

**Minnehaha County Criminal Justice Advisory Committee**  
**June 3, 2013**  
**Meeting Minutes**

Attendees: Chairman Anderson, Commissioner Kelly, Commissioner Beninga, Sheriff Milstead, Warden Gromer

Other Attendees: Secretary Wilson, Minnehaha County Chief Deputy Sheriff Michelle Boyd

**I. Call to Order:**

The meeting was called to order by Chairman Anderson at 3:01 p.m.

**II. Quorum Determination:**

Chairman Anderson noted that all of the Committee members were in attendance and that a quorum was therefore present for the purposes of conducting a meeting.

**III. Approval of Agenda:**

Chairman Anderson asked if there were any changes or additions to the agenda. Hearing none, Commissioner Kelly moved approval of the agenda, Commissioner Beninga seconded. Motion passed unanimously.

**IV. Approval of Minutes of May 20, 2013 Meeting:**

Chairman Anderson asked if there were any changes or corrections to the draft minutes from the May 20, 2013 meeting. Hearing none, Commissioner Beninga moved approval of the Minutes, Warden Gromer seconded. Motion passed unanimously. Chairman Anderson directed that the minutes be posted on the Committee's website.

**V. Task Force Updates:**

Sheriff Milstead – Population Update:

Bill Garnos conducted an inmate population study for the county in 1999 and has submitted a proposal to update that study. The Minnehaha County Commission accepted that proposal on May 28, 2013. The focus of the study will be both the needs of the Community Corrections Center (CCC) and overall population forecasts for the entire jail system. The population estimates will include forecasts for each inmate classification to fully understand future bed needs.

Mr. Garnos will be on-site in two weeks. Prior to that, the Sheriff's Office will be gathering information for Mr. Garnos. Chairman Anderson noted that Mr. Garnos should meet with the Committee and asked Sheriff Milstead to discuss the arrangements with him.

Chairman Anderson – South Dakota Senate Bill 70:

Chairman Anderson advised the Committee that he has talked with Governor Dennis Daugaard's staff about Senate Bill 70. The Governor's staff provided him with a link to the bill history, which will be posted on the Committee's website.

Chairman Anderson noted that the legislation is very complex. Some provisions will clearly have direct impacts on jail population while other sections might interact in ways that could also impact the system. Chairman Anderson has also spoken with Minnehaha County State's Attorney Aaron McGowan about the bill. Mr. McGowan served on the Governor's work-study group that researched and drafted the bill.

The Governor's office is working on estimates of how many additional inmates county jails will see as a result of SB 70's implementation. They provided a confidential preliminary forecast to Chairman Anderson, however, the methodology used to produce those numbers was not explained. Chairman Anderson commented that he was a little surprised that the impacts on counties were not studied more completely as the legislation was debated. He indicated to the Committee that he will follow-up to see what additional information is available. The Governor's office has offered to have a representative meet with the Committee. State's Attorney McGowan would also like to make a presentation to the Committee about the legislation's impact on his office.

#### Sheriff Milstead - Alternatives to Incarceration:

Chief Deputy Sheriff Boyd handed out a report of inmates in custody on May 27, 2013. On that day there were a total of 385 inmates, classified in 10 different categories, in custody. Of that number, 259 were un-sentenced and waiting for their cases to finish processing through the system. The jail can house 400 inmates plus up to 30 in the intake area. However, the facility will never be able to fill to absolute capacity because of different classifications of inmates. Chairman Anderson directed that a copy of this report be posted on the Committee's website.

The Committee discussed with Sheriff Milstead the various categories of inmates and the steps that might be taken to reduce the overnight usage of the County's facilities. Chairman Anderson noted that it appears that what is happening is that the overall county population is growing, rather than some systematic problem that can be corrected through alternative inmate management techniques.

