

Official Proceedings
Codington County Justice Advisory Committee
Lake Area Technical Institute, Room 430
Watertown, SD 57201
June 20, 2019

The Codington County Justice Advisory Committee (CCJAC) met on June 20, 2019, at the Lake Area Technical Institute, room 430. Attending were committee members Lee Gabel, Larry Wasland, Brad Howell, Al Koistinen, Troy VanDusen, non-voting member Matt Blackwelder and City liaison Councilman Bruce Buhler. Absent were Megan Olson and Matthew Kranz, secretary Julie Radach and non-voting member the Honorable Robert Spears. Lee Gabel took minutes. Meeting called to order by Chairman Lee Gabel at approximately 6:11 p.m.

Agenda Approved

Motion to approve the meeting agenda was made by VanDusen. Motion seconded, all in favor, agenda approved.

Minutes Approved

There were no corrections or additions to the minutes of the March 21, 2019 meeting. Minutes approved.

Discussion on legislative proposal to fund county facilities.

Gabel reviewed a legislative proposal to save taxpayer dollars when counties need to build facilities. Currently, counties only have access to property tax for funding such expenses. Other jurisdictions, like the state and cities have to build facilities as well, but also have access to sales tax revenues to fund construction. The legislative proposal would allow voters in a county to approve a ½ cent sales tax. In many counties, this would like save a significant amount of money over property tax due to lower financing costs for bonds. The attached slides were used to review this proposal. Gabel intends to ask the County Commissioners to approve this proposal as a resolution to be forwarded to the SD Association of County Commissioners.

Discussion of status of efforts to reduce incarceration.

After review the jail ADP trends, which are trending downward and some other data on the jail (slides attached), Gabel reviewed the current state of various efforts to control the jail inmate population. These efforts included:

Justice Facilities. Addressing justice facility problems is the main reason the CCJAC was created.

- Additional jury courtroom is completed. This will allow the justice process to move more quickly.
- Jail - work goes on

Behavioral Health The Behavioral Health and Justice Working Group (BHJWG) was created to address this problem. This was started as a result of the County joining the nationwide Stepping Up initiative

aimed at reducing mental illness in jails. The BHJWG has not met for awhile. The current states of various elements of the effort are as follows:

- Community team in place (County/Courts/City/HSA/DOC).
- MH professional working in jail – transitioning to provision under new jail health services contract
- Need to develop “warm handoff” process among the jail and community agencies involved in behavioral health.

Juvenile Detention Alternative Initiative (JDAI). This committee is actively meeting under the guidance of a statewide consultant. Current efforts:

- Received grant to hire coordinator through the Boys and Girls Club – hopefully in place in August
- Developing a spectrum of alternatives to putting juveniles in jail.
- Tracking data – low numbers of juveniles in jail

Transitional Housing Commissioner Hanten has worked with ICAP and other community agencies to provide short-term housing after incarceration or to support Drug Court clients.

- ICAP is providing case management.
- Midwest Bible Camp is providing facilities as able.
- Brothers and Sisters Behind Bars is providing some funding.
- Challenges include a limited amount of housing and the intense case management required by the groups the program seeks to help. See the attached slide.

Bonding & Sentencing changes

• In late 2018, the 3rd Judicial Circuit implemented a revised arrest & release process and bonding guidance. Generally speaking, the guidance calls for all those arrested on a misdemeanor charge (other than a few exceptions), not to be jailed but placed on a personal recognizance bond. This may have be contributing to the lower jail population in recent months.

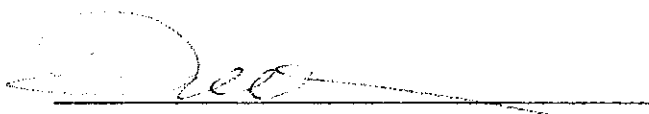
- Some jail sentences may be shorter.

