



DEPARTMENT OF CORRECTIONS

ADMINISTRATION

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Corrections Commission Meeting South Dakota State Penitentiary Sioux Falls, SD November 16, 2016 10:00 a.m.

Members Present: Senator Craig Tieszen, Senator Jim Bradford, Representative Pat Kirschman, Representative Matthew Wollmann, Judge Randall Macy, Mark Anderson, and David McGirr

DOC Staff Present: Secretary Denny Kaemingk, Deputy Secretary Laurie Feiler, Policy and Compliance Manager Aaron Miller, Director of Prison Operations Bob Dooley, Warden Darin Young, Deputy Warden Jen Dreiske, Associate Warden Troy Ponto, Director of Security Cliff Fantroy, Major John Benting, and Classification and Transfer Manager, Rick Leslie,

Joining via teleconference: Director of Community Service, Darwin Weeldreyer

General Business

Meeting was called to order by Chairman Tieszen at 10:00 am.

Approval of Minutes

Chairman Tieszen asked for review and approval of minutes from May 18, 2016. Senator Bradford motioned to approve the minutes as written. Seconded by Judge Macy. Motion carried.

Federal Bonding and Tax Credit Programs for Employers

Gregory Johnson with the Department of Labor provided information about the Work Opportunity Tax Credit (WOTC) program available to employers. This is a federal income tax credit program which provides tax incentives to employers who hire individuals in certain qualifying groups (including ex-felons released in the past 12 months) with high rates of unemployment. To sign up for the incentive, employers must complete and return a one page form from the South Dakota Department of Labor. The employer is then eligible to receive a tax credit for up to \$2,400.00 upon the employee completing a minimum of 400 hours of employment.

Mark Anderson inquired about how the program is advertised to potential employers, qualifying individuals and the public. Mr. Johnson explained funding for advertising was limited and he was unsure of what efforts were pursued by either the state or federal agency.

Senator Bradford inquired as to the availability of the program to employers in the Rapid City area. Mr. Johnson responded the department is currently researching the effectiveness of the program across the state and advised the program is available to all ex-felons, including federal ex-felons.

Darwin Weeldreyer inquired as to if this program would be available to Work Release inmates. Mr. Johnson stated he would look into this and respond.

Deputy Secretary Laurie Feiler inquired as to if ex-felons can use this program more than once if they happen to return to prison after their first time using the program. Mr. Johnson stated he would research this issue and let the department know his findings.

There was general consensus that more information needed to be gathered on the program at this time and the subject would be revisited at a later time.

Mr. Johnson provided information about the Federal Bonding Program. Employers may receive bonds worth \$5,000.00, free of charge, as an incentive to hire ex-felons. Bond coverage is for the first six months of employment. The bond will reimburse the employer for certain losses caused by the employee, such as theft of money or property. South Dakota has traditionally received five (5) \$5,000.00 bonds annually at no cost. The bonds have not been actively promoted outside of Department of Labor and Regulation (DOLR).

Chairman Tieszen inquired as to if the DOL could obtain more of the bonds if there was a demand. Mr. Johnson stated the state could purchase them using Wagner-Peyser funding at a cost of \$2,450.00 each.

Mark Anderson inquired as to why no one is taking advantage of the program. Mr. Johnson stated it is not widely marketed and the DOLR is looking into why some areas of the country have a demand for bonds and other areas do not.

Secretary Kaemingk inquired as to who is actually using the bonds in the state. Mr. Johnson stated cleaning companies and construction companies were the main participants.

Facility Population Update

Deputy Secretary Laurie Feiler provided a briefing of the male and female prison populations. While the male population has been experiencing an uptick in numbers, it appears to be leveling off. The female population is also high, but growth is starting to slow, though it has fluctuated some during the past year. The information presented (titled Institutional Population) was made available to the Commission and is posted on the DOC website.

Senator Bradford stated many of the nonviolent offenders were incarcerated for meth usage or crimes related to drug use.

Chairman Teiszen inquired as to the status of overcrowding in the prisons. Feiler explained that the male population seems to be stabilizing for the time being, but the female population is continuing to push towards facility capacity. The minimum custody units are also at high population levels, the Rapid City Community Work Center as well as the Work Centers in Yankton and Sioux Falls are close to being full.

US Department of Justice Grant

Deputy Secretary Laurie Feiler provided information about the Maximizing Justice Reinvestment Grant. The target group for the grant is prison bound adult female offenders in Pennington County. The goals of the grant are to reduce corrections costs by reducing unnecessary prison confinement, expanding and promoting collaboration among those working in the criminal justice system to support justice reinvestment, and to use evidence-based practices to reduce recidivism and prevent re- incarceration. Preference would be given to probation violators as an intense intervention program as an alternative to prison. There would be a 3 month residential portion followed by 9 months in community placement. The program would use \$1.75 million over three years and 100% of funds would be Contractual Services. Information presented regarding the grant is available on the DOC website.

Senator Bradford raised concerns for individuals who may only need a small amount of program help and was hopeful something could be done for those people who may not need the entire program.

Mark Anderson inquired as to who the consultants would be and who would be hiring them. Feiler explained that they have not yet been selected and pay had not been decided.

Smart on Crime

Secretary Denny Kaemingk provided information about the Smart on Crime workgroup. One of the reasons the Smart on Crime workgroup was formed is to review ways of handling nonviolent offenders and high intensity drug trafficking, including the rise in meth usage. The three main issues being addressed by the workgroup are the creation and use of a Meth Trafficking Task Force, prevention efforts through drug education provided to students in schools and helping meth addicts who are in the criminal justice system through successful completion of treatment. The Smart on Crime report will be released and distributed to members in December 2016.

There were no further questions on the matter.

Use of Body Scanners

Cliff Fantroy and Major John Benting provided information about the DOC's acquisition and use of body scanners at select South Dakota DOC facilities. There are currently three body scanners in use within the DOC. The department plans to purchase two more at a later time. The machines can scan an individual who weighs up to 500 pounds, with the scan taking approximately seven seconds to complete. All new intakes are scanned before entering the facility. The high-dual scan produces two images providing a very detailed scan image. The machines track of how many times an inmate has been scanned. Going through the scanner 100 times is equivalent to receiving three MRI's in a year. Staff viewing the scan image is the same gender as the inmate being scanned. The machines are very effective and have led to the discovery of contraband held by inmates in an attempt to bring the material into the facility. The department believes regular use of the machines will deter inmates from attempting to bring contraband into facilities.

Next Meeting

Chairman Tieszen stated any meeting that may be required in the next couple of months to take action on Prison Industry business will be scheduled telephonically. Traditionally the Commission meets following or near the end of the Legislative Session. Details to be announced at a later date.

Chairman Tieszen announced Representative Pat Kirschman is departing his position on the Commission and expressed appreciation on behalf of the Commission and department for his service and input. A plaque was presented.

Chairman Tieszen also announced the departure of Senator Jim Bradford from the Commission. Chairman Tieszen expressed his thanks for all of the years of service and the Senators dedication to the citizens of the state, in particular, the Native American population. Senator Bradford was presented a plaque on behalf of the DOC in appreciation for his years of service.

Meeting Adjourned

Chairman Tieszen adjourned at 11:50 a.m.

Approved