

CORRECTIONS COMMISSION MEETING

South Dakota STAR Academy
Custer, SD
Multi-Purpose Room
September 13, 2010

Members Present: Senator Julie Bartling, Senator Craig Tieszen, Representative Richard Engels, Brad Drake and Representative Lance Carson.

Others Present: Laurie Feiler – Deputy Secretary, Brady Kerkman – Policy & Compliance Manager, Doug Herrmann – Director of Juvenile Corrections and Darwin Weeldreyer – Director of Community Services.

Members Absent: Paul Aylward, George Prest, Judge John Brown and Judge Patricia Riepel.

Agenda Item Number 1: Review/Approval of Minutes from June Meeting:
(Minutes Provided)

Committee Vice-Chair Craig Tieszen called the meeting to order at 9:10 am. Vice Chair Tieszen asked for a motion to review and approve minutes of the June meeting. Representative Richard Engels moved to approve minutes, second by Representative Lance Carson. No discussion held. Motion carried.

Agenda Item Number 2: Adult Restitution Collection Process:
Presentation presented by Deputy Secretary Laurie Feiler

Deputy Secretary Feiler provided information regarding the Departments' efforts and successes in the collection of restitution from inmates and parolees. She directed the Commissions attention to SDCL 23A-2-28 on her hand out that outlines the direction for restitution. Deputy Secretary Feiler shared with the Commission the Departments' continued efforts in the attempt to collect restitution from inmates and parolees. Deputy Secretary Feiler reported that inmates receive \$.25 per hour for their labor. The average annual wages for parolees is about \$10,000. The Department's inmate banking system is set up to allow each inmate to spend up to \$140 per month for use in commissary. After the \$140, any remaining funds the inmate earns from working or receives while in a facility is split between a savings account to be used for release and any child support, restitution, fines, fees or cost incurred while in DOC. Deputy Secretary Feiler stated that inmates can be held liable for repayment of costs incurred for confinement, time spent in jails and/or transports.

Deputy Secretary Feiler gave the Commission a brief overview of restitution dollars collected since 2006 and how they are distributed.

Senator Bartling inquired about whether inmate's families are allowed to provide commissary items. Deputy Feiler stated that other than books or magazines purchased directly from the publisher, inmates are not allowed to receive items outside the commissary.

Representative Engels asked about the priority structure of restitution repayment. Deputy Feiler stated that even though restitution, fines and fees are lumped together; the Department attempts to get the maximum amount of money for restitution before they take any money for fines and fees.

Representative Carson inquired if parolees can be discharged from parole without completely repaying their restitution. Deputy Feiler stated that when they are discharged from parole the victim may docket the matter in civil court rendering it impossible to be dismissed by bankruptcy, possibly resulting in the parolee's wages be garnished or property being repossessed by local law enforcement until the restitution is fully repaid. No parolee will receive an early final discharge or no inmate will receive a clemency until the restitution is paid in full.

Senator Tieszen asked about the funds handling process for restitution dollars. Deputy Feiler stated that the money collected each month is sent to the clerk of courts office for each respective county with a breakdown of all the inmates that submitted money and their docket numbers.

Agenda Item Number 3: Adult Reentry Initiatives:

Presentation presented by Deputy Secretary Laurie Feiler.

Deputy Secretary Feiler reviewed with the Commission the Departments' goal to reduce recidivism 50% within five years. The Adult Reentry Grant focuses on those parolees that are a high risk for re-offending. The adult institutions are using the Thinking for a Change (T4C) curriculum to assist with these offenders. The Department is also offering Job Search Assistance Programs (JSAP), Credit where Credit is Due (CWCD), Moral Recognition Therapy (MRT) and Community Transition Programming (CTP) to inmates both in the institution as well as in the community. Deputy Secretary Feiler stated that the Department is working with outside providers to offer more community support for offenders. Community based services are being formulated for offenders based on individual risk assessment. The Local Reentry Coordinators are contracted with the city of Rapid City and Volunteers of America in Sioux Falls.

The adult institutions are working on training all staff in T4C, as well as Motivational Interviewing (MI) to better work with the inmates and reduce recidivism.

Representative Carson asked about how many local task forces there are. Deputy Feiler responded by stating that there are two, one in Rapid City and the other in Sioux Falls.

Senator Tieszen asked about the operational status of the program. Deputy Secretary Feiler stated that all programs are operational; however they are being tweaked as they go and continue to work on the case management piece for institutions. Senator Tieszen also inquired about the grant funding. Deputy Secretary Feiler stated that it was around \$1.5 million dollars with matching funds from in kind match, state fund money and chemical dependency match. This was a one year grant with the potential for a two year extension.

