

DRAFT MEETING MINUTES OF THE SOUTH DAKOTA CORRECTIONS COMMISSION

MARCH 30, 2021

PIERRE, SD

The meeting was called to order by Chairman Troy Heinert at 10:00 am. Other members present included Mark Anderson, Rep. Kevin Jensen, Sen. Arthur Rusch. Board members attending virtually included David McGirr and Rep. Shawn Bordeaux. Present by telephone was Bruce Yakley. Members absent included Judge Pat Pardy and Judge Christina Klinger.

Also present from the Department of Corrections (DOC) were Secretary Mike Leidholt, Deputy Secretary Doug Clark, Policy and Compliance Manager Nora Kohlenberg, Director of Budget and Finance Brittini Skipper, Communications and Information Manager Michael Winder, Warden Darin Young and Warden Darren Berg. Director of Pheasantland Industries (PI) Stefany Bawek attended virtually.

First item on the agenda was approval of April 2020 minutes. A motion for approval was made by Sen. Rusch and second by Rep. Jensen. Motion carried.

REMEMBRANCE OF SENATOR BRADFORD:

Chairman Heinert offered a time of remembrance of late Senator Jim Bradford who was a past member of the Corrections Commission. Senator Bradford died in November 2020. Commission members and Secretary Leidholt shared thoughts and memories of his dedication and service to the Commission and people of South Dakota.

PURCHASE OF SHARPE PROPERTY: Secretary Leidholt

SB 17 authorized the DOC to purchase the property known as the Sharpe Property adjacent to the H Unit of SDWP. The property includes an office and shop space.

The additional space will be used to provide reentry and vocational opportunities for the offenders at the SDWP, as well as classrooms, counseling, and other evidence-based programs at SDWP. Additional vocational opportunities will help the offenders return to their families and decrease the likelihood of them returning to prison. Pheasantland Industries anticipates the creation of new jobs for female offenders. The space will also allow for much needed storage and maintenance space. Question and answer period followed. Inmates will not be housed in this addition. DOC oversees maintenance of the property.

MIKE DURFEE PRISON CABINETRY PROGRAM: Secretary Leidholt/Stefany Bawek

PI is seeking approval to add a cabinetry program to Mike Durfee prison. There are several benefits of the expansion such as reduced transportation costs, decreased lead time for

customers, onsite delivery, ability to expedite emergency orders, improved customer service and increased inmate vocational and employment opportunities. MDSP location would only produce cabinets for SDHDA (South Dakota Housing Development Authority).

DOC has the spending authority to purchase equipment and is looking for approval from the Commission. A motion was made by Senator Rusch to approve the expansion of the program. Second by Mr. Anderson. Motion carried. Senator Rusch would also like to track this to find out how this program helps inmates to secure employment outside of prison.

Mr. McGirr commented on commission's role in regard to planning and new proposals. Further discussion by commission members followed.

Chairman Heinert said maybe we need to look at the Commission's duties and responsibilities and see if there is something that needs to be changed legislatively as to our roles to Corrections. It would be up to the legislature to give us more authority.

Mr. McGirr suggested the Commission could be more of an advocate and monitor of our corrections system to the legislature. Perhaps we could make recommendations to the legislature.

CALL CENTER PROPOSAL: Secretary Leidholt/Stefany Bawek

Secretary Leidholt told the Commission they have any opportunity to weigh in on this proposal. It is a just a concept right now. It is a project that will have to get federal approval so it will take some time.

A call center is a conceptual idea at this time and would be housed in the newly purchased building in Pierre. The biggest reason for the proposal would be the number of opportunities it would create for the women at SDWP. Our goal would be to have a call center that supported 50 ladies and partner, if allowed, with the Televerde Foundation. Televerde is a company based out of Arizona that has been incredibly successful in training and retaining ladies as they leave prison and they are actually employed so it's a direct prison to workforce pipeline that we would like to create with a call center already in SD. We don't have a specific call center in mind but in looking at Department of Labor statistics we know that there is a need for call center workers.

Commission members expressed concern about inmates working with financial information.

