divided between department bureaus and individual prisons. With each change, the data collection and storage transition was not accomplished smoothly. Education and work program data are also not regularly monitored outside the bureaus. With the recent organizational changes and multiple systems of related data, the department has not established who is responsible for data-specific policies and procedures to guide the Education Bureau or MCE Bureau on what to record, when, how, and in which system. Until this year, there also was no means for these entities to collect or monitor private facility data.

This issue is not new. In a 2020 performance audit comparing state and contracted secure facilities, we noted the department was not monitoring or comparing education attainment between public and private facilities and issued a recommendation that the department develop a formal, data-driven approach to do so. This portion of the recommendation was not completed.

While past organizational structures and changes contributed to the issues we identified in the data, stronger IT controls could have mitigated the impact of these changes. Having stronger, centralized IT controls would have maintained some amount of consistency during transitions. Currently, neither the MCE database nor OMIS was designed to collect key program information, leading to reliance on disparate spreadsheets. Existing systems lack internal controls for data accuracy, like input controls.

The department recently awarded a contract for a new offender management system. Management aims to consolidate education and training data into this new system, but it may take three years to complete. Given this timeline, the division should immediately take steps to improve its current method of collecting data.

A centralized location for data will provide additional controls; however, the division has not specified what information needs to be gathered for monitoring facility and department efficacy and equity in education and work programs. The department needs to establish clear expectations for data and implement data management practices to ensure that data is complete and reliable.

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### **RECOMMENDATION #1**

*We recommend the Department of Corrections formalize and modernize data collection, monitoring, and reporting for education and industries by:*

- A. *Identifying key variables and metrics for measuring program performance,*
  - B. *Developing needed roles, responsibilities, practices, and procedures to ensure complete, timely, high quality and high integrity data collection and reporting,*
  - C. *Beginning to improve data entry in existing database, and*
  - D. *Establishing a method of maintaining data that includes internal controls and is integrated with the new offender management system.*
-

## Chapter III – Supporting Successful Offender Reentry

### **Introduction**

Research indicates that educating and training incarcerated individuals reduces recidivism and increases safety in our prisons. Education and work program opportunities in Montana’s secure facilities are limited, with long waitlists and inconsistently relevant programs. Inmates’ opportunities to access beneficial programs are not equitable between private and public facilities. We found that the state does not have a long-term strategic vision for education and training or a method of assessing new or existing programs.

### **Education and Work Training Is Cost Effective**

Providing education and work opportunities for the incarcerated significantly reduces recidivism rates, as shown in a 2018 meta-analysis by the RAND Corporation. It found a 28-32 percent decrease in the likelihood of returning to prison for those who participated in such programs. A previous study by RAND estimated that every \$1 invested in education saves \$5 in incarceration costs, with costs recouped if the recidivism rate for those individuals decreases by as little as 1.9 to 2.6 percent. Montana’s incarceration costs in 2022 were approximately \$20 million, a total of over \$100 million for a five-year average sentence for individuals who recidivate within three years of release. If the state educated all inmates, the estimated costs avoided would be \$4.2 million a year or \$21.6 million per sentence. Funding for adult education and training in adult public secure facilities in FY2023 came from approximately \$2 million in state general funds, \$392 thousand in federal grants, and \$17.1 million in enterprise and internal service funding.

### **Education Programs Are Required by Law**

According to the state constitution, reformation is one of the stated principles of Montana’s criminal codes. State statute further outlines the department’s responsibility to propose programs to the legislature for the skill development of persons in correctional facilities, encourage programs at the state and local levels for the rehabilitation and education of felony offenders, and ensure risk and needs assessments to drive its correctional practices.

### **Education and Training Is an Element of Justice Reinvestment**

In 2017, the state invested heavily in “Justice Reinvestment,” a reformation of the criminal justice system to focus on evidence-based and recidivism risk-driven practices. This included standardizing the use of assessment tools to identify offender risks and needs, intending to address areas of offender risk, and the need to decrease recidivism. The current assessment tool considers risk factors regarding education level and past job history. Department resources could not fully integrate these principals across assessment areas and primarily concentrated on treatment programs.

## Education and Work Programs Offered in Montana State Prisons Vary by Location

Though our ability to assess the provision of education to state inmates was diminished by the quality and accessibility of data at the department and private facilities, we were ultimately able to collect and clean data to identify estimated program participation and completion numbers. Some facilities had multiple records per class per inmate based on enrollment data entry practices, while others did not. Development of this summary data involved significant cleaning, approximation, and back-and-forth with the department and facilities and is still likely not a fully accurate picture of the provision of these programs. While we originally wanted to review 2018-2022, we had to curtail our assessment to 2020-2022 due to the data losses described in the previous chapter.

### Education and Work Programs Do Not Meet Need

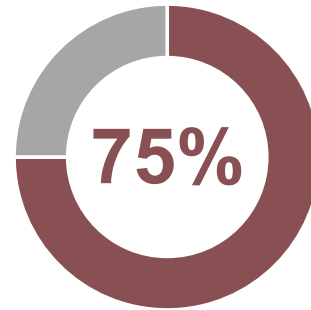
We found educational programs and work program opportunities cannot meet inmate demand, do not match inmate interest or state workforce needs, often do not provide industry-recognized credentials or degrees, and are not regularly assessed to ensure continued relevance or quality. Using inmate records, we assessed the volume of individuals by facility that received at least one class that lasted longer than one day or enrolled in one identified program while they were incarcerated between the years of 2020 and 2022. We found that 75 percent received no classes or training exceeding one day of instruction.

The department inconsistently or unclearly recorded some work programs and pre-apprenticeship participation in the MCE database. As a result, we also reviewed the statistics from work assignments data in the Offender Management Information System (OMIS), where all facilities should update information regarding participation in education and jobs. In reality, there are concerning errors in the accuracy of this data, particularly regarding over-estimating participation due to not accurately marking the end of assignments. Despite the expected overestimation of participation from this data, it also shows that most individuals (63 percent) received no education or work program opportunities between 2020 and 2022. Nearly a third have also not worked a single job.

Figure 6

#### Participation in Education

Over **75% of inmates** did not take part in education for more than one day

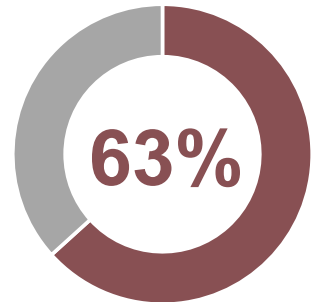


Source: Compiled by the Legislative Audit Division from department records.

Figure 7

#### Inmates Who Attended Class or Held a Job Between 2020 and 2022

Over **63% of inmates** haven't entered class or a work program



Source: Compiled by the Legislative Audit Division from OMIS data.