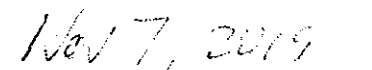
Other possibilities

- Criminal justice process reforms? Other counties around the state and nation have been examining the possibility of refining the criminal justice process. Gabel mentioned a study from Carlton County, MN that might be some for the county to consider.
- Gabel noted that he was working with a company called Open Lattice to see about implementing a risk assessment tool called the Public Safety Assessment (PSA). Minnehaha and Pennington are piloting the PSA under the auspices of grand from Arnold Ventures. Gabel is looking into the possibility for Codrington County to join this effort at little or no cost. The potential benefit of such a risk assessment is that judges would be provided more objective data in order to make a decision of whether to jail a defendant or not. Incarcerating only those who are a true risk to public safety or failure to appear should help control, and maybe reduce, the jail population.

Future Meeting Dates October 1st, 2019 was set as the next meeting date for CCJAC, probably at Lake Area Technical Institute, 6:10 p.m.

Adjournment Wasland made a motion to adjourn, motion seconded, all in favor. Meeting adjourned at approximately 7:00 pm.


Secretary
CCJAC


Date Approved



Another way to fund justice facilities? The Problem

- Like other units of government, counties are required to build and maintain infrastructure
- Unlike other units of government, counties only way to pay for this is property tax. means raising property taxes.



Another way to fund justice facilities? A Solution

- Give voters option to approve a county-wide $\frac{1}{2}$ cent sales tax
 - Majority of voters must approve.
 - Ballot must clearly state the maximum possible term of the sales tax and the infrastructure to be built.
 - When the bond is paid or when the maximum term is reached, the .5% sales tax stops. It can only continue with voter re-approval.



Another way to fund justice facilities? A Solution

- How would this make things better for taxpayers?
 - Shortens the length of time of the tax
 - Increases the opportunity to save taxpayers' money
 - Paying off a bond more quickly saves on financing costs.
 - More public debate
 - It's fairer
 - Increases local control.
 - Gives voters a voice in how they are taxed..
 - Eases the burden on ag producers.

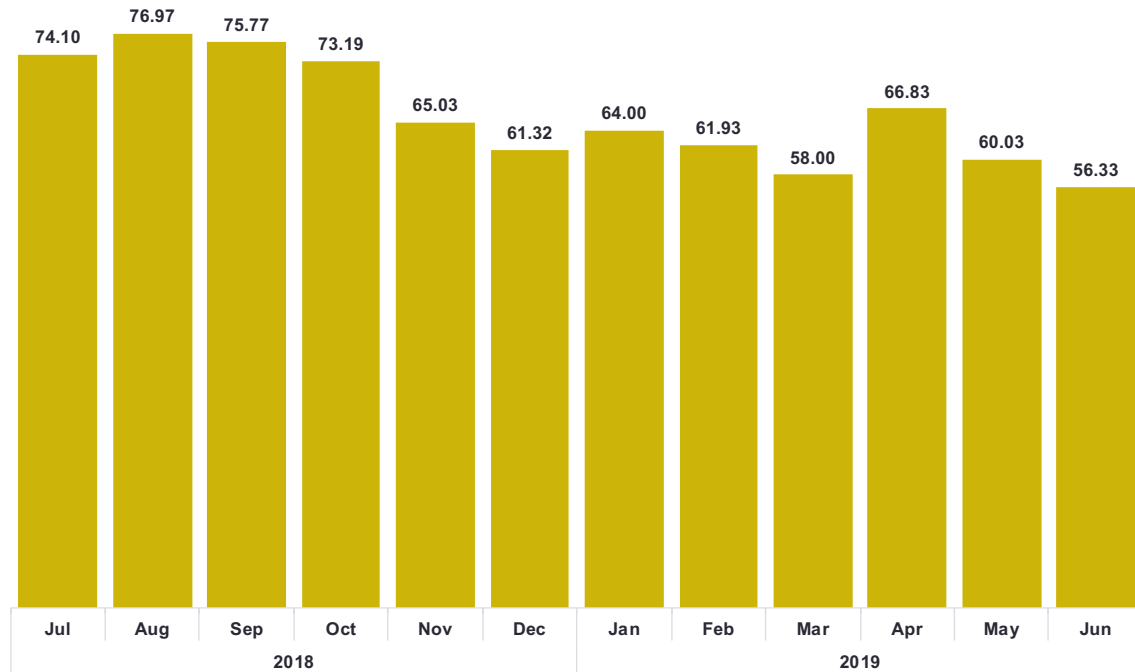


Another way to fund justice facilities?

