

Second Chance Act Prisoner Reentry Meeting Minutes
Reentry Workgroup
April 24, 2012 1-3:30pm
Solem Public Safety Center, Pierre
Multi-Purpose Room

In Attendance: Denny Kaemingk, Department of Corrections-Administration, Dan Satterlee (representing Bryan Gortmaker), Office of the Attorney General-Division of Criminal Investigation, Carrie Gonser (representing Paul Bachand), State's Attorneys Association, JR LaPlante, Department of Tribal Relations, Terry Dosch, South Dakota Council of Mental Health Centers, Laurie Feiler, Department of Corrections-Administration, John Fette, Department of Veteran Affairs, Shawna Fullerton, Department of Social Services-Division of Community Behavioral Health Services, Tiffany Wolfgang, Department of Social Services-Division of Correctional Behavioral Health Services, Julie Miller, (representing Carrie Johnson), Department of Social Services-Division of Economic Assistance, Ed Ligtenberg, Department of Corrections-Board of Pardons and Paroles, Roland Loudenburg, Mountain Plains Evaluation, Lorraine Polak, South Dakota Housing Development Authority, Chad Straatmeyer, Department of Corrections-Reentry Program, Colleen Winter, Department of Health-Division of Health and Medical Services, Kevin McLain, Department of Corrections-Administration, Pat Pardy, Department of Corrections-Administration and Robyn Seibel, Department of Corrections-Administration

Absent: Nancy Allard, Unified Judicial System, Grady Kickul, Department of Human Services-Division of Vocational Rehabilitation Services, Marcia Hultman, Department of Labor and Regulation-Division of Workforce Services, Roger Campbell, Department of Education, Trevor Jones, Department of Public Safety

Opening Comments

Laurie explained there are three new members were added to the Governor's Council which in turn brings three new members to the Reentry Workgroup (WG). The new members on the Governor's Council are:

1. Bryan Gortmaker, Division of Criminal Investigation*
2. Trevor Jones, Department of Public Safety*
3. Paul Bachand, State's Attorney's Association*

*It is not clear if these three will also be on the Reentry Workgroup or if they will chose other staff to be members. There was a representative from the State's Attorney's Association and the Division of Criminal Investigation at the meeting today.

After introductions, Laurie explained why the Workgroup hasn't meet since last year and typically should meet every few months. She explained the meeting minutes and how they are put on the Department of Corrections (DOC) website and asked if anyone had any recommended changes from the meeting held 4/2011. There were no changes requested.

Next, Laurie talked about the annual report to the Governor which is required by an Executive Order and each Cabinet Member received a copy of the report at the Governor's Reentry Council meeting that was held 3/22/2012 and it is posted on the DOC website.

Year Two Funding

Kevin reviewed the PowerPoint presentation titled [Adult 2nd Chance Act Grant](#) regarding Second Chance Act grant year two funding. He explained the first year award was expended over a two year period of time and ended last fall. The DOC was successful in receiving a year two award in 9/2011 which increased by \$250,000 from year one. A majority of the funds were utilized for contractual services and inmates in the Second Chance Act (SCA) program may also receive:

- Transitional housing (hotel, halfway house, mission, homeless shelters).
- Start-up housing assistance – To help an offender with a first month rent or deposit.
- Mental Health Services – Provided by Southeastern Behavioral Health Care in Sioux Falls and Behavior Management Systems in Rapid City. \$57,000 in federal money was proposed for mental health services.
- Chemical Dependency Services – \$300,000 was proposed for chemical dependency services and is to help people with treatment or aftercare once out of prison.
- Staff Training –DOC staff were trained to use the Level of Service Inventory-Revised (LSI-R) and it is DOC's risk and need assessment instrument. The DOC has also developed the capacity to conduct LSI-R training independently. Effective Practices in Correctional Services (EPICS) is a model from the University of Cincinnati regarding what works with offenders and training staff to use EPICS will take place this fall.
- Funds were set aside for program evaluation services

Not all of the year two funds will be expended by the end of 9/2012. The DOC will seek an extension to allow full utilization of funds currently awarded. However, Kevin explained the DOC will have to explore options with offenders who receive funding and narrow the eligibility or funds will not last through the end of 1/2013. He said the DOC is eligible for a third year of funding but there hasn't been official word on that yet.

National Evaluation

Chad discussed the PowerPoint presentation titled [2nd Chance Act Grant National Evaluation](#). He explained the DOC was one of seven grantees selected for second year funding and was asked to participate in a National Evaluation for the SCA program. Chad explained 60% of the participants will be randomized into the treatment group and 40% will be randomized into the control group. Random assignment for this program started February 1, 2012. Institutional programming offered to offenders is Thinking for a Change (T4C), Job Search Assistance Program (JSAP), and Credit Where Credit is Due (CWCD). Offenders must have a parole date four to six months out in order to complete the treatment they are involved with and to comply with the National Evaluation requirements.

There was brief discussion regarding the 200 offenders that are part of the South Dakota National Evaluation and six other states that are participating in the evaluation. Roland explained evaluators are looking at cognitive based programs and how this is a unique randomized control study within our broad recidivism efforts. This will help evaluators draw stronger conclusions and results of the program.

