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March 10, 2014

The Honorable Dennis Daugaard
Governor of South Dakota
500 East Capitol Avenue
Pierre, SD 57501

Dear Governor Daugaard:

As chairman of the Governor's Reentry Council, I am pleased to provide you the 2012-2013 report of the activities under the state's adult Second Chance Act grant and efforts to reduce recidivism through strengthened reentry processes in calendar years 2012 and 2013.

The Reentry Council was first established by Governor Mike Rounds in Executive Order 2009-02. On January 26, 2011, you issued an updated Executive Order (EO 2011-03) affirming your commitment to the state's efforts to reduce prisoner recidivism through sound reentry practices and recognizing the need for collaborative strategies for reentry success. As outlined in these Executive Orders, the primary goal of effective prisoner reentry is public safety. If a prisoner can leave state prison and refrain from additional criminal behavior this benefits not only the former prisoners, but their families, and the larger community as well. My overall goal in recidivism reduction is public safety by restoring offenders as productive, law abiding members of the community; individuals who contribute to their communities rather than cause harm to themselves and others.

The Reentry Council was charged with identifying, defining and addressing issues affecting inmates being released from prison in South Dakota. The Council is also challenged to identify and apply best practices in prisoner reentry toward the goal of recidivism reduction. A strong and effective prisoner reentry process reduces the number of offenders who fail to make a successful and law abiding transition to the community and reduces the number who have to return to prison due to a parole violation or new offense. The goals and strategies of the Reentry Council are closely aligned with the efforts of the 2013 Public Safety Improvement Act.

The state's reentry efforts involving the Council focus on successful transition of adult inmates from state prison to the community, typically to parole supervision within the community. The state DOC has many partners in these reentry efforts, including state

agencies represented by the Reentry Council members, local government and private sector partners. While much reentry work is funded through the existing budgets of state, local and private entities and reentry efforts will continue regardless of the availability of Federal funding, the state of SD's reentry efforts have been significantly augmented over the last 4 years through the receipt of Federal Second Chance Act (SCA) grant funds.

The state received the first SCA grant award October 1, 2009. The budget for this first year included $749,749 in Federal SCA dollars, $374,986 cash match and $374,860 in-kind match. This budget included four staff: a Reentry Project Manager (state employee); two local site coordinators, one in Rapid City and one in Sioux Falls (local agency employees) and a Transition Case Manager at the Women's Prison in Pierre (state employee). Approximately $900,000 was budgeted in the first grant award for contractual services.

On September 15, 2011, the state was awarded a second year of funding under the SCA grant. This allowed for the continuation of services from the 2009 award. The second year of SCA funding continued the funding for the four staff positions from the first year plus two new parole agents, a reentry center staff person in Sioux Falls and a data systems intern for the reentry program in Sioux Falls. Approximately $1,000,000 in contractual services was budgeted under year two of this grant.

On September 29 of 2012, the state was awarded a third and final year of funding under the Federal SCA grant. This third year of grant funding has allowed the continuation of services from the previous two grant periods. The third year funding provided continued funding for the staff positions from the previous grant periods plus an additional half position in the Sioux Falls reentry center. The state was able to stretch the 2009 award through almost two years and the second year award allowed for services through state fiscal year 2013, with third year funding expected to provide funding until the conclusion of the SCA National Evaluation which is estimated to conclude on September 30, 2014. Approximately $1,500,000 of federal grant funds has been budgeted under this third and final period of grant funding.

The bulk of the contractual services under the SCA grant awards are for the purchase of reentry services for offenders. Year three contractual services include:

$215,660 transitional housing assistance
$180,000 startup housing assistance
$108,000 for community based mental health services
$308,150 for community based chemical dependency services
$ 70,000 for mentorship, employability services and flexible funds
$104,400 for institutional based programming for offenders
$ 38,957 for staff training in assessments (LSI-R) and case management (EPICS)
$ 55,200 for project evaluation and consultation

The state's SCA budgets reflect investment in best practices in prisoner reentry including support for offender assessment, risk and need based programming, provisions for program fidelity, strong case management, research based program design and evaluation and a recognition of the necessity to ensure means to provide for basic needs for reentering prisoners. These budgets also reflect services identified with collaborative partners as those missing or lacking prior to the availability of SCA dollars for prisoner reentry.

