

CORRECTIONS COMMISSION MEETING
Capitol Building, Pierre
Room B-01 (Basement)
February 28, 2008

Members Present: Representative Garry Moore, Commission Chair; Senator Ken Albers, Commission Vice-Chair; Committee Members: Representative Carol Pitts, Justice Steven Zinter, Paul Aylward, and George Prest

Others Present: Secretary of Corrections Tim Reisch; Laurie Feiler, Deputy Secretary of Corrections; Brady Kerkman, Policy and Compliance Manager; Michael Winder, Communications Manager; Darwin Weeldreyer, Director of Community Service; Scott Bollinger, Director of Operations; Dwane Russell, Warden of the South Dakota Women's Prison (SDWP) and Tina LaRosh.

Members Absent: Brad Drake and Judge Kathleen Caldwell.

Agenda Item Number One: Review/approval of minutes from the December meeting:

Chair Moore called the meeting to order and asked for approval of the December meeting minutes.

Representative Pitts moved for approval of the December Meeting Minutes.

Second by Paul Alyward, minutes approved by all.

Agenda Item Number Two: Review of 2008 legislation:

Michael Winder gave an overview of the bills that affected the Department of Corrections (DOC) and the position they are currently in.

SB 53 is an act to revise certain provisions related to capital punishment, which is on its way to the Governor for his consideration.

HB 1065 is an act to revise certain provisions regarding the 24/7 sobriety program. This bill was signed by the Governor on 2/14/08.

HB 1111 is an act to revise the responsibilities of the Corrections Commission and to require an annual report of the Corrections Commissions activities. This bill was signed by the Governor on 2/19/08.

HB 1173 is an act to revise certain provisions pertaining to the effect of suspended impositions of sentence on parole eligibility of certain offenders. This bill was signed by the Governor on 2/27/08.

HB 1178 is an act to make an appropriation for the costs related to the Intensive Methamphetamine Treatment Program in the Women's State Correctional System. This bill was signed by the Governor on 2/27/08.

Agenda Item Number Three: Inmate Phone System:

Chair Moore stated that the inmate phone system was an issue years ago with the Corrections Commission.

Secretary Reisch stated that we are currently working on doing updates to the phone system which is still ongoing at the SDWP and the Mike Durfee State Prison (MDSP). We have received a number of calls and letters from concerned family members regarding this phone system. The phone vendors are working very hard to get these problems resolved. This system will save money for the family members of inmates.

Director of Operations, Bollinger stated that FSH Communications is the vendor who will be running our phone system. We have a two year agreement with FSH Communications which includes an upgrade to all of our facilities. Up until this point, the Rapid City Minimum Unit did not have the same phone systems, so they have had to have phone cards available or make collect calls. The debit system we switched to is cheaper for the families than calling collect. This system is a web based system, which allows Unit Staff to add people/phone numbers to inmates accounts at their desk, rather than calling into the company. If inmates have other complaints regarding the balance on their accounts, they will be able to get those questions answered by going through unit staff without the unit staff members having to contact the phone company. This system can be flagged with specific words so that unit staff will receive a notification so they can review the call if they suspect specific activity from these inmates.

Representative Pitts asked what the bottom line is, financially, with this new system and how inmates receive money to make their phone calls.

Director of Operations, Bollinger stated that 70% of inmates use the new debit system. Inmates can have a maximum of \$200.00 in their phone account. If family members send inmates money for their phone account, they must note this on the money order they send. This money is placed directly on the inmates phone account. The inmate is also allowed to transfer money into their phone account from their personal account that they have while incarcerated.

Justice Zinter asked what the general rates are to make a call as an inmate.

Director of Operations, Bollinger stated that a 20 minute, local phone call is \$1.50. A collect call within SD has a \$3.50 set up fee and \$.29 or \$.27 a minute depending on the time of day you call. We do not have much flexibility with collect calls due to the Public Utility Commission. For a long distance call it has a \$2.50 set up fee and \$.14 a minute after that. If you receive collect calls from an inmate, the system announces the facility the inmate is calling from.

Agenda Item Number Four: Offender Information System:
(See handout)

Deputy Secretary Feiler stated that the current system we use is a combination of different systems. We are at the point where this system is too cobbled together and getting too hard to work with. After working with BIT, we are at the point where we need to purchase an offender management system. This will be for adult, juvenile, and parole. There is a large list of modules that will be included in this system. We have been working on this for the last couple of years. We have been closely working with a company called Syscon and are currently in negotiations on a contract with this company. The system will cost \$4.9 million dollars for the software and the development services. The budget for the entire cost of this project is just over \$6.1 million. We believe that we will be able to pay for the initial payment for this, without asking for additional general funds or FTE. We are looking at getting additional authority for FY 2009. We believe we will be able to come up with about \$3 million without asking for funding from the legislature.

George Prest asked if there is a plan in place that states the amount we will pay to Syscon at specific periods.

Deputy Secretary Feiler stated we pay \$.5 million up front and the rest is payable upon specific milestones throughout 27 months of set up for this program.

Representative Pitts asked if this RFP is a public record.

Deputy Secretary Feiler stated that the contract would be on the Office of Procurement Managements website once the contract has been signed, however, it is currently in negotiations.