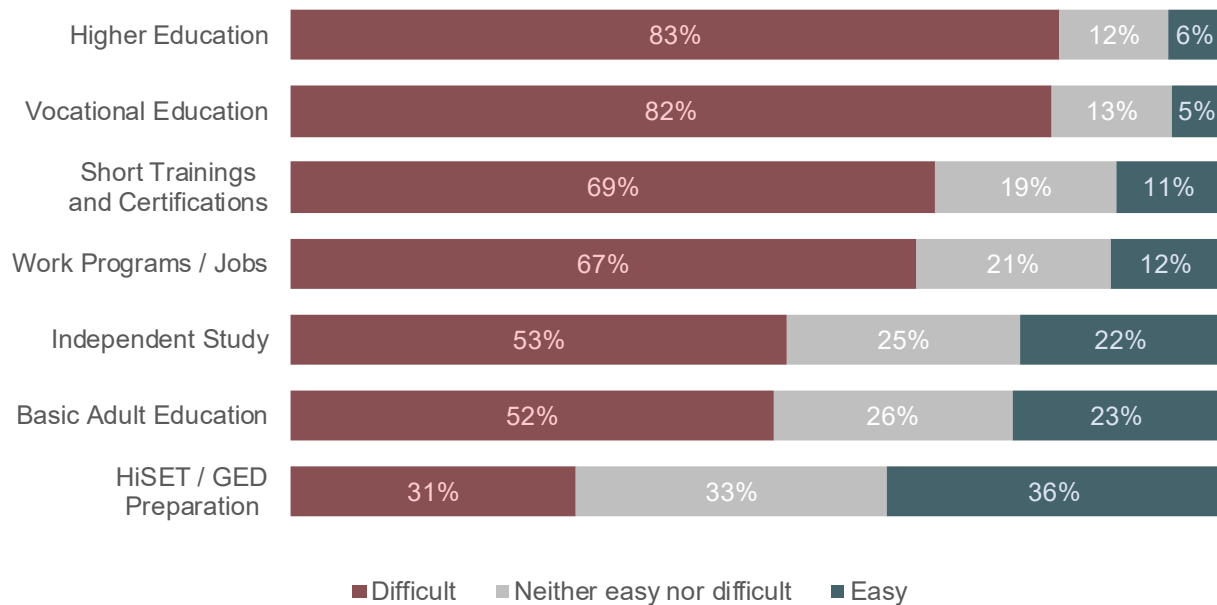


## Inmates Described Challenges Accessing Programs in an Inmate Survey

In a survey across all four facilities, inmates uniformly reported it was difficult to get in any type of program. Inmates were more likely to identify HiSET preparation, independent study, and Adult Basic Education as easier to get into. Higher education and vocational education were reported as the most difficult to get into and among the most desired by inmates. Responses were most negative across all categories at DCCF. CCC and MWP were rated more positively for ABE and HiSET, while both state prisons were rated better for work programs and jobs.

Figure 8  
**Inmates Report Difficulty Accessing Education and Career Training in Prison**

Inmate response to "how easy is it to get into these programs?"



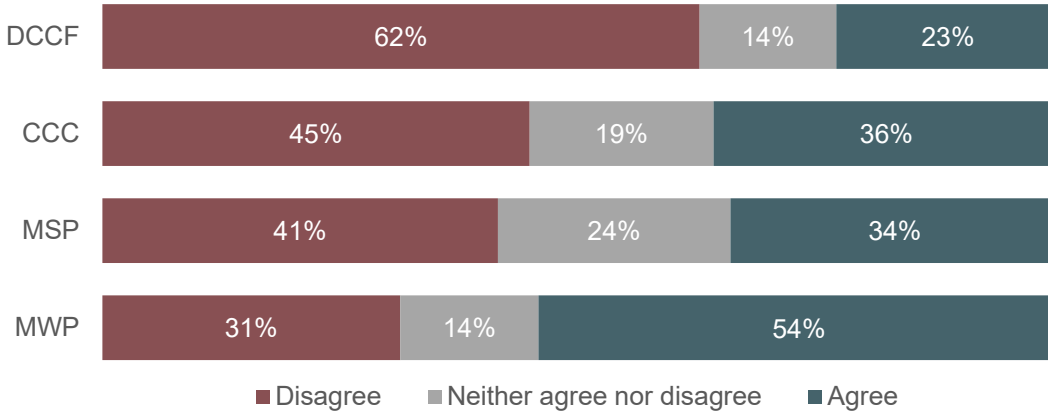
Source: Created by the Legislative Audit Division from survey data.

We also asked if inmates felt they could participate in either education or jobs at the prison. Only 43.3 percent agreed they could. The responses differed significantly by prison. Individuals at the women’s prison were much more likely to feel able to participate in education or jobs, while those at Dawson County Correctional Facility were the least. In open responses at the end of the survey, housing unit limitations were described as a reason they felt unable to participate. Individuals in higher security units explained they had few options besides HiSET prep. At MSP, individuals described some low-security units with less access to classes than others.

Figure 9

**Inmate Perception of Ability to Participate in Education or Jobs Differed by Facility**

Inmates who said "they can participate in education or jobs"



Source: Created by Legislative Audit Division from survey data.

Interviews with administrators and staff confirmed inmate reports, highlighting long waitlists for vocational courses and limited opportunities for high-security inmates. Challenges included acquiring and retaining technology, supplies, and staffing for training. Managers struggled to secure resources for nonenterprise-funded programs and allocate resources to externally proposed programs not aligned with their strategic plan. Private facilities also faced hurdles, with educators desiring to offer advanced academic and computer skills classes.

**Programs Sometimes Do Not Meet Best Practices**

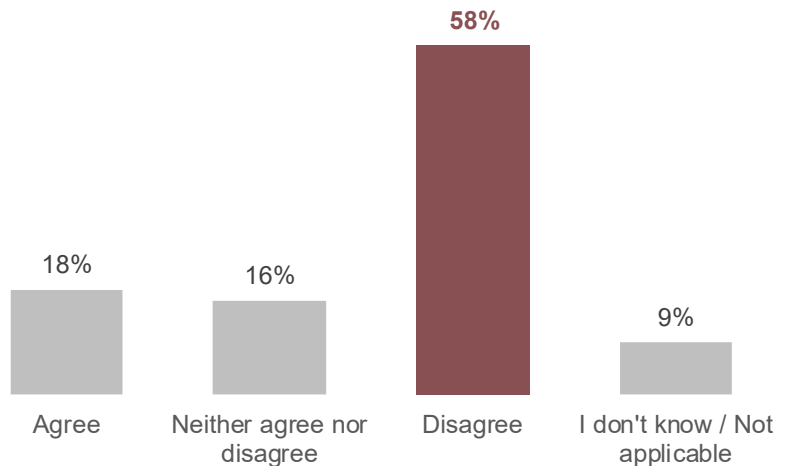
In addition to programs being limited in availability, inmates responded with low rates of interest or confidence in their usefulness post-release. Only 18 percent of survey respondents found classes at their facility interesting, and another 18 percent thought classes would prepare them for a career.