The call center would be working on a lower level business to business calling solution where they are more generating leads and not exchanging any financial information. The goal would be to work in tandem with one of the call centers in our state and they would be more like the initial training they would need to transfer to that call center when released. The inmates would be trained, learn valuable transferable skills, and have a job when they are released.

The scope of the call center is unknown at this time, but may be dependent on the type of industry partner that is willing to participate

Commission members were concerned about collections call centers and the added stressful situations that may arise. At this time there are call centers in several prison industries in other states. DOC agreed a collections call center nor any dealing with financial components would be good for SDWP.

Senator Rusch made a motion to authorize the exploration of a call center minus one that gather financial information or a collections situation. Second by Rep. Jensen. Discussion was held and Chairman Heinert also thought we should forgo car warranty situations. Motion carried.

CANINE PROGRAM: Secretary Leidholt/Stefany Bawek

DOC would like to add a Canine Program at the new property at SDWP and on the campus at SDSP. DOC reached out to the Department of Labor and looked at the job market for animal caretakers in the state. DOC would like to use our training programs to fill in the labor gaps we are experiencing in the state. Based on other opportunities in Pierre we didn't want to cut into those businesses so we would like to propose a day care for dogs as well as light grooming such as baths, toenail clipping and ear cleanings. We are looking at employing 25 inmates and the services would only be offered to state employees, governmental employees and not for profit organizations and open Monday-Friday 8 am- 5 pm. We are not wanting to compete with people in the grooming business.

Sioux Falls campus would be a much smaller operation employing up to 10 inmates. There is an individual onsite that has extensive experience in training dogs so this would be a small dog training program. Every state that touches SD has a dog training program as part of their correctional industry, as well as other states. Currently there are no dog training program within PI but we work with the local humane society to make dogs adoptable

A motion by Mr. Anderson to expand the canine program in Pierre and Sioux Falls was made and second by Rep, Jensen. Chairman Heinert mentioned maybe a conversation needs to be had regarding inmate compensation. Rep. Jensen thought the doggy day care sounded great. Motion carried.

POPULATIONS UPDATE: Deputy Secretary Clark

Deputy Secretary Clark gave an overview of population at our institutions. Decreases are being seen. Some of the reduction can be attributed to the courts not processing people as quickly (COVID related) and parole has changed its approach a little bit. Admissions have decreased significantly and our system has done a really good job through the COVID issues and continuing our releases at a high rate. We are starting to see the system pick up a little speed on returning to "normal."

Parole supervision counts have trended down. A real gentle trajectory down but we expect that because parole counts are generally near institutional counts just six months to a year behind.

Courts are catching up now is part of why we are seeing increases happen. Questions were asked about the decriminalizing of marijuana. Would that impact our prison numbers? Deputy Clark said right now there are 33 offenders in our system where marijuana is their most serious offense. There are 14 in our system where marijuana is their only conviction. Those numbers are minimal. Ancillary impacts don't come through the numbers given on our website.

We requested 5 parole officer positions. Our goal is to have the ratio of officer to inmates be 1-60 and the 5 extra positions will about get us to that number.

Chairman Heinert requested the Commission be updated as to an uptick in admission numbers and what is driving it, i.e. court backlog or increase of crimes.

LUDEMAN CLOSING: Secretary Leidholt

Secretary Leidholt reported on the closing of one our dormitory style housing units at MDSP. Durfee has always maintained roughly 1200 inmates. They are now at 1006. To be more efficient we took inmates located in Ludeman and distributed them to the other buildings. Ludeman was used as an isolation area at the peak of our COVID outbreak. If the number of inmates increases the building can be re-opened quickly.

TRANSITION TO 12-HOUR SHIFTS: Secretary Leidholt

Secretary Leidholt reported that we started with 12-hour shifts at SDWP, Yankton Minimum Unit and Rapid City Minimum Unit in October 2019. SDSP and MDSP started in July of 2020. It has helped our overtime costs. Out of 28 days a CO works 14: with 14 off. This offers opportunities for more family time, part-time job, etc. We have seen a 41% decrease in overtime pay since we implemented this.

