

**DRAFT MEETING MINUTES
SOUTH DAKOTA CORRECTIONS COMMISSION
VIA MICROSOFT TEAMS
JULY 9, 2021
1:00 – 2:30 PM**

The meeting was called to order by Chairman Troy Heinert at 1:00 PM.

MEMBERS PRESENT:

Senator Troy Heinert, Chairman
Senator Arthur Rusch, Vice Chairman
Judge Christina Klinger
Representative Shawn Bordeaux
Mr. Mark Anderson
Mr. Bruce Yakley
Judge Pat Pardy - joined later in the call

MEMBERS ABSENT:

Representative Kevin Jensen
Mr. David McGirr

DOC STAFF PRESENT:

Mike Leidholt, Secretary
Brittini Skipper, Director of Budget and Finance
Michael Winder, Communications and Information Manager
Darin Young, Warden of SDSP
Brent Fluke, Warden of MDSP
Aaron Miller, Deputy Warden of SDWP
Jennifer Dreiske, Deputy Warden of Programs at SDSP
Stefany Bawek, Director of Pheasantland Industries (PI)
Nora Kohlenberg, Policy and Compliance Manager
Doug Clark, Deputy Secretary of Corrections Doug Clark – joined later

ALSO PRESENT:

Joey Knofczynski, Legislative Research Council

REVIEW AND APPROVAL OF MINUTES

First item on the agenda was approval of the March 30, 2021 minutes. A motion for approval was made by Sen. Rusch and seconded by Mark Anderson. Motion carried and the minutes were approved.

ADDITION OF AGENDA ITEM

Chairman Heinert wished to add an agenda item which would need 2/3 vote to pass. The agenda item is Staffing at SDSP. Chairman Heinert made a motion to add the item to the agenda, and the motion was seconded by Rep. Bordeaux. By a roll call vote there were 6 ayes: no nays. Motion carried to add the agenda item to before public comments.

Voting yes: Sen. Heinert, Sen. Rusch, Mark Anderson, Rep. Bordeaux, Judge Christina Klinger, Bruce Yakley. Excused: Rep. Jensen, David McGirr, Judge Pat Pardy.

INMATE RATE OF COMPENSATION

Sec. Leidholt reported on current rate of pay for inmates and opportunity for inmates to earn discharge credits, along with the major focus to teach skills in a trade or for a job to translate into success out in the community. Sen. Rusch asked how the wages were set.

Warden Young reported that current wages were set approximately 25 years ago. DOC staff conducted a study on rates of pay with surrounding states about 4-5 years ago. DOC attempted to increase their wages from \$.25 - \$.30/hour based on the study. However, the direction given at the time was if you didn't raise staff pay you shouldn't raise inmate wages.

Mark Anderson asked if it is a federal requirement for prevailing wages. Sec. Leidholt replied that it is a requirement if they are a public/private partnership. Inmates on work release received wages of whatever that employer normally pays workers. If they are working out of a minimum unit, they receive \$.25 - \$.50/hour. Judge Pardy added that there is a statute that says inmates must get the prevailing wage in that industry.

Discussion was held on what happens to the money inmates receive. Sec. Leidholt spoke about the inmate financial program. Every inmate has an account and they can keep up to \$160/month in their spend account. If they receive more than \$160 in any given month it is divided up in savings/frozen accounts, and then those funds can be used for costs incurred and their credit obligations. Commission members agreed inmate pay needs to be looked at with the intent that the increase would not be for more commissary, but to help family or to help the inmate upon release. Rep. Bordeaux suggested we do a comparison in our region of inmate wages and continue this conversation in the future.

PHEASANTLAND INDUSTRIES WEBSITE

Stefany Bawek asked the Commission for approval for Pheasantland Industries to pursue the development and implementation of a website which would showcase what PI does and make available online ordering. The cost would be right around \$25,000. No money would come from the general fund as Pheasantland Industries is an enterprise fund, so the funds would come out of PI's operating expense budget. A website would make PI more aggressive in their marketing to other government entities and nonprofits. A motion to authorize the expenditure

of approximately \$25,000 to upgrade the website was made by Sen. Rusch and seconded by Rep. Bordeaux. A roll call vote was taken and there were 6 ayes: no nays. Motion carried.

Voting yes: Sen. Heinert, Sen. Rusch, Mark Anderson, Rep. Bordeaux, Judge Christina Klinger, Bruce Yakley. Excused: Rep. Jensen, David McGirr, Judge Pat Pardy.