Inmate perceptions of job opportunities mirrored their views on available education, with only 18 percent finding jobs interesting and 17 percent believing they would aid post-release careers. Private

Figure 10

**Most Inmates Do Not Believe Classes Offered in Their Facilities Will Prepare Them for a Career**

Inmate response to "classes will prepare me for a career after release"



Source: Created by Legislative Audit Division from survey data.

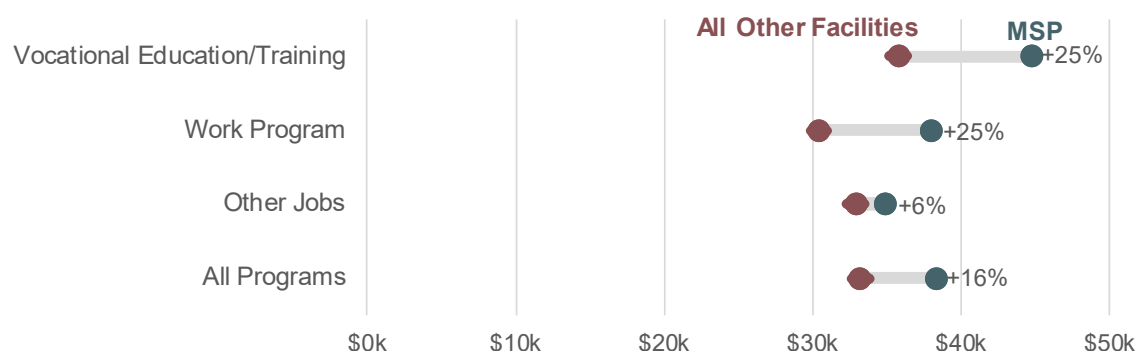
facilities faced more negative perceptions regarding education and jobs. Respondents described barriers to participation as including a desire for more program opportunities, difficulty being selected for limited classes and jobs, and excessively low pay.

A review of prison programs compared to associated state job projections of post-release employment supported inmates' views on program relevance. While some programs aligned with positive job projections, the most beneficial ones were limited to the state men's prison and had few spots available. The figure below illustrates average median salaries associated with potential post-incarceration jobs that align with skills offered by the MSP and other facilities' vocational education and work programs.

Figure 11

**Programs at the Men's State Prison Prepare Inmates for Higher Paying Jobs**

MSP programs better prepare inmates for **higher paying jobs**.



Source: Created by Legislative Audit Division from Department of Corrections and Department of Labor and Industry records and O\*NET Online data.

The difference continued to be high when comparing both state-run facilities to the two private facilities. There were no work programs in the private facilities, but the vocational education offerings at the public prisons had a 28 percent higher projected income on average.

Some programs across prisons, such as garment sublimation and pheasant rearing, lead to poor post-release economic prospects. It is not unusual for jobs at facilities to exist primarily for running vital prison functions rather than for training inmates. Still, several programs with lower job opportunities were unrelated to core prison operations

In interviews, previously incarcerated individuals also stressed the importance of credentials for the education and work experience they receive in prison. Some described not receiving industry-recognized certifications for their coursework and employers subsequently telling them they were not hired as a result. Some described the challenges of completing certificates before parole, including two who delayed their release to complete programs. Those who did receive credentials such as their HiSET, OSHA-10, or CDL expressed how useful it was for them post-release and how they thought there should be increased access to these programs for others.

## **Shortfalls in Programs Harm State Recidivism and Safety Efforts**

Programs that are ineffective or irrelevant to the current job market decrease inmate participation and buy-in, lower recidivism effects, and increase state costs. In survey responses, some respondents explained they did not participate due to a lack of relevant programs or useful credentials. Some members of the Board of Pardons and Parole also questioned whether some programs were particularly beneficial for inmates in subsequent job prospects. When inmates remain idle or participate in programs the Board of Pardons and Parole find unuseful for the current job market, it could harm their prospects for parole and increase the length of prison terms. Programs not relevant to the current job market also fail to meet state workforce needs and decrease inmates' ability to obtain work post-release. Finally, not having sufficient quality educational and work programs to serve the population means many inmates do not have access to experiences shown to decrease recidivism. Higher recidivism rates cost the state money throughout the criminal justice system and more damage and victimization for its citizens.

### **Department Does Not Review Programs**

We determined there is an under-provision of programs, and some are not aligned with strong job prospects. This is because the department does not have a process to propose, vet, update, or regularly evaluate programs across the entire prison system. Programs are not assessed for feasibility, market strength, or cost-effectiveness prior to implementation or on an ongoing basis to ensure the time, space, and resources are going to programs that serve the most inmates and the state in the most effective way possible.

Most of the certificates currently offered by the department are basic workplace safety credentials or pre-apprenticeships. The Department of Labor and Industry recognizes pre-apprenticeships, but they are primarily only offered by high schools and prisons and are not widely recognized in different industries. Higher-level credentials, such as certificates and associate degrees offered by campuses, were also not deliberately selected to reflect inmates' interests or career needs.

### **Department Cannot Expand Programs**

The department has historically faced challenges funding beneficial programs for inmate education and has not recently proposed new programs to the legislature. Instead, new initiatives have primarily arisen through legislative action, private grants, and colleges.

Past reorganizations of education and work program responsibilities contributed to a lack of long-term vision for these program areas. Various disruptions, including COVID restrictions, Pell expansion, changes in testing vendors, preparation for a new offender management information system, and an upcoming rebuild of MSP, have further complicated program operations. The division is currently developing a two-year plan to identify needs and goals for these bureaus, including the need for these programs in private facilities and the rebuilt Montana State Prison. Staff are also conducting a business process review of work programs for the first time.

The administration indicates that programs can be changed with current resources, but substantial increases are not feasible. However, some programs have low inmate benefits relative to overall department resource use. Discontinuing low-benefit programs could allow resources to be redirected toward more inmate-focused efforts.

Program expansion is also at a standstill in the private facilities. CCC had a monthly average teacher vacancy of over 50 percent in 2023 and will no longer have any Pell opportunities after this year. Meanwhile, DCCF only recently regained its ability to offer basic adult higher education and HiSET prep opportunities through a contract for a part-time tutor with the local college. DCCF indicates that due to staffing, space, and technology restrictions, it cannot offer additional education opportunities.