The Second Chance Act programs receiving year two SCA funding (7 out of the original 15 grantees) were selected to participate in a National Second Chance Act Grant evaluation. The purpose of the evaluation is to assess the impact of SCA's services on transitioning offenders. This research will evaluate the SCA program's impact on participants' recidivism rates and other indicators of positive reentry (for example employment, child support payments, and housing stability) and compare these outcomes to those who are eligible for SCA services but were not randomly selected to participate in these services. This evaluation is funded through SD's second and third year SCA grant award (BJA) and is being conducted by Social Policy Research Associates and the National Opinion Research Center of the University of Chicago.

South Dakota's participation in the National Evaluation began during calendar year 2012 with offenders identified for random assignment into the treatment and control groups 6-9 months prior to a possible release from prison; providing evaluation orientation to the potential offenders, having evaluation participants sign consent forms; and conducting the random assignment procedures for each offender. Once randomly assigned the offenders received programming based on their evaluation assignment.

As required to participate in this evaluation, the SD DOC randomized eligible offenders into treatment (60%) and control groups (40%). The "treatment" under the SCA and the state's reentry initiative consists of the Thinking for a Change (T4C), Job Search Assistance (JSAP), and Credit where Credit is Due programs (CWCD), intensive case management, and comprehensive case planning within the correctional institutions. The "treatment" group is also eligible to receive SCA funded services of housing assistance, employability programming, chemical dependency services, mental health services, access to needs based flexible funds, Moral Reconation Therapy (MRT) cognitive based programming and enhanced caseload supervision while on parole.

During the term of the national evaluation, the SD DOC and its partners in service provision for offenders under the SCA program continue to work to ensure that those offenders randomized into the "treatment" group receive all of the services with the appropriate fidelity. Conversely, the same attention is being granted to ensure those offenders randomized to the "control" group do not receive these SCA funded services. SD DOC staff has been working closely with the national evaluators and local researchers to support fidelity of the various reentry program components.

I have continued my predecessor's stated goal of a 50% reduction in recidivism in five years. SD measures recidivism consistent with the recidivism definition and measures

of the Association of State Correctional Administrators (ASCA) to provide consistent recidivism measures across participating states. Using this ASCA definition, offenders are tracked 12, 24 and 36 months post release and those who return to prison as a result of a new conviction or as a result of a technical parole violation within the tracking period (12, 24 or 36 months from release) are counted as recidivists.

Attachment #1 charts recidivism data, 12, 24 and 36 months post release for offenders released in calendar years 2003 through 2011.

The measure of recidivism used by SD and ASCA requires a delay of at least a year from the time of release before recidivism can be measured. To illustrate, the 12 month outcomes for 2011 releases could not be calculated until the close of 2012, to allow those who released at the very end of 2011 a full 12 months post release.

The recidivism rate of 2008 releases serves as the baseline for measuring progress toward a 50% recidivism reduction within five years. Attachment #2 charts 12 month recidivism targets to achieve the 50% reduction over five years. Services to qualified offenders under this reentry initiative started in the spring of 2010, making 2010 releases the first year targeted to measure progress toward the state's recidivism reduction goal. The actual 12 month recidivism rate of 2010 releases was 25.9% which is below the targeted rate of 28.1%.

Unfortunately, for calendar year 2011 releases there was a slight (0.2%) increase in the 12 month recidivism data. The 12 month recidivism rate for 2011 releases increased to 26.1% which is above the targeted rate of 25.0% to achieve the targeted 50% reduction of recidivism in five years. The average monthly parole revocation by warrants issued, which serve as interim recidivism measures, do suggest a slight downward trend in 2013 compared with 2012. In CY 2012 an average of 74 parole violators returned to prison each month. In CY 2013 an average of 72 parole violators returned to prison each month. Attachment #3 charts the number of parole revocations per month from December 2010 through December 2013. While a different measure than recidivism, these month-by-month charts indicate a leveling in the average number of parole revocations per month. The primary parole conditions that are violated leading to revocation remain absconding, alcohol and drug usage, and new felony behavior. While there have been challenges to sustain recidivism reduction efforts, the goal to reduce recidivism by 50% over 5 years remains in place and we continue to examine best practices in correctional interventions and recidivism reduction to achieve this goal.

