

# STATE OF SOUTH DAKOTA



Kristi Noem  
Governor

Kellie Wasko  
DOC Secretary

## Department of Corrections

### Headquarters

Kellie Wasko, Secretary

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October 6, 2022

Dear Governor Kristi Noem, Chief Justice Steve R. Jensen, and Members of the 2023 Legislators:

The South Dakota Corrections Commission held two meetings during calendar year 2022. The first meeting was held on April 21 and the second was held on September 19. Both were available virtually via Microsoft Teams. The focus of the Corrections Commission is to approve the use of certain funds from the prison industries revolving fund to enhance, develop, or expand prison industries.

### **Department of Corrections Topics Reviewed by the Commission:**

#### **Summer Study Discussion:**

The Corrections Commission met after the 2022 legislative session to discuss potential summer study topics to present to the Executive Board for consideration including regional jails, prisons, and juvenile justice were topics of consideration.

The commission discussed the procedural flow of an offender sentenced to county jail versus a state correctional facility. Concern for funding of a new prison facility was expressed. Secretary Wasko gave an overview of meetings held with legislators, county representatives, and local sheriffs on the regional jail concept. She explained the differences in sentencing of offenders to a local jail versus a DOC facility. Reports outlining the successes and failures experienced by other states undertaking the regional jail concept were presented. Additional discussion ensued regarding the possibility of contracting between the DOC and local facilities to ease overcrowding, the possibility of utilizing electronic monitoring, and a review of existing agreements for out of jurisdictional housing.

#### **Pheasantland Industries Latex Printer:**

The commission approved the acquisition of a Latex 800 printer to not only to better prepare inmates for reintegration to society but also to increase revenue by servicing a larger area with better quality product in a shorter time. The printer will pay for the cost of acquisition within two months of implementation. The revenue could potentially be increased by \$95,000 - \$110,000 per year servicing our current customers. If additional cities, counties, and states are serviced, the revenue could reasonably be increased by \$225,000-\$250,000 annually. The South Dakota Department of Transportation (SD DOT) and the City of Sioux Falls will benefit from this acquisition as it has the ability to print reflectorized surfaces that are compliant with DOT standards. There is no potential negative impact on North Dakota due to existing contracts between ND and several counties.

#### **Pheasantland Industries Update and Discussion:**

Two new policies were established and added to the existing Pheasantland Industries (PI) policies. The first is a policy outlining PI Business Management that establishes the requirement for a business plan for all new programs and also the requirement that all new programs receive Corrections Commission approval before implementation. The business management policy also requires a quarterly review of all programs. The second

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new policy outlines Payment Procedures and defines standard and non-standard procedures for payment of PI related projects. The DOC provides a report to legislators detailing annual performance and financial progress of the PI program each year in January.

### License Plate Re-Issue:

All license plates are re-issued every seven years. Approximately 1.8 million plates will be produced by PI during this reissuance. PI is on track with production. They produce 10,284 plates per day and have processed 231,919 plates since the project launched in mid-August. The license plate shop is currently running four days per week, but the program will see production expanded to five days per week in the second quarter.

### Pierre Pups Program:

The “Pierre Pups” business program that was originally presented to the Corrections Commission in July 2021 was approved by the commission. Pierre Pups is a day care and grooming program for dogs owned by state, local, and federal government employees that will be available Monday through Friday on the campus of the South Dakota Women’s Prison (SDWP) in Pierre. A Program Supervisor would be trained and certified by the National Dog Groomers Association of America (NDGAA), who will convey this training to the offenders working within the program.

Due to the difference in services to be provided, hours of operation, distance between existing local businesses, current demand for services, and SDCL § 24-3-7 that prohibits the availability of this service to the general public, there will be little to no impact on the existing businesses in Pierre and Fort Pierre. Program parameters and the fee schedule will be amended if deemed necessary in the future should there be any indication of a negative impact to existing businesses.

### Additional Discussions:

Discussions for a new male facility will continue during the 2023 legislative session. Staffing concerns were addressed with the increase in Correctional Officer salaries implemented August 9, 2022. So far the number of applicants has increased dramatically.

DOC is currently not at capacity for programming and will not be for some time. The volunteer program required a complete rewrite to address safety and security concerns. More training is required when these changes are implemented.

Secretary Wasko explained that meetings were held with Sioux Falls Mayor TenHaken, Sheriffs Milstead and Swenson, and Chiefs of Police Thum and Hedrick to discuss recent public concerns regarding parolees. She iterated if local law enforcement deems an offender to be a parolee, a Parole Board hearing is required to reintroduce the parolee to DOC custody. The current caseloads for parole officers are low enough to consider pulling a few officers off their caseloads and assigning them to a Fugitive Apprehension Unit to assist in retrieving over 400 absconders.

The commission also discussed other issues regarding treatment and sentencing structure. New offenders tend to resist treatment programs for approximately six to twelve months after admission to the DOC facilities. After

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twelve months, if they get started with programming and/or treatment, often they are released before they have time to complete.. Additionally, discussion was held on different types of programming that could be offered including those that are more cultural in scope. The DOC's Cultural Activities Coordinators (CACs) do a great job connecting with local tribes and cultures and in identifying the related spiritual practices and cultural needs of the associated demographic. However, the challenge is having the space available to conduct some of the programs offered.

Respectfully,

Senator Troy Heinert, Chair  
South Dakota Corrections Commission