## **Other States Have Leveraged the Prison Education Program and the Private Sector to Increase Program Availability**

States like Kansas and Arizona have enhanced their inmate education and work-related training by tapping into external resources. Kansas, for instance, utilizes advice from a consortium of community colleges and employs education advisors to guide inmates towards education and employment pathways. Arizona describes using technology to offer flexible online programs.

Moreover, states have expanded work program opportunities by allowing private companies to offer onsite or work release jobs, often through programs like the Federal Prison Industry Enhancement Certification Program (PIECP). In Arizona, most inmates in work programs are engaged with private industry partners, leading to benefits like paying restitution and finding high-paying jobs post-release. In Montana, there is currently one small PIECP at the women's prison, but the department is not legally allowed to have non-PIECP private partnerships.

As the division matures, it should develop a strategic vision for inmate education and training, including establishing benchmarks for success. Regularly evaluating programs for effectiveness will increase the capacity of the division to provide more relevant programs to more students and workers over time. Coordination with private facilities can help leverage each facility's capabilities to improve overall access and ensure equitable access to high-quality programs. Proactive resource planning can facilitate the long-term expansion of education and training opportunities.

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### **RECOMMENDATION #2**

*We recommend the Department of Corrections improve state provision of education and training programs by:*

- A. *Establishing benchmarks and processes to assess potential education and work programs for relevance to current workforce needs,*
  - B. *Reviewing existing programs on a regular basis, and*
  - C. *Completing biennial plans to coordinate and identify the necessary resources to expand educational and industry opportunities across the facilities.*
-

## **Career and Reentry Assistance Should Begin in Prison**

In addition to providing education opportunities, the Department of Corrections should support inmate reformation through counseling, targeting programs for those most in need, and providing reentry-specific programs and services. Research shows that education and training reduce recidivism rates, and continued education further improves outcomes. Case managers are crucial in identifying inmate risks and needs, creating case plans, and connecting inmates to resources.

Best practices emphasize the role of case managers in addressing offender risks and needs. Many state departments employ case managers or specialized counselors to offer academic and career guidance to inmates. For instance, Ohio provides school guidance counselors and reentry coordinators to assist inmates in identifying and accessing various programs and preparing for reentry by securing housing and employment. Kansas has both education and career navigators to assist inmates.

Supporting reentry through assistance and preparation is also crucial. This may include reentry skills classes, career centers, job fairs, and connecting inmates with job services or second-chance employers. Some states offer scheduled opportunities for gradual reentry, such as automatic assessment for work release or transfer to a pre-release center.

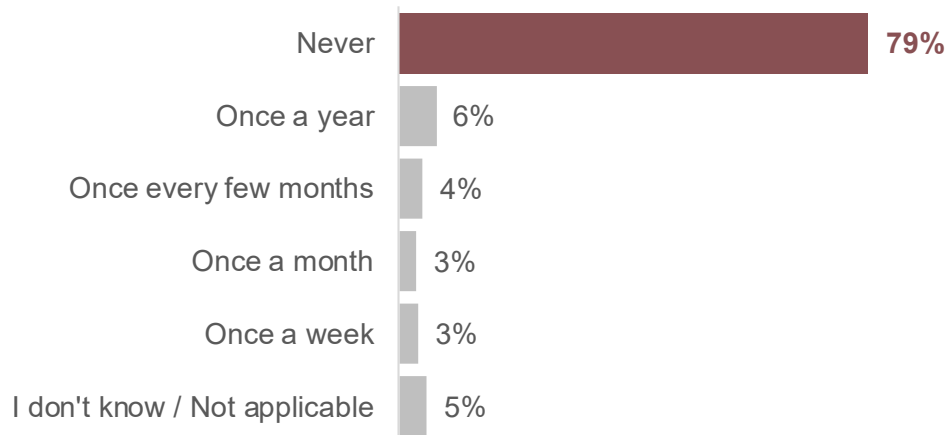
## **Inmates Receive Limited Reentry Assistance in Prison**

In Montana, inmates are not regularly counseled on their opportunities in the facility to improve academically or vocationally or receive reentry-related education or referrals to external job services. Inmates indicated in the survey that they never (79 percent) met with facility staff to discuss education or career goals.

Figure 12

### **Few Inmates Ever Meet With Staff to Discuss Education or Career Goals**

How often do you meet with staff to discuss your education or career goals?



Source: Created by Legislative Audit Division from survey data.

Conversations with incarcerated and previously incarcerated individuals reiterated this, with some saying they primarily received advice from other inmates. Inmates responding to the survey were also likely to disagree that they could receive guidance on how to get a job after release (64 percent), and both current and past inmates described receiving limited reentry assistance.

## **Reentry Responsibilities Unclear**

Case managers shared that they do not often advise inmates on education or job skill needs and were not all aware related categories existed in the risk and needs assessments. Case managers report not reviewing or having access to inmates' education or job history risk levels. Case managers at MSP described barely keeping up with emergencies and only meeting with inmates in crisis to complete annual assessments or to prepare their parole packets. Case managers at both state facilities describe not having case plans for inmates to document education and job skill needs, goals, or progress.

Similarly, we heard differing levels of support from supervisors and vocational education instructors across the system. Some did not feel they were allowed to assist inmates in finding second-chance employers. Others sometimes sought out potential employers of their own volition rather than in an expected role. In 2022, MSP held what was described as a successful career fair with DLI and private employers. While managers and program staff all described wanting to repeat this event, including at other facilities, there have been no concrete plans to do so.

## **Education and Services Are Not Strategically Targeted By Inmate Need**

In discussions with individuals who were previously incarcerated, we heard it was uncommon that inmates were hired for positions that would provide them with the opportunity to learn skills and develop habits to fit their needs upon release. Instead, they described being hired for work programs and jobs based on their experience and ability to do the job without significant training. Several individuals also described receiving multiple intensive educational or work program opportunities despite being successfully employed and educated prior to incarceration. Others report being unable to get into programs in a timely manner to complete them prior to their release, thus either delaying their parole to complete the course or missing out altogether.

## **Reentry Specific Education and Services Are Limited**

Additionally, there is limited reentry support. Case managers do not typically assist inmates until approximately one month before a parole hearing. Reentry-specific courses are often full or not regularly offered in facilities. Case managers differ in the extent to which they assist with inmate parole plans. Further, some inmates qualify for additional job service assistance from the Department of Labor and Industries (DLI) Job Services before release. Case managers at public facilities previously referred these inmates to DLI for these services but have not consistently done so in recent years.

Neither private facility currently offers reentry-related classes. Education staff at CCC are also limited by corporate policy from providing direct reentry assistance, such as connecting inmates with second chance employers. Case managers do provide some assistance to inmates in completing their parole plans. Reentry assistance at CCC primarily comes from a single state-provided Institutional Probation & Parole Officer (IPPO). Neither contract addresses reentry responsibilities between CCC and the department.