The passage and implementation of Senate Bill 70 (Public Safety Improvement Act (PSIA)) in the 2013 legislative session provides additional tools with which we can strive for the ultimate goal of reducing recidivism and improving outcomes for offenders returning from our state's correctional institutions. For example, the Earned Discharge Credit (EDC) as part of Senate Bill 70 has already had an impact on the average monthly count for offenders on parole supervision. Offenders with eligible offenses can earn day for day credit for each month they maintain compliance with their supervision agreement. This could effectively reduce the time on supervision for compliant

offenders in the community by half. This has the potential to significantly reduce the number of offenders on parole supervision over time as compliant offenders' sentences are reduced, thus reducing caseloads for parole agents allowing additional focus on moderate and high risk offenders. Currently there is a downward trend in parole services offender counts. Attachment #4 shows the end of month count for parole services January – December, 2013 and the parole services average end of month count for the last 10 fiscal years (FY 14 through December). With this reduction in parole services counts, the parole agents' caseloads will be maintained at a level much closer to ideal, allowing improved case management and enhanced implementation of the evidence-based practices in community supervision. This will support the recidivism reduction initiative by strengthening case management and supervision to offenders in the community.

The PSIA provides numerous other supports to the state's continued efforts toward recidivism reduction. Other areas supported by PSIA include additional alternatives to incarceration, drug and DUI courts, review of state policies to focus on system efficiency, additional training on evidence-based practices, improved community-based chemical dependency and cognitive/behavioral interventions with offender focused curriculum, and several pilot programs including the tribal supervision and the Community Transition Program (CTP) alternative housing pilots. Key to the on-going recidivism reduction efforts and overall efforts to reverse the increase in prison incarceration rates is ongoing collaboration and effective communication with governmental, private and community partners and stakeholders. The PSIA has provided a great opportunity to serve as a conduit for these collaborations to develop as the various workgroups address the relevant reentry issues. Many of the PSIA workgroups have participants from numerous agencies and departments both from state government and the local communities.

There are numerous examples of the collaborations with various Council partners. For example, the Department of Social Services has proven to be an invaluable partner in the recidivism reduction through several of their divisions, with significant changes to the institutional and community-based chemical dependency and mental health programming to provide evidence-based, offender focused programming. DSS has also provided additional training and continued partnership to improve the process for application for various economic assistances programs such as SNAP, connecting offenders with existing community supports. Collaborations with Tribal communities have been enhanced with the PSIA Tribal Pilot as Council partners work to improve how offenders on Tribal lands are supervised in the community. Council partners and local community partners have also been working to develop an alternative CTP housing program, to house offenders in the community that may not be good candidates for the current CTP program or other currently available housing options.

I remain optimistic that recidivism can be reduced through sound reentry practices including ongoing collaboration and that the recent growth in prison populations can be abated. The State of SD is fortunate to have the SCA grant program resources and the broad base of support and commitment from collaborative partners. Through the work

of Council agencies, internal DOC efforts and the Criminal Justice Initiative there is clear identification of the areas for ongoing focus in reentry and recidivism reduction efforts as we seek to regain the momentum in recidivism reduction.

Thank you for your on-going support of the work to improve offender reentry services and leverage improved outcomes for offenders. Your championing of the PSIA is a clear extension of many elements of the SCA grant program, and I am excited to continue this work even as the SCA grant program comes to a close.

Sincerely,

Denny Kaemingk, Cabinet Secretary
SD Department of Corrections

Listing of Attachments:

1. Recidivism 2003-2011 Adult Inmates
2. 50% Recidivism Reduction in 5 years
3. Parole Revocations by Month
4. Parole Services End of Month Counts

Recidivism 2003-2011
Adult Inmates

Release Year:	Number of Releases:	12 months	24 months	36 months
2003	1,657			43.0%
2004	2,034		40.9%	45.4%
2005	1,932	29.9%	40.6%	44.8%
2006	2,164	29.3%	39.3%	44.1%
2007	2,072	29.9%	41.0%	46.0%
2008	2,012	31.2%	40.3%	44.9%
2009	2,058	28.7%	38.3%	43.8%
2010	1,934	25.9%	39.0%	
2011	1,827	26.1%		