	Brookings		Brown		Codrington		Lawrence	
Tax Type	Property	Sales	Property	Sales	Property	Sales	Property	Sales
Bond Amount:	\$16M	\$16M	\$17M	\$17M	\$19M	\$19M	\$15M	\$15M
Term in Years*:	20	7	20	5	20	7	20	11
Est. Interest Rate**	3.25%	3.75%	3.25%	3.75%	3.25%	3.75%	3.25%	3.75%
Est. annual revenue from 1/2 cent sales tax***		\$2.8M		\$3.9M		\$3.3M		\$1.7M
Est. Total Payments	\$22.0M	\$18.5M	\$23.4M	\$19.0M	\$26.1M	\$22.0M	\$20.6M	\$18.6M
Est. Savings		\$3.5M		\$4.4M		\$4.8M		\$2.1M

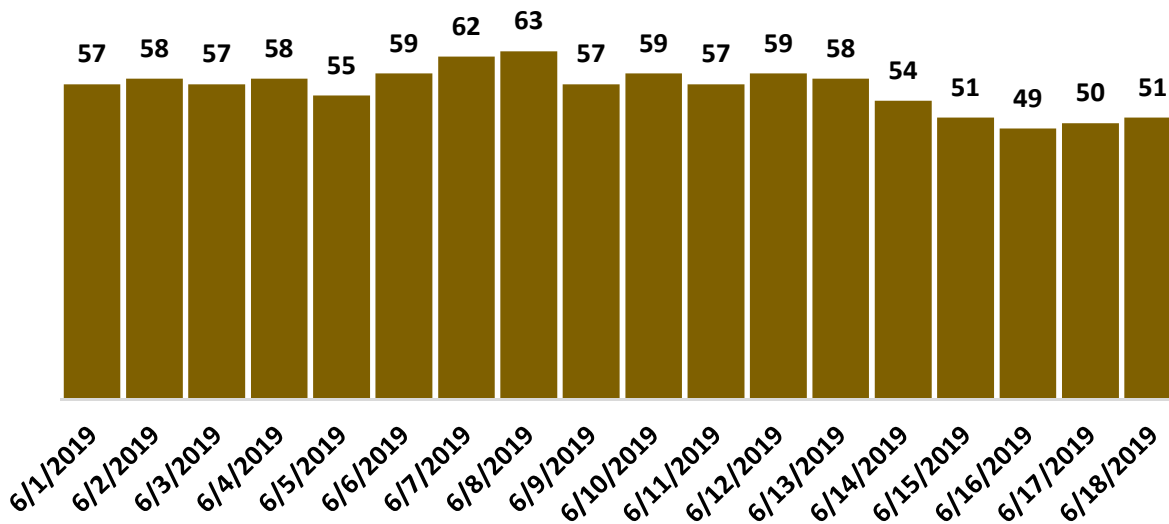


ADP Update Past 12 months

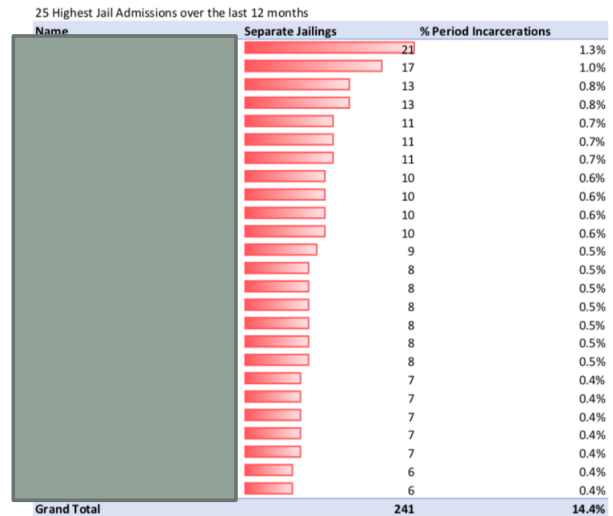
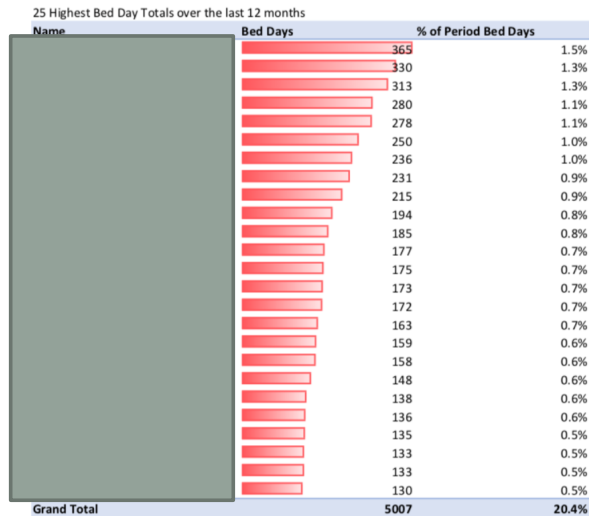


ADP Update This month so far

June 2019 ADP by Day



Top 25 Last 12 Months



Keeping Track of all Criminal Justice Initiatives



- Facilities (CCJAC)
 - Courts – Done
 - Jail - work goes on
- Behavioral Health (BHJWG - Stepping up)
 - Community team in place (County/Courts/City/HSA/DOC)
 - MH professional working in jail – transitioning to provision under new jail health services contract
 - Need to develop “warm handoff” process
- Juvenile Detention Alternative Initiative (JDAI)
 - Received grant to hire coordinator through the BGC – hopefully in place in August
 - Developing spectrum of alternatives
 - Tracking data – low numbers of juveniles in jail
- Transitional Housing (after sentence)
 - ICAP case management
 - Midwest Bible Camp facilities
 - Challenges
- Bonding & Sentencing changes
 - 3rd Circuit revised arrest & release process and bonding guidance
 - Some sentences shorter
- Other possibilities
 - Criminal justice process reforms?
 - Public Safety Assessment (PSA) with Minnehaha and Pennington pilot.



