

Governor's Reentry Council
Governor's Large Conference Room, State Capitol
October 31, 2011 Meeting Minutes
Pierre, SD

Members present: Denny Kaemingk, Secretary of the Department of Corrections, Laurie Feiler, Deputy Secretary of the Department of Corrections, Steve Allender, Rapid City Police Chief, Terry Dosch, Executive Director of SD Council of Mental Health Centers, Laurie Gill, Secretary of the Department of Human Services, Steve Harding, Deputy Secretary of the Department of the Military and Department of Veterans Affairs (representing Major General Tim Reisch, Secretary for the Department of the Military), Mike Huether, Mayor of Sioux Falls, Mark Lauseng, Executive Director of SD Housing Authority, Kim Malsam-Rysdon, Secretary of the Department of Social Services, Pam Roberts, Secretary of the Department of Labor and Regulation, Dr. Melody Schopp, Secretary of the Department of Education, Roland Loudenburg, Mountain Plain Evaluation, LLC., Ed Ligtenberg, Director of Pardons and Paroles for the Department of Corrections, Chad Straatmeyer, Reentry Program Grant Manager for the Department of Corrections, and Robyn Seibel, Corrections Specialist for the Department of Corrections.

Joining by phone: Kevin McLain, Director of Research and Grants for the Department of Corrections.

Members absent: JR LaPlante, Secretary of Tribal Government Relations and Doneen Hollingsworth, Secretary of the Department of Health.

The Governor's Reentry Council (the Council) meeting began at 1:05 p.m. Denny Kaemingk, Secretary of the Department of Corrections (DOC), welcomed the participants and asked them to introduce themselves.

Secretary Kaemingk explained the Council's goals are to reduce recidivism by 50% over five years, continue to build programming for offenders, partnerships with community organizations, and manage community risk. For recidivism reduction to be successful there is a need for a process of assessment at the Admissions & Orientation (A&O) unit, which starts within the first few days an inmate is admitted. There is a need to determine the programming and dosage of programming the inmate will need. The offender's case manager will work on their release plan when they enter prison and the parole agent works with the offender sooner to help prepare them for release.

Laurie Feiler, Deputy Secretary of the DOC, stated it has been approximately 22 months since the last Council meeting. There were numerous situations that caused this delay but the intent is to resume yearly Reentry Council meetings.

Feiler reviewed the handouts members received and said to contact Robyn Seibel for any previous meeting minutes or materials they may need. Feiler went on to explain each year an annual report is drafted by the DOC and sent to the Council members for review. Once any needed changes are made it is sent to the Governor. The annual report is used to communicate how the Reentry Initiative is progressing. The next annual report will be drafted and sent to the Council for review in January or February 2012.

Next, Deputy Secretary Feiler reviewed the PowerPoint presentation titled [Governor's Reentry Council](#) and went on to say prisoner reentry is not just a DOC problem. Many individuals who are reentering the community need help with housing, jobs, health, education, and social services programs. With these needs, comes the need from state and local community partners for a collaborative approach to reentry.

The Average Daily Population of Adult Inmates (slide 3) illustrates from Fiscal Year 2006-2011 that the inmate population has stayed somewhat level but in FY 2012 there was a slight increase. The Parole Services Average End of Month Count (slide 4) has increased over the years. Deputy Secretary Feiler explained a big portion of recidivists are due to technical violations. The reason this number has increased so much is partially due to statutory changes. The time on parole is much longer than it used to be due to the elimination of good time and the percent of inmates released to parole is much higher than it used to be. The process used to be that inmates would flat their sentence with no supervision but now approximately 85% of DOC inmates are released to parole and 15% flat their sentence. This is good in one way but in another, increases the risk of recidivism.

Deputy Secretary Feiler explained slide 5 represents technical violators and new court commits. In FY 2012, 42% of prison admissions were technical violators but in FY 2011, 27% of DOC admissions were technical violators. More than half of South Dakota DOC's current inmate population represents recidivists' who either failed because of a parole violation or flatted their sentence but returned to prison due to a new felony conviction.

Most of the South Dakota DOC recidivists are technical parole violators and approximately five to eight percent of those recidivists commit a new felony. The most common technical violations are drinking, drugs, and absconding parole. The parole division works very hard on responding appropriately to parole violations. For example, responding to an individual who is having trouble with drinking. Individuals may be sent to treatment in the community or placed on the 24/7 program as a way to salvage their parole. All parole violations are responded to but the response is not always to violate their parole and send them back to prison. The parole violation piece continues to be the biggest challenge to address. She went on to explain that a year's time must elapse before being able to run recidivism data (2010 releases will be reviewed at the

end of 2011). Slides 9-11 were developed and are reviewed monthly to show the number of parole violations.

