

CORRECTIONS COMMISSION MEETING  
CAPITOL BUILDING ROOM 468  
PIERRE, SD  
DECEMBER 2, 2003  
10:00-11:30 A.M.

MEMBERS PRESENT:

Senator J.P. Duniphan, Commission Chairperson; Committee Members: Representative Quentin Burg, Senator Garry Moore, Representative Bill Van Gerpen, George Prest, Justice Steve Zinter, Brad Drake and Paul Aylward.

MEMBERS ABSENT: Judge Max Gors

OTHERS PRESENT: Tim Reisch, Secretary of Corrections; Annie Mehlehaff, LRC; Kelli Englehart, Bureau of Finance & Management; Laurie Feiler, Deputy Secretary of Corrections; Kevin McLain, Coordinator of Research & Grants, Lynnette Eckert, Executive Assistant; and Joe Kafka, AP.

The December 2, 2003 Corrections Commission meeting was called to order by Senator Duniphan who stated there was a quorum present.

Agenda Item Number One: Approval of minutes from previous meeting August 20,2003

Motion by Senator Moore, second by Representative Burg to approve the minutes of the August 20, 2003 meeting; motion carried to approve the meeting minutes with corrections.

Agenda Item Number Two: Introduction and welcome of new commissioners.

New board members George Prest of Brookings, Brad Drake of Watertown, Paul Aylward, Huron SD were introduced and welcomed.

Agenda Item Number Three: Status Report on Adult System by Secretary Reisch and Deputy Secretary Feiler:

Secretary Reisch gave a slide presentation on the Governors' Correction workgroup. The workgroup has 46 members divided into three subcommittees. Secretary Reisch gave a brief update on some of the ideas that each subcommittee has been working on along with the agenda for the December 10, 2003 meeting in Pierre.

- 1 Sentencing, Mark Smith
2. Incarceration, Representative Chris Madsen
3. Aftercare/Parole, Judge Max Gors

Secretary Reisch also noted that Senator Duniphan, Representative Burg , Representative Van Gerpen and Senator Moore were members of the work group. Copy of Secretary Reisch presentation is attached to the minutes.

Discussion after the presentation: Representative Burg stated the summer study on Corrections was worthwhile. Representative Van Gerpen stated he was amazed on how much respect the staff received from the inmates at Durfee State Prison gave the staff while he was at Springfield.

#### Construction Projects

Secretary Reisch gave slide presentation on the Prison Expansion Plan for additional 792 beds. A handout was provided and attached to the minutes.

Representative Van Gerpen asked about the ground breaking at Springfield. Sec. Reisch explained that there were several issues impacting this, but hopefully by Spring. Members asked if the Old Main Hall will be destroyed and what will be done with the rocks. Secretary Reisch responded Old Main Hall was found to be unsafe while the tuckpointing job was being preformed last year. There will be a historical marker placed for that building.

Senator Moore asked if the rock was re useable. Secretary Reisch responded they are discussing that issue and will decide if it is an option.

Senator Moore brought the new members up to speed on the overcrowding issue and why the expansion is being done. He said this would not take care of the overcrowding problem that is why the Governor's workgroup was formed to figure out if there is a better way to handle this issue.

#### Adult Interstate Compact for Probation and Parole

Deputy Secretary Laurie Feiler gave a slide presentation on the Interstate Compact which, in 2001 revised the transfer of prisoners from State to State for probation and parole for adults. Revisions to the Juvenile compact will be done in the future.

Forty-seven states have joined the compact and each state sets up its own state council.

Senator J.P Duniphan, Chair, Secretary Reisch, Ed Ligtenberg, Keith Bonenberger, RoAnn Redlin, Judge Jim Tucker and Brian Zeeb are on the council.

The State Council has met three times and the National Commission met in Arkansas November 2-5, 2003.

The new compact rules will take effect 8/1/2004.

#### Agenda Item Number Four: Status report on juvenile system:

Secretary Reisch gave a slide presentation on status report changes made in the juvenile system. A handout was provided.

