

SOUTH DAKOTA CORRECTIONS COMMISSION

SOUTH DAKOTA WOMEN'S PRISON H-UNIT

PIERRE, SD

MARCH 30, 2015, 1:30 P.M.

OPENING BUSINESS

Chairman Craig Tieszen called the meeting of the South Dakota Corrections Commission to order at 1:30 P.M. at the South Dakota Women's Prison H-Unit in Pierre, SD on March 30, 2015.

Members present were Senator Craig Tieszen, Senator Jim Bradford, Rep. Mathew Wollman, Rep. Pat Kirschman, Judge John Brown, Judge Randall Macy, and Mark Anderson.

Present via Teleconference was Tim Bottum.

Eight of the nine commissioners were present a quorum was formed.

Also present were DOC Cabinet Secretary Denny Kaemingk, DOC Policy and Compliance Manager Aaron Miller, DOC Public Information Officer Michael Winder.

REVIEW AND APPROVAL OF OCTOBER MINUTES

Senator Tieszen asked for review and approval of the minutes from the last meeting. Senator Bradford motioned that the minutes be approved as written. Judge Brown seconded the motion. The minutes were approved.

INTRODUCTION OF NEW MEMBERS

JUDGE RANDALL MACY (SELECTED BY CHIEF JUSTICE)

Currently a 4th Circuit Judge and have been serving since 2005. Prior to that, I was a Magistrate Judge from 2002 – 2005. I practiced Private law from 1984 -2002. I attended the University of South Dakota, Black Hills State University, and Brigham Young University. I currently live in Spearfish, SD.

REPRESENTATIVE MATHEW WOLLMANN (SELECTED BY HOUSE MAJORITY LEADER)

Born and Raised in Madison South Dakota, I am a lifelong resident and 4th generation South Dakotan. In 2009, I graduated from Madison High School and enlisted in the U.S Marine Corps and served as an Infantry Machine Gun Squad Leader with 1st Battalion 5th Marines. I was deployed to the Pacific with the 31st Marine Expeditionary Unit and I worked to build relations with the Japanese, Thai, and Philippine forces. In 2013, I finished

my service and started work as a paraprofessional at the Madison High School. I currently work as a tech support specialist for the Madison Central School District, and I attend Dakota State University pursuing a degree in Network Security. I am also the Vice President of the South Dakota Triathlon Association, which is dedicated to the wellness of all South Dakotans, and the promotion of Triathlons across the state. I have also, just recently, been elected to serve in the state legislature as a Representative for District 8. I look forward to this opportunity, and to have the honor to be a voice for all citizens.

FUNCTION OF THE CORRECTIONS COMMISSION

Chairman Tieszen shared the state Corrections Commission was established by the legislature and is described in South Dakota Codified Law 1-15-1.13.

The purpose of the corrections commission is to assist the Department of Corrections in examining criminal justice issues and developing initiatives to address problems in corrections and the criminal justice system.

Members serve at the pleasure of the appointing authority and may be removed by the appointing authority at any time.

The commission is required in statute to meet at least two times each year at the call of the secretary of the Department of Corrections or the chair of the commission.

Meetings historically have been held at various DOC facilities and often include tours of the facilities and campus.

ELECTION OF OFFICERS

SENATOR CRAIG TIESZEN

The bylaws require the Commission to elect the Chairman and Vice Chairman of the Corrections Commission. Chairman Tieszen proposed the Commission consider changing the bylaws to allow leadership to remain in place for possibly two years as the Commission only meets 2-3 times per year.

Current Officers: Senator Craig Tieszen-*Chairman* David McGirr- *Vice Chairman*

Chairman Tieszen opened the floor for discussion and nominations for Chairman and Vice-Chairman of the Corrections Commission

Senator Bradford nominated Senator Tieszen as Chairman. Seconded by Judge Brown. Judge Brown motioned for nominations to cease and a unanimous vote be cast. Seconded by Representative Wollmann.

Votes for Senator Craig Tieszen to be appointed as the Chairman of the Corrections Commission

Commission Member	Vote
Anderson, Mark	Yea
Bottum, Tim	Yea
Bradford, Jim	Yea
Brown, John	Yea
Kirschman, Pat	Yea
Macy, Randall	Yea
McGirr, David	Absent
Tieszen, Craig	Abstained
Wollmann, Mathew	Yea

Judge Brown made a motion to nominate David McGirr to the office of Vice-Chairman. Second by Representative Wollmann. Representative Wollmann made a motion for nominations to cease and a unanimous vote be cast. Seconded by Judge Brown.

Votes for David McGirr to be appointed as the Vice-Chairman of the Corrections Commission

Commission Member	Vote
Anderson, Mark	Yea
Bottum, Tim	Yea
Bradford, Jim	Yea
Brown, John	Yea
Kirschman, Pat	Yea
Macy, Randall	Yea
McGirr, David	Absent
Tieszen, Craig	Yea
Wollmann, Mathew	Yea

PUBLIC TESTIMONY

Mrs. Ronald Johnson presented public testimony regarding her husband's murder in 2011 and presented the Commission with documents/legal brief from the current court proceedings.

