

## June 14, 2017 Concord Monitor Women's Prison Delays

Faced with added delays opening the new women's prison in Concord, the state is negotiating a yearlong contract extension to keep female inmates at the aging Goffstown facility.

The news is raising concern among attorneys behind a lawsuit that prompted construction of a new women's prison to match the programs offered to male inmates.

"A delay of this magnitude is extremely concerning," said Elliott Berry, a managing attorney with New Hampshire Legal Assistance who represents a group of female prisoners. "The women have been waiting for equal programs and services for 25 years. How long do they have to wait?"

Construction on the prison is expected to finish by November, but inmates likely won't be moved in until 2018. That date hinges on when the department can hire enough guards, state Department of Corrections Commissioner William Wrenn said this week.

"We anticipate it's going to be perhaps in the spring. That is what we are shooting for," he said.

Complicating the matter is ongoing state budget negotiations. Lawmakers are currently proposing to slash the number of new staffers the department can hire from the requested 75 to about 53 over two years.

The bulk of the new positions at the women's prison wouldn't be funded until the 2019 fiscal year, meaning the programming staff sought by the lawsuit may be delayed.

It's a "question mark" whether the prison can open in early 2018 under the current budget plan, Wrenn said.

"We may have to look at filling positions with overtime in order to open safely. And the programs side may be delayed," Wrenn said.

Lawmakers dispute the staffing concerns. About 42 staff from the Goffstown facility are expected to move over to the women's prison once it opens. Under the budget, 17 new positions would be funded starting July 1 and eight more would be available early next year. Another 28 people could be brought in beginning July 2018.

"That's plenty," said Rep. Peter Leishman, a Democrat on the House Finance Committee. "We looked at it pretty thoroughly and we did make some cuts, we did reduce the number down because they didn't need them because they may open as late as April."

Even with the new positions, it's not clear how quickly they will be filled.

The department has struggled in recent years to hire enough officers to guard the state's prisons in Berlin, Concord and Goffstown. In the 2016 fiscal year, more guards left the job than the department hired, leading to a net loss of 11 officers. Wrenn said the tide seems to be turning. The department recently graduated a class of 18 trainees, while groups in the past have hovered around 10.

"If we can sustain that level, we may be successful in hiring enough to open up as soon as possible," Wrenn said. "We are hoping, with our recruitment efforts, we continue to get some large numbers and in the meantime, maybe slow down some of the retirement."

The women's prison project has been plagued with delays since the beginning. In 2015, officials revealed construction costs had run over budget, asked for more money and predicted the building wouldn't open until a year later than initially planned. The prison design was altered to rein in costs and then had to be sent out to bid again.

A permanent prison was first promised in the late 1980s after a group of female inmates sued the state and won. The state began incarcerating female prisoners in the former county jail in Goffstown under a court order. While first billed as a temporary plan, the facility has housed female inmates ever since.

A new class-action lawsuit was filed in 2012, accusing the state of failing to fulfill its pledge to provide female prisoners with housing and services equal to male inmates. That suit was shelved in 2014 when legislators authorized construction of the new facility.

Wrenn said the department has been in contact with the plaintiffs who are "not happy right now" and have talked about further legal action. Berry declined to comment on that point.