Agenda Item Number Five: Women's Prison Chapel:
(See Handout)

Deputy Secretary Feiler stated the services that are held at the South Dakota Women's Prison include; Protestant, Catholic, Wicca, and Native American Services. The location of the service is dependant upon the number of participants. In your handout you will find a sample schedule of the services that are held at the SDWP. It includes the number of participants, the room it was held in and the room capacity.

Chair Moore asked how many inmates are currently at SDWP.

Deputy Secretary Feiler stated that there are currently about 176 inmates at this time.

Chair Moore stated that the complaints he has received were in regards to the amount of room that the inmates have at the services. However, it appears that there aren't even half of the inmates that attend these services and there appears to be adequate meeting space, at least for the Protestant and Catholic services.

Warden Russell stated that he has not received complaints regarding the amount of space that people have at their services. He also stated that it is not in the handout, but there is a chaplain office in the library.

Paul Alyward asked if the chaplains were paid or if they are volunteers and if the local churches rotate who comes into the prison.

Secretary Reisch stated that the chaplains are all volunteers.

Warden Russell stated there is one priest that comes out and there are several protestant ministers that come in to teach their services and for bible study, with the exception of Michelle Bradly, who is a Baptist minister that is there ½ days for the most part. The Baptist minister and other protestant ministers lead a non-denominational service.

Chair Moore stated that DOC is welcome to look for a different room if we feel there is a need for one; however, he feels that it appears to be adequate at this time.

Agenda Item Number Six: Rapid City Unit Update:

(See handout)

Secretary Reisch stated that Darwin Weeldreyer served as the Construction Manager on the recent construction projects that took place at MDSP and the South Dakota State Penitentiary (SDSP), and will be heading this project up as well. We received approval to purchase approximately 40 acres of land in Rapid City. An agreement was reached with Rapid City to allow us to do some survey work with an environmental engineering firm, LBG. The environmental survey has been completed. The report was received and we have met with DENR to receive their approval on this land. We are working on getting an architectural/engineering firm to help us to determine the type of building and the specifications that will serve our needs. The plan is to get this completed to request an RFP from the legislature next year. The goal is to break ground in the spring of 2009. We will work closely with the Bureau of Finance and Management to determine where the money will come from on this. If construction begins next spring, our plan is to be in this building by November of 2010. Once the sight deems to be appropriate, we will work on a purchase agreement with Rapid City for this site.

Chair Moore asked the number of inmate we are serving now and the number we plan to house at this unit.

Reisch stated that we serve a 100-man unit right now, and our plan is to house 280 inmates that will allow us to operate with one unit team. We will also allow a space on this property for Rapid City to construct a jail. They are unable to do this at this time, but hope to add this in the future. The land we will be purchasing will be in consideration of \$1 with Rapid City. The land will be purchased or at least a purchase agreement in place by June 30, 2008 when the agreed amount is again up for negotiations.

Chair Moore asked Secretary Reisch to brief the Commission on the previous issues we have had in Rapid City.

Secretary Reisch stated that we previously purchased 15.3 acres of land in Rapid City. An appraisal of this land showed a small area of this land to be in a flood plane which was not an area we planned to build on. After the actual flood plane review came back, it appeared that there was only a small portion of this land that was not in the flood plane. The state did get the money back with interest after this sale was rescinded.

Additional Agenda Item: Justice Zinter's Resignation:

Justice Zinter announced his resignation from the Commission which is effective next month. His reason for this is not because he does not enjoy it, but because they have a large number of lawsuits against the Department of Corrections. He joined the commission as a Circuit Court Judge and he feels that a Circuit Court Judge would better serve the Commission.

Chair Moore thanked Justice Zinter for being on the Commission and sharing the insight with the other members.

Agenda Item Number Seven: Date and Location of next Commission Meeting:

Representative Pitts stated she would like to discuss some possible topics to discuss throughout the year. She would like to receive an update/clarification on reimbursements. Another possible topic is on the philosophy for alcohol treatment, and items that the DOC would like to share with the Commission as far as things they can do to assist the department.

Deputy Secretary Feiler stated that it was brought up to see an alcohol monitoring bracelet, but Brad Drake was one of the members who had requested this and he was not able to attend today so this item will be added at our next meeting.

Chair Moore stated that he would like to discuss Prison Industries.

Paul Alyward stated that he would like to know if there is anything we can do as a Commission to help inmates learn a skill so that they have the ability to make a living once they are released from prison to help avoid recidivism. He will have a presentation prepared regarding the apprenticeship programs that the Department of Labor has available to people for our next meeting.

Secretary Reisch stated that we could have Rick Leslie present to the Commission about the Transitional Case Managers and their role. We may also want to look into viewing a field office to visit with Parole Agents and Juvenile Corrections Agents.

Chair Moore stated that he would like to meet in Sioux Falls for our next meeting, to view a field office and possibly tour a half-way house.

The meeting was tentatively scheduled for July 8, 2008. The meeting will be held in Sioux Falls.

Agenda Item Number Seven: Adjourn:

George Prest made a motion to adjourn the meeting.

Second by Paul Alyward, the motion carried, meeting adjourned.