Deputy Secretary Feiler explained the list of roles and responsibilities of the Governor's Reentry Council (slide 14) and within the past few years there have been success with the group's collaboration efforts. The Job Search Assistance Program (JSAP) is now offered in each of the DOC's facilities and hundreds of inmates have gone through the program. Also, a National Career Readiness Certificate pilot project has been started. A process was developed with the Department of Social Services for offenders to apply for Supplemental Nutritional Assistance Program benefits before release from prison to help the offender have an easier transition from prison to the community. Finally, a process was developed to allow inmates to modify their child support orders. Some offenders owe such a large amount of child support that it can impede an offender's progress once they are released, especially someone with a minimum wage job.

Ed Ligtenberg, Director of Parole for the DOC and Chad Straatmeyer, Reentry Program Grant Manager for the DOC, reviewed a PowerPoint presentation titled [Adult Reentry Program](#). Ligtenberg discussed the Transition from Prison to Community Model and explained the national model shows the prison system does not stand alone and there is a process from sentencing an individual to helping them become a law abiding citizen.

Straatmeyer said there are many steps an inmate must go through from entering prison to becoming a law abiding citizen. Training staff on the correct assessment techniques is a crucial element with the process. He explained the additional Second Chance Act (SCA) grant funds will permit the DOC to conduct additional training for case managers system wide. Straatmeyer then reviewed assessments conducted in the A&O unit (slide 4) and are primarily used to gather information on the inmates life history. Straatmeyer reviewed Institutional Programs (slide 5) and said these are available for all offenders within the institution but for the Adult Reentry Program (ARP), inmates identified as high risk offenders are given priority for these courses. For example, to be accepted for the Thinking for a Change (T4C) program, the offender must show a certain level of criminality which is based on their Level of Service Inventory-Revised (LSI-R) assessment.

Ligtenberg explained that public safety and collaboration are just as important as evidence based practices. Evidence based practices show focusing too much on low or medium risk individuals could increase their risk factors. With this information, the Parole Board has initiated an earned discharge (early discharge) program where they grant earned discharge to low risk parolees who follow the rules. This frees up staff resources from supervising these individuals and hopefully decreases their recidivism rate.

Deputy Secretary Feiler expressed that even though the SCA grant focuses on providing services to offenders released to Sioux Falls or Rapid City, services for offenders are available throughout the state. The reentry initiative is a statewide effort and the SCA grant awarded to the DOC helps to fund the effort.

Mayor Huether, Sioux Falls, asked what the percentage is for low risk offenders who come back to prison. Roland Loudenburg, Mountain Plains Evaluation, explained those in the low risk group, approximately one in eight or one in ten return to prison, for the moderate risk group, approximately one in four, and for the high risk group, approximately one in two return to prison. Mayor Huether asked if offenders who are all risk levels have the opportunity to attend training programs such as welding. Loudenburg stated the welding program is only offered at Mike Durfee State Prison in Springfield and is a voluntary program but most of the other programs are based on a needs assessment. Mayor Huether asked if DOC has evaluated the employment need and matched that with the prison population (such as welding). Mayor Huether has heard there is a big need for welders in Mitchell, Yankton, and Sioux Falls and there doesn't seem to be many. Secretary Kaemingk explained a grant the DOC was receiving to train welders will not be available starting next year. Plans are being made with the budget to continue that program.

Kevin McLain, Director of Research and Grants for the DOC, discussed a PowerPoint presentation titled [South Dakota's Second Chance Act Grant](#) which focused on the SCA grant budget and National Evaluation. McLain told the Reentry Council categories represented (on slide 3) are for community based services. The amounts estimated for the second year of funding increased when compared to the amounts in year one. Also, access to mental health services was much lower than anticipated in year one so there will be some investigation on possible barriers to accessing those services. Next, McLain talked about the National Evaluation and the possibility of a lowered grant award if we don't participate.

