

Minnehaha County Criminal Justice Advisory Committee Meeting
August 5, 2013
Meeting Minutes

Attendees: Commissioner Dick Kelly, Commissioner Gerald Beninga, Sheriff Mike Milstead, Robert Wilson (secretary)

Other Attendees: Bill Garnos – Jail Consultant, Chief Deputy Sheriff Michelle Boyd

- I. Call to Order:
Meeting called to order by Commissioner Beninga.
- II. Quorum Determination:
Three of five committee members were in attendance and a quorum was present.
- III. Approval of Agenda:
Motion by Sheriff Milstead to approve the agenda as amended, seconded by Commissioner Kelly. Motion passed 3-0.
- IV. Approval of Minutes:
Motion by Commissioner Kelly to approve the Meeting Minutes from the July 8, 2013 Meeting, seconded by Sheriff Milstead. Motion passed 3-0.
- V. Inmate Population Study Update:
Current Study:
Commissioner Beninga welcomed Jail Consultant Bill Garnos to the meeting and invited him to present the information he prepared. Mr. Garnos introduced himself described his background including his ties to South Dakota. He worked for the SD Department of Corrections for several years before moving to the Kansas City area 25 years ago to work as a jail consultant.

Mr. Garnos prepared the last jail population forecast for Minnehaha County in 1999. The current study will review the 1999 study as well as the National Institute of Corrections report prepared for Minnehaha County in December, 2012. He will also develop a pattern of trends based on available data and present conclusions and recommendations.

In 2008 South Dakota began using a new tracking format for criminal offences. That will make the data from 2008 to the present more detailed than information prior to that date. In 2012 there were 18,568 reported offences in SD. Between 2001 and 2013 the number of criminal case filings in the state jumped 85%.

Inmate Trends:
Mr. Garnos complimented Sheriff Milstead and his staff on the quality of data provided in preparation for this report. A large volume of people are booked into the Minnehaha County Jail ever month. That number has also grown substantially since

1999. About 930 inmates were booked into the Minnehaha County Jail each month fourteen years ago. Now the average number of bookings per month is between 1,300 and 1,400. Reviewing the average daily population, the number of men in custody is stable, the number of women inmates is increasing, the number from within Minnehaha County is growing, the number of federal inmates is dropping, and the number from other counties is increasing. The number of SD Department of Corrections inmates in the jail is slowly increasing. The overall result is the jail is losing its ability to hold federal inmates, but continuing to house DOC and other county inmates. The jail's population count is very close to the 400 inmate maximum. The CCC has an absolute capacity of 228, but an operational capacity of 185. The CCC is at 96% of operational capacity.

Classification:

Inmates deemed appropriate for general population make up about 25% of the total jail population, and that percentage is dropping. The unclassified percentage of inmates is growing. Restricted custody and the number of inmates requiring segregated has grown by 73%. The restricted and segregated inmates are the most difficult to house. For 17 months straight months the jail has had at least one day when the population was above the maximum capacity of 400. 83% of all inmate in the jail were out within one week. The trend is that the number of inmates participating in work-release is declining. However, the sheriff and this group continue looking at work-release options.

County Population Projections:

The overall population of Minnehaha County is expected grow by 25% over the next 25 years. Most inmates are in the 20-44 year age range. That group is the slowest growing among the overall population. Surrounding counties are expected to grow by 60% over the same time.

Current Jail Capacity:

Right now Minnehaha County has a good balance of the different types of housing available, although county facilities are slightly overloaded on the percentage of dormitory beds. They make up 57% of the jail's overall bed capacity. According to Mr. Garnos, that number should be closer to about 40%.

Alternatives:

Right now work release and other alternatives to incarceration are doing a good job managing the inmates who are easiest to deal with. That frees up some bed space, but it makes filling the vacant beds difficult because more of the remaining inmates are tougher and more difficult to manage.

The next step will be for Mr. Garnos to offer inmate population projections, taking into account observable trends as well as South Dakota Senate Bill 70. He states that he will have those projects ready by next month.

Q & A:

Sheriff Milstead – based on the work we’ve done reviewing alternatives to incarceration and the work you’ve done, it doesn’t seem like there’s a big need to replace dorm-style beds? If Minnehaha County goes the same direction that Pennington has and transitions from work-release to electronic monitoring, it doesn’t appear that will save a lot of money in personnel, but it will reduce the number of beds we’re filling. So far we haven’t found any cases where individuals who were appropriate for work release would not be good for electronic monitoring. I see a demand for jail beds with work release. It’s obvious you can get a lot more use out of a better designed facility.

Garnos- A general rule of thumb is that a jail facility should be divided in the following way- 40% minimum security, 40% medium security and 20% single cells. It’s when a facility gets close to being at full capacity that the facility’s design becomes most important. Full jails also affect everything in the law enforcement process.

Commissioner Beninga- What do you do about judicial discretion? That will affect our situation greatly – especially SB70. Also, what do you do about the length of stay of un-sentenced inmates? One thing that had been discussed was inviting both Presiding Circuit Judge Larry Long and State’s Attorney Aaron McGowan to a future meeting of this committee to discuss that issue.

Public Comment – Miriam Green was in attendance and offered public comment. She has a family member who’s incarcerated, and had several questions about facility conditions and processes.

VI. TSP Jail Addition Estimate Update:

Milstead – Minnehaha County knew that adding two additional floors to the ‘new’ jail would be expensive, but exactly how expensive had never been determined. TSP is currently working on estimating what it would cost to add two floors. Whatever the cost is, it’s possible that won’t be the only solution needed. If two additional floors could be added to the jail immediately, they would be nearly full. A solution may also have to include utilizing space in the old jail in some form.

Commissioner Kelly: are two locations not as efficient? Garnos – they can be more expensive. There are some efficiencies that you create with a single facility.

Milstead – transportation and medical are two issues that make two sites more difficult and more expensive. The county only has medical facilities at the jail and every time an inmate at the CCC has a medical issue they must be transported to the main jail. Commissioner Beninga – At some point detox will also have to be addressed.

There was a question about the timeframe for making a decision on this issue. Commissioner Beninga said it was more important that the correct decision be made than making it quickly. 90 to 120 days may be realistic. Commissioner Beninga would also like to see a discussion with Judge Long before final decisions are made.

Sheriff Milstead reminded the group Police Chief Doug Barthel and State's Attorney Aaron McGowan should also be invited to meet with the committee at some point.

VII. Other Business:

None

VIII. Future Meeting:

Because 3 of the 5 committee members were not present, the group decided to wait on setting a next meeting date. Robert Wilson will be in touch with all committee members to coordinate schedules and set the time of the next meeting.

IX. Adjournment:

Motion by Commissioner Kelly to adjourn, seconded by Sheriff Milstead. Motion passed.