## **Guidance for Inmate Improvement Increases Chances of Successful Reentry**

Lack of support for inmates to obtain education and training increases idle time, may lead to more dangerous prisons, increases subsequent recidivism rates, and results in an inefficient use of limited education resources. Unlike treatment programs, education programs and training do not have limits on the amount that is beneficial for inmates in reducing recidivism. All types and levels have been found to have a beneficial effect on inmate outcomes. Individuals who do not receive programs and support while they are incarcerated have a difficult time reentering their communities.

There is no established pathway for inmates in Montana's correctional system, including those in prison, to navigate successful reentry. Access to education and training opportunities are often poorly timed or not prioritized for inmates who are at the highest risk or most imminently in need. Available education and training opportunities are not consistently prioritized for those who are most in need. Reentry-specific classes are often not offered or have very limited space for students.

Inmates, previously incarcerated individuals, case managers, and program managers shared stories of individuals departing Montana prisons ill-prepared for life on the outside. Some inmates have also reported being stuck in prison after being granted parole or finding a treatment or release facility due to the difficulty in arranging housing or other reentry requirements from prison. This costs the inmate time in society and the state resources to incarcerate them for a longer period.

## **Counseling and Reentry Roles and Pathways Are Unclear**

Roles and procedures related to education, career counseling, and reentry services in Montana's correctional system are poorly defined. Uncertainty persists regarding which individuals—educators, supervisors, case managers, and Institutional Probation & Parole Officers (IPPOs)—should provide various inmate support throughout their incarceration. Education staff and work program supervisors lack clarity in guiding inmates toward opportunities or second-chance employers, while case managers initiate support late in the process. Case managers are also burdened by additional duties, such as teaching and security tasks, which diminish their ability to focus on inmate guidance. Managers are reallocating some of these duties to education or security staff to address this.

## **Limited Opportunities Are Not Targeted To Those Most In Need**

Program staff and hiring managers have limited information relating to inmate needs when selecting participants in their hiring pool or class waitlist. Work program hiring especially appears to favor individuals with relevant past job experience or longer remaining sentences. As a result, we did not find a relationship between program participation and either inmate education and job needs or time until release.

Other states have criteria for prioritizing scarce program resources in their facilities that consider the type of class, length of time until release, prerequisites, inmate risk and needs, and encouragement of inmates to continue an area of study or experience. Some states compare and mimic their workforce demographics, including race and remaining sentence, to avoid hiring bias. Ohio typically restricts inmates to participate in only one vocational program per person to allow increased opportunities for



others. Kansas accomplishes a similar result by setting maximum time limits on how long individuals can be in a single job. Ohio also has a more formalized waitlist that is required to include key decision-making information to better track and prioritize the list.

---

**RECOMMENDATION #3**

*We recommend the Department of Corrections support inmate reentry by:*

- A. Clearly defining education and career counseling responsibilities between department staff and contract facilities, and regularly providing these services for inmates,*
  - B. Developing and implementing criteria to ensure inmate needs are considered when selecting students and workers for competitive opportunities,*
  - C. Establishing a point of contact for the department and all four facilities to coordinate reentry efforts with the Department of Labor and Industry, and*
  - D. Designing and providing targeted, available and accessible reentry education and services to inmates exiting the system.*
-



## Chapter IV – Monitoring Contracted Secure Facility Services

### **Introduction**

Private facility contract requirements mandate some educational and job opportunities to facilitate inmate reform. However, these facilities are failing to meet their contractual obligations. Inmates there lack access to education and career training comparable to those in public facilities. The Department of Corrections (department) does not monitor, enforce, or support many contract provisions related to education and jobs, thus hindering inmates' access to programs.

### **Contract Facilities Are Obligated to Provide Education and Job Opportunities**

State contracts for contracted secure facilities outline requirements for education and job opportunities. The State of Montana has two contracts for private prison facilities: Crossroads Correctional Center (CCC), managed by CoreCivic, and Dawson County Correctional Facility (DCCF), managed by Dawson County. These contracts stipulate certified teachers, comparable programs, and inmate pay as offered at the state men's prison. Each contract also includes site-specific requirements. CCC must staff a minimum number of teachers and collaborate with the department to identify programs and meet program volume requirements. DCCF is required to provide minimum levels of academic services, including Adult Basic Education, Basic Literacy, and HiSET.

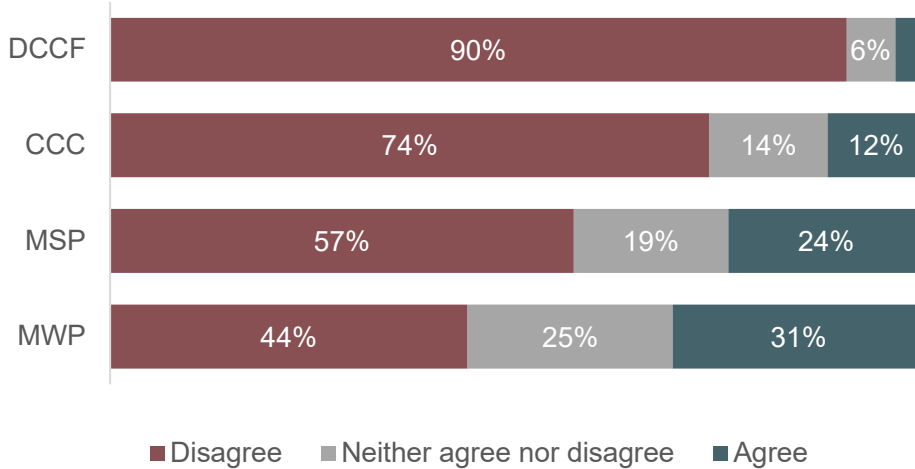
### **Contract Facilities Consistently Fall Short of Contractually Required Programs**

Neither contracted facility has fulfilled obligations to provide education and training to state inmates for much of the past three years. CCC experienced an average monthly teacher vacancy of 39 percent between 2020 and 2023, reaching 51 percent in 2023 alone. Despite contract requirements of 90 percent of inmates being able to participate in work or study opportunities, we found only about 40 percent have done so between 2020 and 2022. CCC had the lowest participation rate out of all facilities. DCCF faced similar challenges. Due to staffing issues, it had no education program for almost all of the period from spring 2020 through spring 2023. Although a part-time tutor from Dawson County Community College is now available, the sessions do not meet current contract requirements for time or student enrollment.