Recidivism Evaluation Data

Roland reviewed the PowerPoint presentation titled [South Dakota Department of Corrections Reentry Workgroup Update on Second Chance Grant](#). He said Offenders are studied at the one, two, and three year release mark to determine the recidivism rate. Data for offenders released in 2010 was positive but there must be progress with 390-400 people a year to reduce recidivism and meet the FY target goals. Roland explained males, Native Americans, offenders between the ages of 18-20, and offenders with high LSI-R scores are at higher risk of recidivating.

Roland discussed offenders involved with T4C, JSAP, and CWCD programs take a pre-test and a post-test and the results of the compiled test results show offenders increased their pre-test to post-test scores. There was brief discussion among the WG members regarding data compiled for these services and if individuals with a substantial pre-test to post-test increase show a substantial difference in their recidivism rate as compared to offenders with a slight increase in test scores but there isn't enough data to answer that yet.

Prison Population

Laurie reviewed the PowerPoint presentation titled [Reentry Workgroup Prison Population](#). The DOC tracks the average daily count (ADC) for males and females and starting in state FY06 through FY11 the male population did not change much. However, the ADC for males in FY12 (through March) is the highest it has been over the past five years. The ADC for females was consistent for FY06 through FY09 but slowly increased starting in FY10 (through March). Denny mentioned to the WG members as of 4/23/2012 the female population was at 437 inmates.

Laurie went on to discuss the factors contributing to prison population growth. She explained last year new policies and practices were implemented and helped to keep the parole violation rates down for a short time. Data reveals an increase in the male and female parole violators admitted to prison as well as an increase in new female court commitments. She went on to say the number of offenders granted discretionary parole hearings has remained consistent, but the number of offenders seen by the parole board for a discretionary parole hearing has decreased. Laurie explained to the WG that a discretionary parole is where an offender was on parole, violated, returned to prison, and the parole board has to establish a date to see the offender. It can be also be an offender that was non-compliant with their initial parole date and the parole board decides not to release them. There has also been an increase in offenders eligible for presumptive parole but the number actually paroled has decreased. One reason for this decrease seems to be due to disciplinary actions. Presumptive parole is when an offender in prison reaches their first parole date, has an approved release plan, agreed to the supervision conditions, and has completed all the requirements while in prison and is therefore released. Finally, there has been an increase in the number of non-compliant offenders.

Laurie talked about the incarceration rate for females which is the 5th highest in the nation and for males is 30th in the nation. The WG discussed how the new DUI Drug Court may help lower the incarceration rate because it will allow the offender to stay in the community with their families and support system. The WG discussed the SD crime rates being relatively low compared to neighboring states and how DUI and drug offenses are very high.

Carrie asked if SD DUI numbers are high for females because we charge more females with those crimes. She specifically referred to the increase in the female population for 97-98 and 03-06. Carrie wondered if the percentage for female inmates serving time for DUI and drug offenses has always been at 55% which Laurie will look into. There was discussion regarding the possibility it is a high percentage due to the small female population. Carrie questioned if the inmates in SD are mostly SD citizens or are people traveling across the state and if the drug offenses are due to trafficking across SD. There was some discussion among the WG members

about if there has been increase in criminal offenses from the veterans coming home from war and Laurie said DOC tracks veterans in the database and can look into it.

Barriers to Reentry

Pat explained to the WG the importance of identifying statutory and policy barriers to further the reentry effort and the purpose of this discussion is to begin that list to further investigate.

Terry talked about the lack of transitional and halfway housing and the need for additional community based services for releasing sex offenders. He explained population that shouldn't be mixed is those with a SPMI or a sex offender diagnosis. Providing services to those two populations in the same setting is difficult for the community mental health centers.

Dan talked about the different Tiers for sex offenders which is below:

22-24B-2.1. Sex offender registry consists of three tiers. The sex offender registry shall consist of three tiers as provided for in §§ 22-24B-19 to 22-24B-19.2, inclusive. Placement in Tier III requires registrants to register throughout their lifetime. Placement in Tier II requires registrants to register for a minimum of twenty-five years. Placement in Tier I requires registrants to register for a minimum of ten years.

There was also discussion about what the criteria for being removed from the sex offender registry was and that information is located at 22-24B-19 (Tier 1) and 22-24B-19.1 (Tier 2).

Dan also talked about the psychosexual assessment and the benefits it has for a judge because it gives them a better view of the type of person they are dealing with.

Lorraine talked about federal regulations and when a person is on the lifetime sex offender registry they will never be eligible to receive Section 8 housing. The sex offender Tiers will allow a person to be eligible for Section 8 housing if a judge lifts the requirement of being on the sex offender registry. She also discussed how landlords have a greater risk of housing ex-offenders and thinks it may be helpful to formulate a way to protect or compensate them for taking a person who is higher risk.

Listening Sessions

Within the next few weeks, Roland or a member of his staff will be contacting WG members, agency staff, and other stakeholders within the department to discuss information regarding barriers, issues, and challenges of the reentry process within their department. The meeting will take approximately one hour to complete.

Next Meeting Date

The next meeting is anticipated to occur in July or August 2012.