STAFF RECRUITMENT AND RETENTION: Secretary Leidholt

Secretary Leidholt reported on a social media recruitment program was implemented along with GF&P and Highway Patrol. During 3-month campaign DOC received 156 applications for CO's which was a 20% increase compared to the 3 months prior to the campaign. Recruitment has always been a big topic for DOC. Unfortunately, DOC struggles with wages that are competitive with county jails in the towns where our institutions are located. DOC is working with BHR on a study and proposal. The Governor recognizes this is a problem and we are looking for solutions.

Chairman Heinert asked if DOC would like a letter of support from the Commission to be presented to the Governor and Appropriations Committee for an increase. Secretary Leidholt said we would absolutely take any support given.

A motion was made by Mr. Anderson to draft a letter to the Governor to support the need to take a serious look at raising wages for CO's in the correctional system. Rep. Jensen second the motion. Motion carried.

Secretary Leidholt introduced Nora Kohlenberg to the Commission. She was hired as the Policy & Compliance Manager and replaces Aaron Miller who is now Deputy Warden at SDWP. Nora's prior employment included 2 years at a bank in Mitchell doing compliance and review of financials. Prior to that she worked for the Department of Education in Pierre for 8 years with grants and compliance for Career & Technical Education.

COVID 19 UPDATE: Secretary Leidholt

Secretary Leidholt applauded DOC Staff from the start of the pandemic to date. When we were hit hard in October there was not enough isolation space, so the staff stepped up delivering meals, meds and basically everything being done in the cells. This accounted for much running up and down sometimes five flights of stairs numerous times a day. To date we have no inmates or staff with COVID or on quarantine. There were seven fatalities due to COVID. The vaccine has been offered to all inmates and employees. Secretary Leidholt did not know the numbers of who has received it to date. Question was asked about mandatory vaccinations. Secretary Leidholt did not feel that was appropriate and could lead to legal issues if we did. Chairman Heinert received a lot of calls from inmate family members and knows it was equally as hard on them. He hopes most people get the vaccination to get ahead of whatever new strains appear. He expressed his disappointment on not releasing low level offenders during the pandemic.

GENDER RESPONSIVITY: Deputy Secretary Clark

Deputy Secretary Clark reported on the opportunity to connect with Becki Ney who is Principal at the Center for Effective Public Policy and Project Director of the National Resource Center on Justice Involved Women. Looking at metrics and rising female offender rates we wanted to focus on improving outcomes for women offenders. We have trained staff in WRNA (Women's Risk and Needs Assessment) which will help with programming, case planning, etc. Also, the Moving On program which parole case managers will be certified in will help women in jeopardy of coming back to prison. Curriculum focuses on trauma and getting to the root of those underlying issues of substance abuse, etc. that cause the return to prison for women.

PUBLIC COMMENTS

Darrell Middletent a former Pink Tag volunteer came before the Commission to ask to be reinstated as a pink tagger. Pink Tag is a volunteer program where citizens can go behind the walls of the institutions to offer services to inmates. In his role Mr. Middletent participated in sweat lodge, pow wows or whatever was needed. Chairman Heinert appreciated the hope he brought to inmates.

Secretary Leidholt reported that visitation has started up again with restrictions at all facilities. We have not opened the sweat lodges due to the proximity of participants and the high heat. Hopefully soon we will be able to start again.

Secretary Leidholt spoke of Michael Standing Soldier who worked at SDSP mostly with Native Americans in the Restrictive Housing Unit. Mr. Standing Soldier died last year. He was a former inmate serving life in prison whose sentence was commuted by Governor Janklow after he turned his life around. We are working on filling his position which will be hard to do. He did great things and could relate as someone formerly in the system. There is an interview scheduled to fill this spot.

Discussion was held on scheduling the next meeting. Nora will put some dates together and poll the Commission as to what would work best. Maybe after DOC takes possession of the Sharpe Property a meeting could be held in Pierre and then have a fall meeting in Sioux Falls.

Motion by Sen, Rusch to adjourn and second by Jensen. Motion carried. Meeting was adjourned at 12:24 pm.