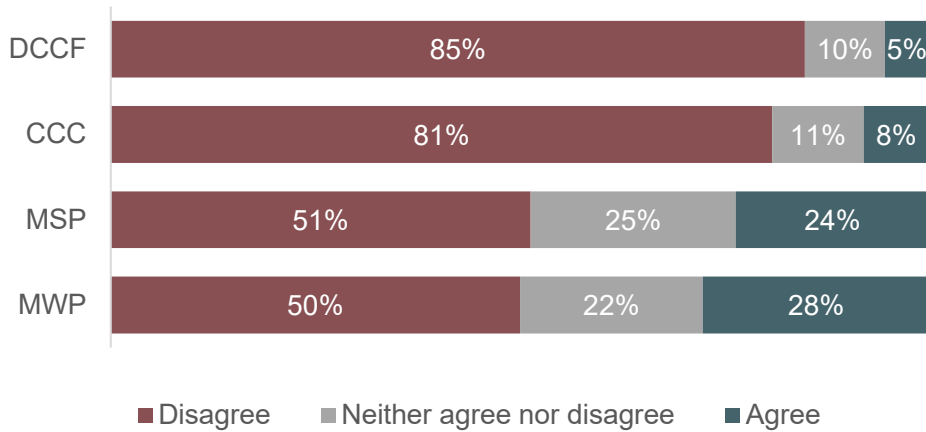
In a survey, inmates reported on the comparative quality of these programs. Those housed in the two private facilities were more likely to express dissatisfaction with the attractiveness or value of classes or jobs for post-release careers.

Figure 13  
**Private Facility Inmates Find Classes and Jobs Less Useful**

Inmate response to "classes provide experience that will prepare me for a career after release"



Inmate response to "jobs provide experience that will prepare me for a career after release"



Source: Created by Legislative Audit Division from survey data.

## Inequitable Access to Opportunity

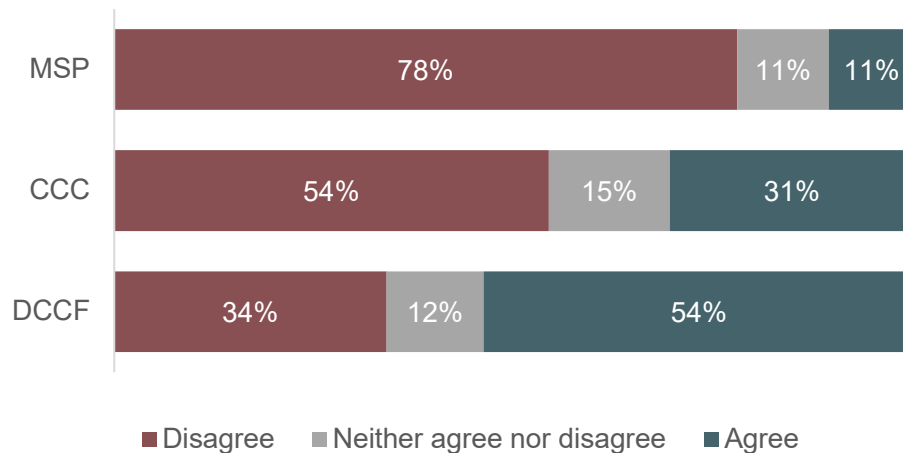
Due to contracted facilities’ failure to comply with education and job provisions, inmates in contracted facilities have limited access compared to those in state facilities. Our examination of occupations associated with available programs revealed significant disparities in economic opportunities between private and public prisons.

Additionally, we evaluated the department’s placement or transfer of inmates based on their educational and training needs. Staff indicate that individuals without a high school education were prioritized for placement at MSP when education was unavailable in contracted facilities. They do not place inmates based on other work or education needs, though the division occasionally recruits inmates at contracted facilities for some programs. Inmates are permitted to apply for jobs and classes offered at other facilities. However, based on survey responses, it is difficult to be selected for these positions. According to the survey, 52 percent of male inmates disagreed that they could apply for classes or jobs at other facilities, although this was most common at the state facility.

Figure 14

### Many Male Inmates Do Not Feel They Can Apply for Jobs at Other Facilities

Inmate response to "I can apply for classes or jobs at other prisons, if they are not available"



Source: Created by Legislative Audit Division from survey data.

## Department Does Not Enforce Education Related Contract Requirements

We found contract facilities fail to fulfill their education and job-related obligations. Contracts include financial penalties for failure to perform some of the education-related requirements. The department’s Secure Contract Facilities Bureau (SCFB) in the Public Safety Division, responsible for overseeing secure contracted facilities and managing contracts, does not fully enforce these contract stipulations. Additionally, staff in the SCFB seemed unaware of some of these provisions and lacked a copy of the contract for one of the facilities.

Staff described the bureau's primary role as ensuring security, with oversight extending to grievances, complaints, and disciplinary systems. However, they do not assess the quality or quantity of education and job opportunities the facilities provide. No contract penalties are associated with failure to provide agreed-upon services outside of minimum education staffing requirements, and facilities have not been fined the full amount stipulated by the contract for failing to meet education staffing requirements. Based on SFCB records, we estimate that in 2021, over \$100,000 worth of fines were not levied to address minimum teacher shortfalls.

While contract monitors verify class schedules and attendance, they have not thoroughly reviewed the proportion of inmates served relative to the population, as mandated by the CCC contract. Despite significant discrepancies at CCC, staff expressed no contractual concerns regarding education provision.

### **Teachers Are Difficult to Recruit in Rural Areas**

CCC and DCCF administrators also described significant difficulty hiring staff and a lack of technology capabilities to complete remote instruction. One reason they provided was that teachers must be certified at K-12 schools, which requires a multi-month, unpaid student teaching assignment in a K-12 school. In the past, CCC has been able to get approved for emergency authorization for a period of time for a teacher without an education-specific degree to teach while working on their certification. Still, when that authorization ends, the teachers tend to leave rather than complete the student teaching assignment for certification. In other states, such as Ohio, teachers can get a special certification to teach only adults.

### **Rehabilitation and Programs Division Has No Formal Role in Statewide Administration of Education and Career Training**

The contract includes education-related expectations with penalties assessed by the SCFB for noncompliance. The Rehabilitation and Programs Division, responsible for overseeing educational programs in state facilities, has no formal role in ensuring contracted facilities fulfill their education and program obligations. It lacks access to critical data from private facilities and monitoring or evaluative capabilities for these programs. Division staff often do not know which programs are available at these facilities. They have provided informal support to contracted facilities in the past and recently began including contract facility administrators in statewide discussions of the department's education goals. Although division staff have enhanced communication to coordinate programs, they do not see themselves as responsible for enforcing program delivery.

In other states, additional methods may be used to enforce education programs in private facilities, including department-directed audits and site assessments or mandatory accreditation by the Correctional Education Association for private facilities.