Roland Loudenburg, Mountain Plains Evaluation, walked through a PowerPoint presentation titled [South Dakota Governor's Reentry Council](#). The Recidivism 2003-2009 Releases (slide 3), for release year 2009 at 12 months, 28.7% represents all releases, not just the high risk target population group. There was discussion about South Dakota's margin of change (on slide 4) and the difficulty of comparing states to each other since the terms of violations are policy dependent. The way South Dakota administers parole changed in the middle to late 1990's and "good time release" is not used anymore. For example, if an inmate returned to prison with a 10 year sentence, their sentence would really end up being shorter and ultimately result in a shorter time on parole. Under the current system, for example, an inmate may parole their sentence after two and a half years but would have seven and a half years on parole. The DOC is now starting to see the impact of this change. With this extended amount of time on parole comes a greater risk for violation exposure. Secretary Kaemingk stated if an offender is doing really well on parole, the parole agent can contact the Parole

Board and request early discharge. There can be cases where a person is on supervision for too long and this can cause an increase in their risk.

Mayor Huether expressed his concern for the recidivism reduction target goal because it calls for cutting the recidivism rate almost in half. He went on to say people may lose motivation to accomplish such a lofty goal if they don't see results. Loudenburg and Feiler explained the recidivism reduction rate was established by former DOC Secretary Tim Reisch who took into account many of the recidivist are technical parole violators and only a small amount come back as a new court commitment. Technical parole violators are within our realm of supervision. Secretary Kaemingk said he is assured we will either hit the 50% goal or get very close. Ligtenberg said the 50% prison reduction was viewed as attainable by some national models which show implementing certain practices can result in a 50% reduced recidivism rate.

Loudenburg explained the LSI-R is an assessment used to obtain information on the inmate's criminal history, health, mental health, education, financial, family, employment, and attitudes and orientation. The LSI-R scores are higher in females because of alcohol, chemical dependency, and mental health issues. It's also a function of population in terms of there are fewer females in prison and that high risk females have high scores. Deputy Secretary Feiler said the LSI-R measures an inmate's risk of recidivism. Loudenberg summarized his presentation by explaining there has been progress with the population and that research confirms the target population is where resources are being well spent.

Steve Allender, Rapid City Police Chief, questioned if the programs discussed in Loudenburg's presentation (slides 20-22) were new for the reentry program. Loudenburg explained T4C started around the same time as the SCA grant program. The JSAP and Credit Where Credit Is Due were already established, but inmates were being placed in the programs that didn't necessarily need to be. Studies reflect inmates have poor outcomes when they receive programming that is not based on risk and need. The pre and post test assessment data is being shared with the instructors as part of the evidence based practice principals and this also helps improve instructional components and instructors ability to deliver the curriculum.

Mayor Huether asked if DOC considered comparing Minnehaha (MA) and Pennington (PE) Counties and if there are different numbers between the two counties. Loudenburg stated county to county comparisons have not been conducted because a full 12 months worth of data is needed. Studies are being done with the ARP data to see how DOC is doing in terms of implementing the risk and needs based assessment, targeting programming, and if DOC is successfully infusing that information back to institutional staff. The next step will be to at MA and PE County. Deputy Secretary Feiler said the DOC has to watch the process piece of it. For example, there may be enough chemical dependency slots but were the right people place into those slots, at the right time.

Loudenburg said in addition, those factors have to line up with their anticipated parole date, when is the program being offered, when is a slot available, what is their risk level, and can they complete the program before their parole date? These are just a few questions DOC has to answer among other moving targets in this planning process.

There was discussion regarding when the Reentry Workgroup will be meeting again. Deputy Secretary Feiler explained we are currently trying to determine the best way to utilize that group. One idea is to meet regarding very specific subject matter with certain individuals of that group. There may be a meeting planned before next session.

Final comments included Mayor Huether expressing appreciation for analyzing the data and target group because it enhances the chance to obtain positive results. However, he believes the 50% reduction goal is a bit extreme and also the economic downturn resulting in less jobs and less social service programs once relied on, may hinder our planned outcome. Secretary Kaemingk expressed appreciation for the money collected for restitution and said last year 9% of parolee's income was paid back to restitution (fines, supervision fees, victim restitution, child support). Chief Allender conveyed appreciation for being a part of the Reentry Council because as a society we need to look for ways to change people's behavior instead of just sending them to prison. Pam Roberts, Secretary of the Department of Labor and Regulation, communicated she believes the 50% goal is possible and that the DOC has always thoroughly provided statistics for the reentry goal and hopes the 50% goal will continue to be pursued.

Deputy Secretary Feiler said she is hoping to put together the annual report for the Reentry Council's review before the end of session and at that time would like to set the next Reentry Council meeting date.

Secretary Kaemingk thanked the Reentry Council for their participation and the meeting concluded at 3:00 p.m.