That led to a discussion of the various alternatives that the Sheriff's office is pursuing today. Sheriff Milstead discussed the following programs with the Committee:

#### **Trustee Program:**

Sheriff Milstead said the trustee program works well. It used to be that inmates received one day's credit off their sentence for every two days they worked. That was changed recently so inmates now get a day off their sentence for every day they work. It's possible that if someone is sentenced to 90 days, they may only serve 45 days. Trustees used to pay \$10/day to be part of the program. That fee has recently been waived so more inmates can participate in the program.

#### **24/7 Program:**

632 people are currently in the 24/7 program. This is a totally self-funded program that also keeps a significant number of people out of custody. Sheriff Milstead told the Committee he would be worried about the inmate population numbers right now if it were not for this program. Judges have expanded the program beyond what was originally envisioned, but it serves a valuable purpose. Judge Long would be a good person to talk about the program if the Committee wanted more information. The Sheriff's Office is also considering a scholarship program as a way for inmates to earn the money needed to pay for the twice-daily breath tests.

**Walk in Warrants:**

There are currently 18,000 outstanding warrants in the county. To take advantage of the program, someone with a warrant comes to the Public Safety Building, pays a \$25 filing fee, has their picture taken, and they're scheduled for court the next day and then released. This has been successful when the program has been advertised. The Sheriff's Office is planning another round of advertising in the near future.

**Jail Treatment:**

Drug/alcohol treatment options available in jail will expand soon using funds raised through the 24/7 program.

**Alliance Program:**

This is a program in partnership with the county Human Services Department that focuses on reducing recidivism rates. It's a very interactive program. One big part of the program's success is that it helps keep clients on their medications.

**Electronic Monitoring:**

For offenders that need an additional level of supervision, the department is getting close to having the ability to put additional inmates on the SCRAM program.

Chairman Anderson noted that it is not the current role of this Committee to second guess the specific efforts the Sheriff's Office is already implementing, but to ensure that alternatives are being actively evaluated, which appears to be the case. He then noted the importance of moving relatively quickly to solicit input from outside groups with an interest in various alternatives. After further discussion, the Committee decided to devote its next meeting to hearing from such groups.

**Current Facility – Warden Gromer:**

Warden Gromer then presented a report on the current Community Corrections Center. The Center was built in 1969. It was designed as a meeting and convention hall. The county purchased the building in 1992. There have been no significant structural changes since the building was constructed. According to the NIC report the housing units are too large and they are difficult to supervise (123 beds and 83 beds each). NIC also noted staffing requirements: staff cannot sit and watch inmates- they have to move around. The layout of the facility is not efficient. One housing unit must be accessed through a boiler room. There

is also only one dining room, requiring inmates to eat in shifts. Visitation is face-to-face, raising issues of contraband coming into the facility. There are also limited medical services at the CCC. Inmates with medical issues must be transported to the main jail.

After discussion and questioning among the Committee members, Chairman Anderson directed that Warden Gromer's report be posted on the Committee's website. He then asked if there were infrastructure problems such as electrical, plumbing, or mechanical issues with the building. Warden Gromer responded that all of those issues do exist. Chairman Anderson requested a report from the Facilities Department listing the existing building issues.

**VI. Administrative Matters - Secretary Wilson**

Chairman Anderson and Secretary Wilson have worked on a letterhead specific to this Committee. The letterhead was shared with the Committee and it was agreed this should be used for Committee correspondence. The Committee had also asked Secretary Wilson to work with the Information Technology Department to come up with a committee webpage where documents, meeting agendas and minutes could be made available for public inspection. The Committee reviewed a draft of the website and approved making the site live and linking it to both the Sheriff's Office webpage and the Commission Office webpage.

**VII. Real Estate and Siting – Commissioner Kelly:**

This item involved a discussion of confidential information related to potential contract negotiations. The Committee adjourned into Executive Session for purposes of Contract Negotiations.

**VIII. Adjournment:**

The Committee exited Executive Session to set the date of the next meeting for Monday, July 8, 2013 at 3:00 p.m. Meeting adjourned at 5:10 p.m.