## Contractor Lacks State Direction in Programs and Is Not Proactively Self Managing

Managers at the facilities have expressed frustration with the contract and their ability to meet its stipulations. CCC management believes they cannot select programs without the department's approval but have not formally presented requests. CCC managers have previously demonstrated misunderstanding of the contract by claiming the facility can neither compete nor deviate from MSP programs. Teachers at CCC have expressed interest in offering more robust or updated programs but indicated it was difficult to get classes approved. They were unsure if it was due to the prison's corporation or the department not approving the courses. Topics are discussed at meetings between the department and facility administrators, but there is no formal process to propose new programs at CCC.

Overall, inmates at contracted facilities receive fewer opportunities than those in public facilities. State contracts lay out minimum education and job opportunity requirements for inmates in these facilities but largely do not contain penalty provisions for failure to meet minimum requirements. These minimums are regularly not met. The state is not monitoring or enforcing these contract provisions and has no process to approve or direct programs. Contract facilities experience hiring and technology challenges, necessitating concerted action by both the facility and the department to ensure fair access to programming and adherence to contract obligations. Potential remedies include adjusting teacher compensation, providing commuting assistance for instructors, recommending modifications to state certification criteria, and enhancing technology infrastructure to facilitate remote instruction. Inmates who do not participate in these programs generally have higher rates of recidivism, which ultimately costs the state in reincarceration costs and damage to communities.

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### **RECOMMENDATION #4**

*We recommend the Department of Corrections ensure state inmates in contracted correctional facilities receive access to education and career opportunities by:*

- A. *Creating processes to automatically collect and monitor contract facility education data against contract provisions,*
  - B. *Assessing the need for additional payment reductions or other contract amendments to incentivize and support education and job training requirements,*
  - C. *Enforcing education and job related contract provisions,*
  - D. *Defining the role of the Rehabilitation and Programs Division in monitoring program quality and adherence to industry standards, and*
  - E. *Establishing a process for programs to be identified, prioritized, implemented, and reviewed in contracted facilities.*
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DEPARTMENT OF  
CORRECTIONS

DEPARTMENT RESPONSE





## Governor Greg Gianforte | Director Brian M. Gootkin

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April 1, 2024

Mr. Angus Maciver  
Legislative Auditor  
PO Box 201705  
Helena, MT 59620-1705

Dear Mr. Maciver,

RECEIVED  
April 1, 2024  
LEGISLATIVE AUDIT DIV.

The following constitutes the written response of the Montana Department of Corrections (Department) to the Performance Audit entitled "Evaluating Education and Training in Montana's Prisons," dated March 2024.

### OVERVIEW

The 'Evaluating Education and Training in Montana's Prisons' performance audit formally began on October 3, 2022. This audit sought to review and understand education and career training opportunities offered to individuals in Montana prisons from 2020 through 2022.

The Department is supportive of all efforts that seek to help measure and continually improve its ability to meet the mission.

The Department notes and appreciates the Legislative Audit Division's (Division) acknowledgement of some of the challenging operational realities faced during the audit period.

The Department also notes and appreciates the Division's acknowledgement of the major reorganizational changes that took place during the audit period.



## **DEPARTMENT RESPONSE TO RECOMMENDATIONS**

### **Recommendation #1: System and Information Management**

- Recommend the Department formalize and modernize data tracking, monitoring, and reporting for education and industries.

#### **Department Response: Generally, Concur**

The Department acknowledges the need, and desire, to improve internal data capture, tracking, and management. Doing so will improve the ability to understand, contextualize, and represent education-related processes, programs, and outcomes.

Some actions and solutions to address Recommendation #1 have been implemented, while others are in process. Once all are completed, the Department is confident that Recommendation #1 will be fully addressed.

Actions that address Recommendation #1 include:

- Department Reorganization.
  - In July 2021, Department Director Gootkin initiated a holistic restructuring of the agency, noting two major goals (public safety and rehabilitation) and grouping the Department into three major functions (Central Services, Public Safety, and Rehabilitation & Programs).
  - This change consolidated education, career training, and correctional industries at all facilities into one division with new leadership hired in April 2022. It also established the Education Services Bureau with a Bureau Chief hired in January 2023. This further consolidated education under a single leader resulting in 1) prioritizing education programming for individuals in secure care, and 2) formalizing program access and reporting, student monitoring, and overall outcome tracking.
- Procuring a new Department IT system of record.
  - The new offender management system (OMS) will include general and vocational education, and correctional industries modules that will capture, track, and manage programs, participants, schedules, and outcomes in a single data system. Today each of those functions tracks their own self-determined data sets in stand-alone Excel spreadsheets and Access databases.
- Establishing a work group focused on improving and sharing educational data.
  - In February 2024, the Department created a working group to look at ways to improve education data entry, capture, and tracking. Its primary focus is to identify realistic and value-added opportunities that can be leveraged in the interim, until the new OMS comes online. Its secondary focus is to monitor and evolve the monthly education report.
- Producing a monthly education data report.
  - In July 2023, the Department initiated a reporting effort to begin tracking education metrics for each facility and the enterprise. This included identifying key activity data points, establishing targets, and producing a monthly internal report to establish base lines and determine specific program performance measurements. This work is ongoing and now owned and managed by the recently established education data committee.



## **Recommendation #2: Governance, Risk Assessment, and Planning**

- Recommend the Department assess new programs, evaluate existing programs, and coordinate and identify resources to expand educational and industry opportunities.

### **Department Response: Generally Concur**

The Department acknowledges its responsibility for market relevance and rehabilitation benefit of programs and the importance of ensuring new and existing programs are available, accessible, of high quality, and routinely reevaluated.

It is important to understand that most Department vocational programs have historically been self-funded, with very little general fund support. This funding model can pose challenges to creating programs that align with workforce demand, as new programs must either have the ability to generate revenue or receive the support of the Legislature via a general fund appropriation.

Some actions and solutions to address Recommendation #2 have been implemented, while others are in process. Once all are completed, the Department is confident that Recommendation #2 will be fully addressed.

Actions that address Recommendation #2 include:

- Developing enterprise-wide (rather than facility-specific) policies and procedures.
  - Policies related to topics in this performance audit are beginning to be reviewed under this direction, some specifically mentioned further in this response.
  - This ensures consistent review, evaluation, and implementation processes for new programs, along with establishing protocols for new and existing program monitoring, measurement, and long-term value and viability.
- Conducting an Operations Review of Correctional Industry Programs.
  - The Department established a partnership with the University of Montana–Accelerate MT to evaluate Correctional Industries programs. This includes a review of programs offered, business models, technologies, pricing, and targeted products and markets. This effort intends to validate these programs, recommend opportunities, and identify industry partners to ensure ongoing relevance (in what and how) to maximize employment and earnings potential for individuals leaving secure care.
  - One such opportunity already identified is development of a career training program in Construction Arts. This could be built on multiple stackable-credentials and offered in parts and in whole to ensure access equity to a market-relevant skill building program.
- Developing an internal education and career training roadmap.
  - This effort began in earnest in January 2023, seeking to catalog and categorize education and career training programs, analyze current and projected labor market situations, cross-reference prison employment opportunities with programs and projections, develop a list of targeted career training pathways around which to build programs, and identify opportunities to leverage technology for program implementation, delivery, tracking, and measurement.
  - Additionally, this roadmap considers potential partnerships opportunities with Community Corrections, private industry leaders and trade associations, national advocacy organizations, and higher education.
  - An Education Advisory Group was established to help guide this effort.