Secretary Reisch presented the changes and renaming the Custer Youth Corrections Center to State Treatment and Rehabilitation (STAR) Academy. Brady Boot Camp renamed to the Brady Academy, Living Center A renamed Youth Challenge Center; Living Center B renamed Living Center. Custer Intake Center renamed STAR Academy Intake and Holding Center.

The STAR Academy has used an existing staff position to create a Quality Assurance Specialist. Tonya Cook has been hired for this position.

The STAR Academy has added a Youth Treatment Director for Brady Academy.

Kim Baker from Boys Town has been hired for this position. The program will be more individualized. It was suggested the Commission invite Kim Baker to the next meeting.

## Plankinton Update

Secretary Reisch continued the presentation with Plankinton update. The Plankinton Group selected Cornell Corporation with the lease details being worked out. Secretary Reisch explained about the detention center and that it is a partnership with Aurora County. The Residential Treatment Center License is in process with the Dept. of Social Services. A short discussion was held with Representative Burg asking about the requested funding per day for Cornell, which is \$179.00/day. There are currently 70 juveniles being taken care of out of state.

Senator Duniphan asked if there would be Ombudsmen allowed in the facility? The answer was yes.

Justice Zinter asked about the number of the children and still the potential of the out state children using this facility? Secretary stated it was a 40-bed detention center and all of the counties throughout the State can use for long or short term.

Mr. Aylward asked if the employees would be private or public staff working for Cornell and about wages & benefits and competing with other facilities. Secretary Reisch responded that staff would be employees Cornell.

Senator Duniphan asked if a cost analysis was done on how many clients were needed to make this work. It was stated it would take 60-70 clients.

Representative Van Gerpen asked for clarification on the governing body. Secretary Reisch advised that Aurora County would handle the detention center.

Senator Duniphan questioned the contract length. Secretary Reisch stated it was at least a 30-month with renewal of 30 months based on the last information that was received.

## Council of Juvenile Services- Kevin McLain

Kevin McLain gave a slide presentation and handout information on the Council of Juvenile Services.

The Juvenile Justice and Delinquency Prevention Act Formula Grants program was explained as a renewed program and what is required to participate.

The Council of Juvenile Services is as follows: Lt. Gov. Dennis Daugaard, Richard Bird, J.C. Chambers, Michael Dacy, Laura Dillon, Doug Herrmann, Dallas Johnson, Judge Janine Kern, and Sheriff Mike Leidholt, Vice Chairman. Dave Nelson, Sharon Sonnenschien, Susan Randall, Gib Sudbeck, Doug Thrash, Carol Twedt, Chairwoman, Lindsay Ambur, Joseph Verhults, Sean Gilmore, Cheryl Three Stars Valandra and Grant Walker.

The council has met four times in four months, the Formula Grant Application and 3 yr. Plan have been submitted. Three Committees have been established which are comprised of Council and non-Council members.

Justice Zinter asked who the consultant was for the Disportional Minority Confinement. Kevin McLain stated it was Dr Gary Leonardson from Dillon, Mt.

#### Agenda Item Number Five: 2004 Legislation

Deputy Secretary Laurie Feiler presented a slide presentation on DOC agency bills for the 2004 session.

See handout for those bills with one addition of Council of Juvenile Services recommended bill on juvenile DUI which are now being handled in Traffic Court and would change to CHIN's offense.

#### Agenda Item Number Six: Location and date of next meeting

Discussion was held on the date & location of next meeting. It was suggested the week of January eleventh or early February. Justice Zinter stated he would be unavailable the first part of that week, perhaps the January 15<sup>th</sup> would work. The commission will be updated as the time gets closer.

A short discussion on whether a letter would be sent to the legislation regarding if they had any matters they wished to be considered. It was agreed the letter should go out.

#### Other Business:

Justice Zinter asked how the new phone system was working for the inmates. Staff reported it was going well.

Justice Zinter asked Ms Feiler about the large number of parole violators under the new system and wanted to know why? Ms. Feiler responded the South Dakota percentage is lower than the national average and that the percentage of parolee violating is pretty stable.

Mr. Prest requested mission statements for all the facilities.

#### Agenda Item Number Seven: Adjourn

Senator Moore made motion to adjourn meeting  
George Prest seconded the motion. Motion carried  
Meeting adjourned.