

January 31, 2014

Sheriff Mike Milstead  
Minnehaha County Sheriff's Office  
Law Enforcement Center  
320 W. 4<sup>th</sup> St.  
Sioux Falls, SD 57104

**Subject: Inmate Classification System**

Dear Sheriff Milstead:

Pursuant to our conversation following my presentation to the Criminal Justice Advisory Committee earlier this month, I wanted to clarify some of my comments regarding the objective inmate classification system at the Minnehaha County Jail.

As you will recall, my final report included the following observation:

*Minnehaha County's current inmate classification system has a very limited capability to define and distinguish between inmate security requirements in a detailed manner. The current system places inmates into very broad classification categories. When, for example, the main jail is full, and the least dangerous inmates need to be identified and moved to available beds at the CCC, the classification system is the primary tool for selecting appropriate inmates for transfer. Other objective classification systems typically use a formula or point system for dividing inmates into several security categories. So, when inmates with the lowest security requirements need to be identified (typically for transfer or release), it is a fairly straightforward, objective, and defensible process.<sup>1</sup>*

The study went on to suggest that:

*Consideration should be given to adopting a new inmate classification system. While the full implementation of a new system can be time-consuming and will likely require additional resources, it can be an invaluable inmate management tool, provide safeguards for making appropriate inmate housing and program assignments, and can provide a degree of liability protection for the County.<sup>2</sup>*

Since writing the final report last November, I understand that you have been in the process of refining your inmate classification system. I have now had the opportunity to review your

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<sup>1</sup> *Inmate Population Forecast and Analysis Update for Minnehaha County, South Dakota*, Bill Garnos, Jail Consultant, November 2013, page 105.

<sup>2</sup> *Inmate Population Forecast and Analysis Update*, pages 106 – 107.

current and new draft classification policies and procedures, and I wanted to offer the following comments.

The new draft policies and procedures appear to provide more clarity and direction to the classification process, without being overly detailed or so specific that they could cause compliance problems. The new draft policies and procedures also appear to provide for sufficient oversight and leeway to ensure institutional safety and security, and are consistent with objective inmate classification principles and the factors used to classify inmates. The new policies and procedures also, I believe, provide better direction for which inmates can and should be housed at the Community Corrections Center, consistent with that facility's special use permit, as well as the procedures for reclassification.

At the same time, I am still concerned that the limited number of different housing units, combined with the amount of jail capacity comprised of open dormitory housing, *"have a significant impact on the County's ability to house inmates in an appropriate housing unit, consistent with their custody level and security requirements."* As was noted in the final report, *"Data reviewed as part of this project confirmed that both the number and percentage of inmates who are appropriate for general population has declined, and the number and percentage of inmates who require segregation or restricted custody has increased."*<sup>3</sup>

Because of the County's current facility planning process, this may not be the right time to "adopt a new inmate classification system" as suggested in my final report. A new formula or point-based system (or "decision-tree" system) could involve — as the expression goes — throwing out the baby with the bathwater. Obviously, as new facilities (and new housing units) become available, it would be prudent to re-examine your classification policies and procedures. Similarly, if your booking trends continue to increase, you may need to re-assess whether you have sufficient resources (i.e., staff) to keep up with the demands of your classification (and reclassification) process.

If you have any questions, or if I can be of further service, please do not hesitate to contact me.

Sincerely,

**Bill Garnos**  
**Jail Consultant**

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<sup>3</sup> *Inmate Population Forecast and Analysis Update*, page 105.