- This roadmap is in process and is expected to be completed on or soon after the date this performance audit is presented.

### **Recommendation #3: Management and Operational Effectiveness**

- Recommend the Department integrate education and career counseling into case management, partner with DLI on reentry services (for those exiting the system) and develop criteria to guide program participant selection.

#### **Department Response: Generally Concur**

The Department recognizes the benefits of operational integration around the functions of case management, career counseling, and education and training and has already begun a process to operationalize this. Additionally, Labor & Industry (DLI) and the Department took deliberate steps in October 2022 to begin rebuilding the partnership that was unfortunately (temporarily) derailed by the pandemic.

Some actions and solutions to address Recommendation #3 have been implemented, while others are in process. Once all are completed, the Department is confident that Recommendation #3 will be fully addressed.

Actions that address Recommendation #3 include:

- Realigning Case Management.
  - In October 2022, the Department began the process to move case management oversight, functions, and staff from the Public Safety Division to the Rehabilitation & Programs Division. This was done to better align complimentary operational assets and establish processes that would ensure consistent inmate lifecycle management. This has involved adjusting staff and supervision structures at every facility. This effort will be complete in May 2024 with all staff and functions housed in a single bureau.
- Developing enterprise-wide (rather than facility-specific) policies and procedures.
  - Two such policies address Risk & Needs Assessment and Case Management. The first was recently updated to include guidance on case management and case planning. The second is a new policy the Department is implementing to establish enterprise expectations and provide specific guidance on how individuals in secure care are to be engaged over the Lifecycle of their incarceration.
  - Procedures and operational guidance developed per implementing the Case Management policy will further and more specifically address findings found within Chapter III of the Performance Audit.
  - Additionally, the new OMS will fully support this approach and its policies and procedures by encapsulating documentation and data for all aspects of secure care in a single system accessible to all staff (as appropriate per their role).
  - Finally, a complimentary procedure the Department intends to develop will address how, when, and why individuals in secure care may enter in to, stay, and must complete correctional industry programs.
- Modifying current OMS to ensure better data quality.
  - The Department has recently made modifications to its current OMS to capture case plan documentation. In this manner, staff across the enterprise have access to electronically captured and stored case planning information, compared to the previous state of that being housed in paper files only at specific facilities.



- Rebuilding the partnership with DLI.
  - The Department and DLI did have a strong working partnership prior to the pandemic. Unfortunately, due to unforeseen challenges and new priorities, this partnership suffered. However, both organizations have been working hard to rebuild what once was. In October 2023, the Department and DLI rejoined forces via a series of community listening sessions, joint application on two federal reentry grants, a renewed sense of purpose and optimism around the labor market, its demands, and the opportunities those things can create for incarcerated individuals and employers.

#### **Recommendation #4: Procurement, Contracting, and Grants Management**

- Recommend the Department enforce education and job-related contract provisions, monitor program quality and adherence to industry standards, and establish a process to identify and review new programs for contracted facilities.

#### **Department Response: Generally Concur**

The Department acknowledges its responsibility for managing, monitoring, and enforcing contract provisions and program quality and is fully committed to doing so.

The Department does have an existing policy that details the process for identifying and reviewing new programs for contracted facilities: [DOC Policy 5.4.1](#). While this policy specifically mentions treatment, the general process is applied to all programming requests to ensure consistent review.

Additionally, contract facilities are unique in that major programming is dictated by the contract and dependently held for discussion and inclusion in biannual contract negotiations.

Some actions and solutions to address Recommendation #4 have been implemented, while others are in process. The Department is confident in its ability to manage these contracts and has already taken steps to fully resolve Recommendation #4.

Actions that address Recommendation #4 include:

- Training staff and defining roles.
  - Contract Placement staff have been (re)trained and instructed to review everything, from class size and length of time in classrooms, to number of participants, to requesting total numbers of students monthly in each area. In conjunction with the Education Services, both Bureaus are working together to establish roles and responsibilities related to contract monitoring. While Contract Placement staff have the responsibility of enforcement, Education Services will help monitor provisions specific to their area of expertise. In this way the Department will ensure full contract oversight and compliance.
  - As mentioned earlier, the Department hired an Education Services Bureau chief in January 2023 who, in cooperation with the Contract Placement Bureau Chief, is installing new processes and protocols to jointly monitor contractor education efforts. This continues to be tremendously helpful by allowing the Department to leverage subject matter expertise in different areas (in this case specifically education) to provide better quality and more holistic contract oversight.
- Adhering to industry standards.



- The Contract Placement Bureau is working with Education Services to ensure state (OPI) and federal (DOE) rules and regulations (specifically related to this performance audit) for HiSET/GED pre-testing, computer security, and testing are being strictly followed and enforced. This includes reviewing and, where necessary, adding additional specific education program language to all future contracts.
- Updating contract language.
  - Education and career training needs and expectations have evolved over the last decade, and significantly in the last two years. It is imperative that the Department continue to review and update contracts to include the specific types of programs and curriculum expected.
- Automating data collection and monitoring processes.
  - As mentioned earlier, data analysis and reporting efforts are already in process to help understand and take advantage of better quality and oversight opportunities. Again, these are interim actions in lieu of the new OMS which will offer the ability to capture, track, report, and monitor all programs via a new comprehensive system of record.
- Expanding programming.
  - The Department and Core Civic continue to discuss challenges and opportunities around programming including costs, timelines, and staffing availability. This includes discussion of utilizing current or prior contract fines, or other existing mechanisms, to operationalize and/or incentivize program development and implementation.

## CONCLUSION

The Department appreciates the opportunity to provide comment and additional context to this Performance Audit. The Department also acknowledges the effort by Division staff to try and fully understand the environment and its opportunities and challenges. Significant operational improvements within the Department have already been made, and the Department continues to work toward strategic goals that incorporate these recommendations and continue to push above and beyond.

Respectfully,

A handwritten signature in black ink, appearing to read "B. Gootkin", is written over a horizontal line.

Brian Gootkin  
Director  
Montana Department of Corrections