Transitional Housing Project

Just getting started

- Served three individuals so far, all from Drug Court.
- Also opened up to anyone with drug charges that has a CSO.
 - Individuals vetted by ICAP and
 - Midwest Bible Camp needs to OK
- ICAP has been able to access some HUD funding (Emergency Solutions Grant or ESG)
 - to help transition the individuals into permanent housing.
 - This is very limited funding so it is nothing we should count on being available all the time.
- Challenges:
 - Individuals struggling with their disease
 - Individuals not being ready to make the changes needed to be self-sufficient
 - Biggest challenge has been finding one bedroom or efficiency apartments that qualify under HUD's affordability standards
 - Often need more than one month of rent subsidized.
 - Many of the drug court people struggle to find full time employment that will work with their drug court schedule and it takes time to build up funds for first month's rent and deposits.
- Brothers and Sisters Behind Bars (fund transitional housing) working to further structure the program
 - Define and expand their mentor program for inmates in jail and when they get out of jail
 - Clarify financial assistance process they for those struggling to break the chains of addiction.
 - Important to avoid duplication of services and resources already available in the community.



Systemic Study – Useful?

- Not focused on the jail building
- Example from Carlton Co, MN topics covered
 - Evidence Processing
 - Criminal Case Processing
 - Jail programming
 - Probation Services
 - Pretrial release
 - Jail capacity needs