Key points of her testimony include:

- Inmate assaulting correctional officer should never be expunged from their record
- Safety of Correctional Officers and inmates should be the department's key priority

Anti-death penalty vigil for Good Friday should not be on state grounds where her husband was murdered

OVERVIEW OF DEPARTMENT OF CORRECTIONS

SECRETARY DENNY KAEMINGK

Provided an overview of the Department of Corrections, including slides and written materials.

[2015 BUDGET PRESENTATION](#)

South Dakota Public Safety Improvement Act

Adult Populations:

Minimum custody population is decreasing and the low-medium population seems to be following the same trend.

Earned Discharge Credits (EDC):

If an offender is on supervision and are compliant for the month, they receive a month of earned discharge credits.

88% parole recipients have received EDCs this fiscal year for a total of 417,035 days.

Tribal Pilot Program:

Sisseton Wahpeton Tribe currently operating a tribal pilot program. A Wellness Team has been established. Local law enforcement is conducting PBT's and UAs.

There are approximately 39 offenders on parole supervision who are being supervised through the pilot program.

Discussion with Standing Rock Sioux Tribe about expanding the program to the reservation.

CTP Housing Update:

DOC has a contract with St. Francis House (SFH) in Sioux Falls. Currently there are nine offenders at SFH.

Evidence Based Practices:

EPICS train the trainer has been completed. Parole agents are being trained in EPICS.

Time Study is underway to determine time it takes for parole agents to complete various duties based on profile of their caseloads.

Sec. Kaemingk opened the floor for questions from the Commission.

Sen. Bradford asked if the Tribal Pilot being discussed for Standing Rock Sioux Tribe only involved DOC or if there were other agencies involved.

Sec. Kaemingk responded that the workgroup consist of the South Dakota Department of Corrections, North Dakota Department of Corrections, South Dakota US Attorney's Office, North Dakota US Attorney's Office, Tribal Officials, and US Bureau of Indian Affairs and that these agencies would work together to supervise offenders and assist offenders with re-entry. Standing Rock Sioux Tribe has applied for a Re-entry Grant.

Sen. Bradford asked if Tribal Relations Secretary Emery has been involved in the pilot.

Sec. Kaemingk confirmed Sec. Emery is working with the DOC to establish the new pilot and continue to improve the project located in Sisseton.

Rep. Kirschman asked if there will be a need for appropriations for the Standing Rock Sioux Tribe Program.

Sec. Kaemingk responded no special appropriations were required to initiate the pilot with Standing Rock Sioux Tribe. The tribe is considering a grant to help fund this.

Juvenile Justice Presentation:

[JUVENILE DIVISION PRESENTATION](#)

The numbers of juveniles in the Department Corrections has decreased from 1100 to just over 600 juveniles.

The Department places juveniles in South Dakota in various programs and out-of-state when deemed appropriate.

Chairman Tieszen inquired about the circumstances that would prompt out-of-state placement and the services provided in the out-of-state facilities.

Secretary Kaemingk responded that that the services are often in the form of a bed at a secure facility, to provide programming for juveniles with severe mental health issues and sexual behaviors.

Chairman Tieszen pointed out that even though SD has reduced the number of juveniles in the system, SD continues to have a high juvenile placement rate based on population when compared to other states.

Secretary Kaemingk stated SD has the second highest placement rate for juveniles in the country.

Secretary Kaemingk briefed the Commission on FTE changes at STAR Academy. Discussion about requirements of staff per offender ratios. Currently there are vacant FTEs that DOC will not fill, provided the downward trend continues.

Secretary Kaemingk explained some of the vacant FTEs are due to not being able to fill the positions at STAR Academy

Senator Tieszen opened the floor for questions.

Senator Bradford expressed concern about the number of juveniles who are in the system who are Native American and how some of them do not have suitable home environments to return to.

Sec. Kaemingk stated Native Americans do represent a higher portion of both juvenile and adult offenders in the system, given the percent of the state's population.

Representative Wollman is asked about placing offenders back into the school system and if DOC provides education to juveniles in placement.

DOC is able to increase the juvenile's Grade Level; taking a student out of the community is easy, reentry is very hard.

Mark Anderson asked if DOC is working with Department of Labor to help adults and juveniles gain skills so they can find jobs/employment in the community.

SUMMARY OF DOC RELATED LEGISLATION

MICHAEL WINDER

[2015 LEGISLATION BILLS PASSED](#)

Michael Winder presented an overview of Legislation that was related to the Department of Corrections.

Senator Tieszen opened the floor to questions regarding the 2015 Legislative Session.

Mark Anderson ask if every bill that may impact incarceration rates or result in an increase in offenders is reviewed.

Winder responded that a prison/ jail impact statement accompanies these bills and is shared with the committee/legislature.

Mark Anderson asked if any bills were passed that would increase the number of people being incarcerated.

Chairman Tieszen responded that to his recollection, these were very few bills that will have a significant impact. Most were little to no impact. Chairman Tieszen stated it is helpful to review this information when considering legislation.

SCHEDULE OF NEXT MEETINGS

June 29-30, 2015	Rapid City, SD/ Custer, SD	Juv. Office/ RCMU/ STAR
November 2-3, 2015	Yankton, SD/ Springfield, SD	YMU/ MDSP/ Parole Board
December 8, 2015	Pierre, SD	Review Legislation

CONCLUDING BUSINESS

Chairman Tieszen moved to adjourn the meeting at 2:43 P.M.