Agenda Item Number 4: Juvenile Reentry Initiatives:

Presentation presented by Doug Herrmann.

Doug reviewed the 50% recidivism reduction plan for juvenile corrections. He stated that the grant is specific to Rapid City and West Farm. He informed the Commission that juvenile corrections have been following the National Institute of Corrections (NIC) model since early 2002. He would like to see more community and family services provided for youth to ease the transition back into the community. He reviewed the juvenile to adult recidivism rate over the last five years. Doug explained that the Department is able to track a youth's recidivism to adult corrections within a five year period.

The Juvenile Division is focusing on transitional education for youth as well as employment and pro-social skills. Independent living is also a huge focus in the older age bracket of the youth. West Farm has developed a transitional classroom on their campus to assist with reentry into the community. The ultimate goal for the youth leaving West Farm is to attend West Central High School. West Farm primarily serves youth in transitional placements that are not ready to return to the community or youth who are unable to return to their homes, due to previous crimes. Rushmore Academy, located on the campus of Western Dakota Technical Institute in Rapid City also has a transitional classroom used for youth living in their homes on aftercare. Within this same building are the Rapid City JCA offices, providing close supervision of youth to ensure they are attending school. The Department has also developed a Community Resource Office position to assist youth with job placement, social activities, jobs etc.

Representative Engels asked if there was any cooperation between the federal prison system and the Department. Doug stated that they are unable to access information from the federal system or any other state system. Doug stated that at this time, the Department can only track South Dakota commitments.

Senator Bartling requested information about the Juvenile Divisions involvement with recruiters from the armed forces. Doug stated that they do work with military recruiters on a regular basis, but generally have more success with the Army, National Guard and the Navy. Doug went onto to say that the success also greatly depends on the armed forces current recruitment needs.

Representative Carson asked about the transition of sex offenders and whether they are able to return to the home. Doug stated that sex offenders undergo an evaluation, treatment and then usually transition into a program such as West Farm or independent living prior to returning to the community. Sex offenders receive continuing services while in the community, as well as close supervision from their JCA. Juveniles may be able to return home should circumstances within the home change to provide a positive environment.

Agenda Item Number 5: Rapid City Minimum Unit Update:

Darwin Weeldreyer provided the Commission with a brief update on the progress of construction. Phase one of the project began on July 7th, which is the remodeling of the office area. This space will be used to house the parole offices that are currently located on Campbell Street. The demolition is done and construction has started. Phase one will be completed through use of inmate labor. The projected completion date for phase one is December with the parole agents moving into their new space in January of 2011.

Phase two of the project includes remodeling of the current warehouse and cold storage facilities on site as well as construction of a new 9000 sq ft building. The first floor of these buildings will be used for laundry and kitchen services. The second floor will be used for inmate residence with the ability to house up to 420 inmates. Some demolition has been completed for this phase and the bids will be going out next week for the construction. Completion of this phase is projected for December of 2011 with partial occupancy in January of 2012. The Department has applied for a grant to assist in paying for the geothermal system that will be used for the new complex. The grant is for \$400,000 and Darwin stated that they will know by the end of the month if the Department will be awarded the grant money.

Senator Tieszen requested clarification on the bid for the second floor of the building. Darwin stated that construction for that project will be bid with the general construction bid that is going out next week and this bid will also include grading, parking lots and all other construction. Senator Tieszen also asked about the other income that could be put towards the building. Deputy Secretary Feiler stated that the Department's leases for the parole agents office (which is around \$24,000 a year), the work release beds and the current minimum unit will end, allowing some funds to be freed up. The lease notification to the parole office has already been submitted.

Representative Carson asked about the accurateness of the projected cost. Darwin stated they will know more next month when they have received all of the bids for the construction. Deputy Secretary Feiler stated that due to the original projected costs being three years old, the Department may incur some higher costs. However; since other leases the Department held will be terminated, this will free up some additional funds resulting in the Department more than likely not having to ask for general dollars to pay for the higher costs.

Agenda Item Number 6: Determine Date/Time/Location for the Next Meeting:

Next meeting is tentatively scheduled for either December 7th or 14th to coincide with the Governor's Budget Address. Brady Kerkman will confirm the date and time and send out an email to the Commission.

Agenda Item Number 8: Adjourn:

Meeting adjourned at 10:25 am by Chair Bartling. Motion by Brad Drake, second by Senator Tieszen, motion carried.