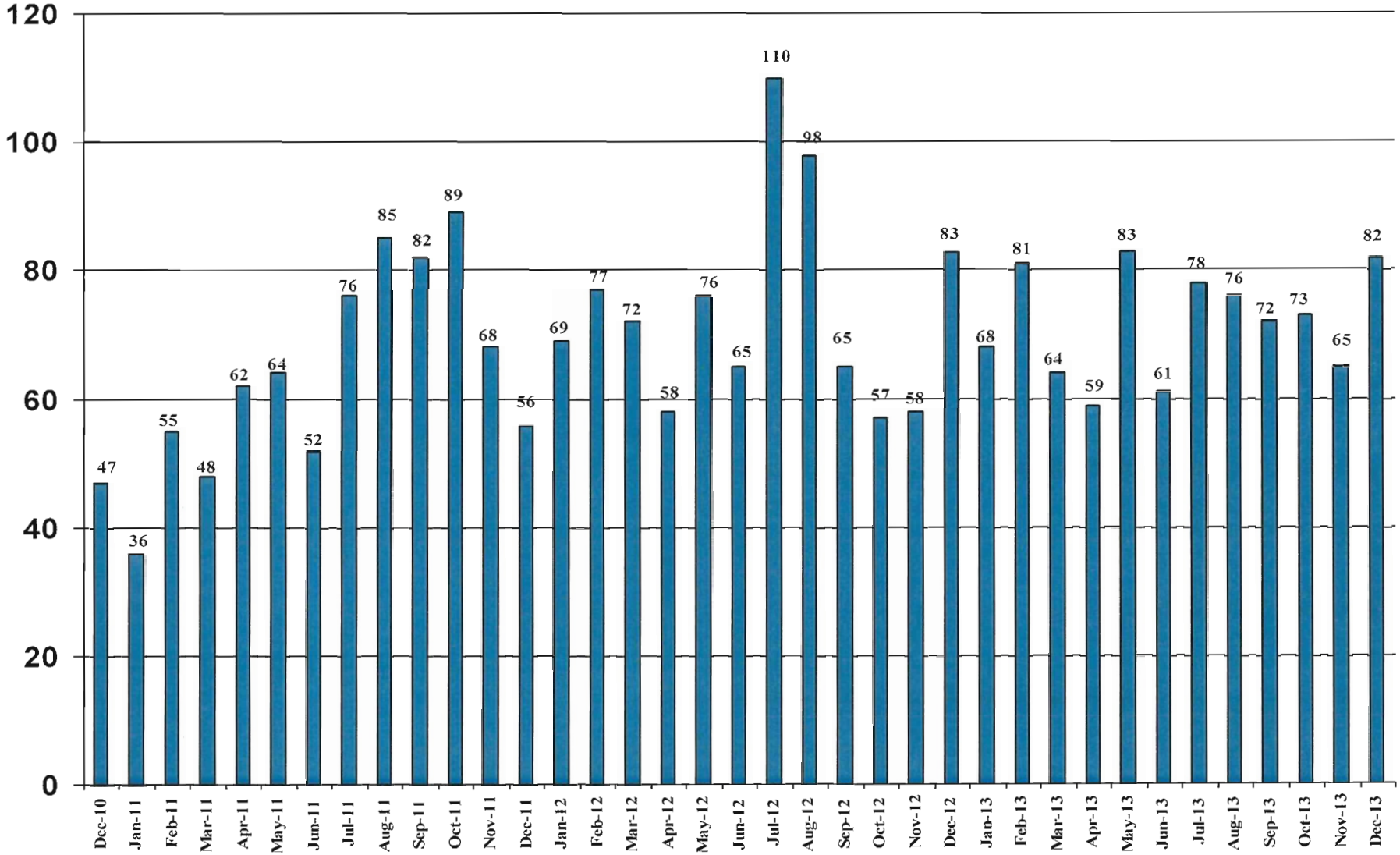
Attachment 1

Goal - 50% Recidivism Reduction in 5 years

Data Look	Releases	12-Month Recidivism Rate
2009	2007	29.9%
2010	2008 (baseline)	31.2% (baseline)
2011	2009 (transition)	28.7% (transition)
2012	2010 – Year 1	28.1% (target) **25.9% (actual)**
2013	2011 – Year 2	25.0% (target) **26.1% (actual)**
2014	2012 – Year 3	21.8% (target)
2015	2013 – Year 4	18.8% (target)
2016	2014 – Year 5	15.6% (target)