CALL CENTER FOR WCFO (WOMENS CENTER FOR OPPORTUNITY – SDWP) INDUSTRIES IDEAS

Previously the Commission discussed a call center for the WCFO. It has been determined that there are not enough inmates available to staff a call center when working with Televerde. The call center model was a business to business call center. DOC requested ideas that the Commission might have. Bruce Yakley suggested to add this to the next Commission meeting agenda so that Commissioners can think about ideas and have more discussion at the next meeting. Sen. Heinert wondered if the inmates at SDWP had any ideas. Deputy Warden Aaron Miller said a survey had gone out to inmates last spring. The survey offered 15-20 different ideas and the women could rank them in order of what they would like to see. One of the higher-ranking ideas was welding. Miller said one drawback on more in-depth training programs is that it is hard to get the training done along with treatment, education, etc. Mr. Yakley likes the idea of a welding program and shared that he has three long term employees at Trail King who came out of MDSP.

The SDWP inmates were given an opportunity to suggest names for the new center. The name, Women's Center for Opportunity (WCFO), was one of those name suggestions.

DOC UPDATES

Sec. Leidholt briefed the Commissioners on the WCFO building, which we purchased from Sharpe Enterprises. The east half of the building will be used for PI. Embroidery and Badlands Quilting will move over there from the Main prison. A doggy day care operates out of that building. Some work has been done in the interior with inmate labor. Stained carpet will be torn out and concrete flooring will remain. A concrete walkway will be created between the minimum unit and the WCFO for security purposes. A public entrance for the doggy day care will be constructed along with improved lighting in the parking lot. The timeline for move in is tentatively set for end of September; first part of October. Sen. Heinert asked about tours for the Judicial Committee and Corrections Commission during the first week of session. Sec. Leidholt said we can make it available to legislators and anytime a Commissioner wants a tour, just let us know and it will be arranged.

All equipment for the MDSP Cabinet Program has been ordered and most will be installed at the end of July. A CNC cutting machine won't be there until the end of August. Production will begin the first part of August. Sioux Falls will cut out the cabinets and transport them to MDSP for completion. This shop at MDSP will just be for governor's houses.

Since the last meeting there have only been a few inmates test positive for COVID-19. Most had minimal symptoms or were asymptomatic with no spread. DOC has started sweats and

other religious programming. On June 19, Sec. Leidholt and Warden Young attended a pow wow, which was very well received. Warden Young provided feedback that since programming has been resumed, it has brought some harmony back to the inmates who participate. Rep. Bordeaux and Sen. Heinert both offered their appreciation for bringing these programs back.

PRE-APPRENTICESHIP PROGRAMS

Mark Anderson spoke on one way to prevent recidivism is to have apprenticeship programs that would provide inmates with a mentor and job to go to upon release. Sec. Leidholt reported we do work with the Department of Labor to track those involved with apprenticeships. The longer a person stays employed with a higher paying job, the lower the recidivism rate is. Anything we can do to provide these opportunities is a good thing.

The Pre-Apprenticeship types of programs are typically set up through a union or community organization, possibly a technical school. Some research needs to be done on how South Dakota can provide these apprenticeships. Rep. Bordeaux spoke on the opportunities available with the reservation higher education institutions. Sec. Leidholt said someone from DOC can look at this and get back to Rep. Bordeaux and Mark Anderson.

STAFFING AT SDSP

Sen. Heinert received some messages that staffing is of concern at Sioux Falls and requested an update and some solutions or ideas. Sec. Leidholt said that DOC is down quite a few. Some of the turnover is due to pay, but some of it is the nature of the work which may have been highlighted by COVID. There is a struggle to keep employees across the DOC. Wages are higher at Minnehaha County Jail, Pennington County Jail and Yankton County jail. DOC has been working on a recruiting campaign with other state law enforcement agencies. DOC is currently in a planning process with BHR to figure out how to increase wages. Mr. Anderson asked if it would make sense to give CO's a raise once a year for 5 years to retain them and turn them into career employees. Sec. Leidholt felt that would be a good thing. Rep. Bordeaux thinks DOC should pursue salary increases at this time due to increased funds floating around (COVID). Sec. Leidholt appreciated the Commissions comments on safety and concern of DOC employees.

PUBLIC COMMENT

None

SCHEDULE OF NEXT MEETING

Next meeting is tentatively set for September 21st in Sioux Falls at the State Penitentiary.

ELECTION OF OFFICERS

Rep. Bordeaux nominated Sen. Heinert to serve as Chairman. Bruce Yakley seconded the motion. Since no other nominations were made, a voice vote was taken. Motion carried with a voice vote.

Rep. Bordeaux nominated Sen. Rusch to serve as Vice-Chair. Bruce Yakley seconded the motion. Since no other nominations were made, a voice vote was taken. Motion carried with a voice vote.

ADJOURN

Motion for adjournment was made by Sen. Rusch and seconded by Mr. Anderson. Motion carried. Meeting adjourned at 2:30 pm.