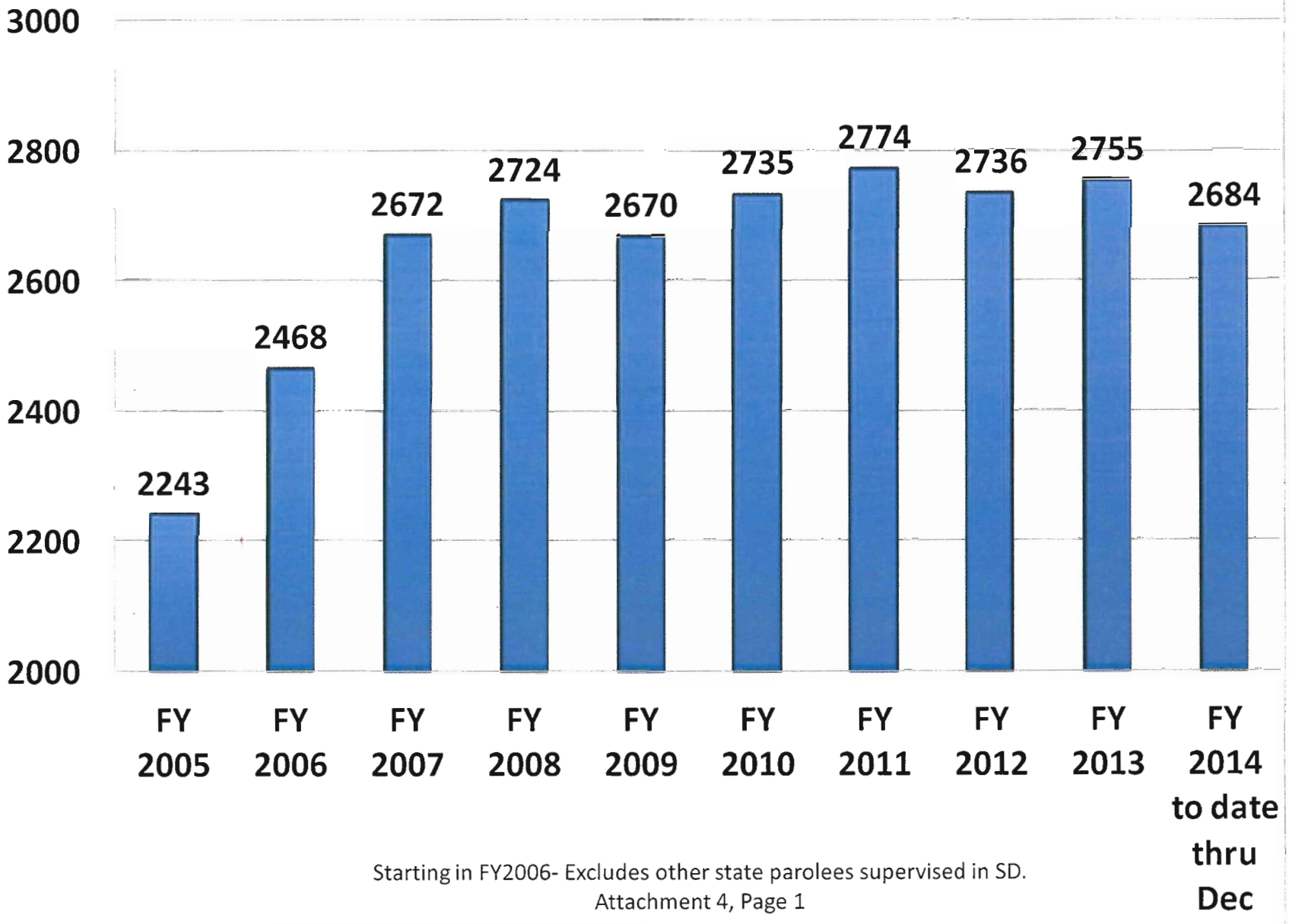
Total Parole Revocations by Month

December 2010 to December 2013



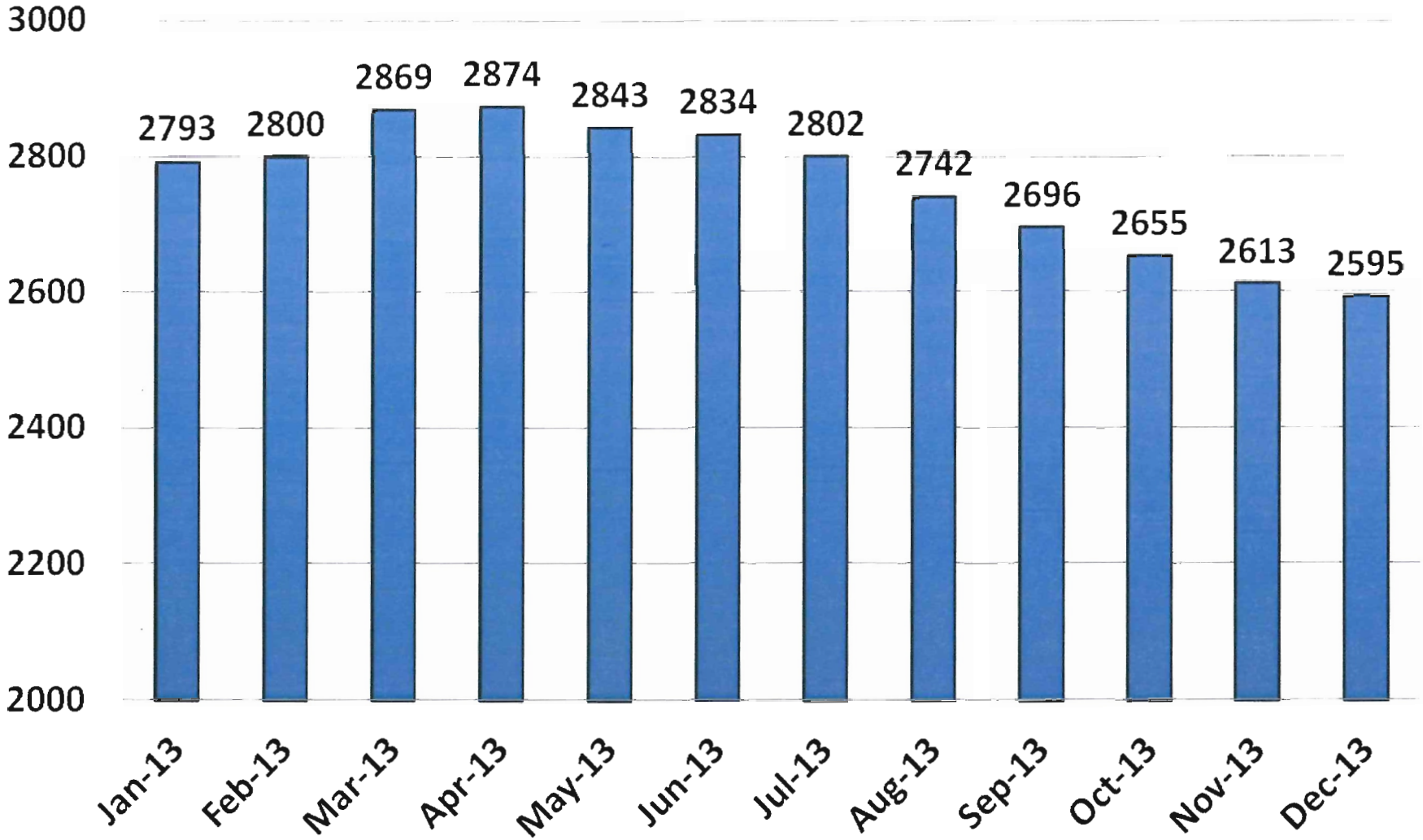
Attachment 3

Parole Services Average End of Month Count



Starting in FY2006- Excludes other state parolees supervised in SD.

Parole Services End of Month Count



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