

**Official Proceedings**  
**Codington County Justice Advisory Committee**  
**Courthouse First Level Courtroom**  
**Watertown, SD 57201**  
**February 16, 2023**

The Codington County Justice Advisory Committee (CCJAC) met on February 16th, 2023, at the Codington County Courthouse in the first level courtroom. Attending were committee members Lee Gabel, Al Koistinen, Matthew Kranz, Jeanne Horning, Troy VanDusen, Larry Wasland, Brad Howell, non-voting members the Honorable Robert Spears, Rebecca Morlock-Reeves and Matt Blackwelder. Lee Gabel took minutes. Meeting called to order by Chairman Lee Gabel at 5:00 p.m.

**Agenda Approved** - Motion to approve the meeting agenda was made by Koistinen. Motion seconded, all in favor, agenda approved.

**Minutes Approved** - Motion to approve the minutes of the November 7, 2019 meeting was made by VanDusen. Motion seconded, all in favor. Minutes approved.

**Election of Officers** - Koistinen moved to keep the current slate of CCJAC officers (Chair - Gabel, Vice Chair – VanDusen, Secretary - vacan). There were no other nominations. Motion seconded, all in favor.

**Update on Jail Trends**- The committee discussed the trends in the jail's average daily population (ADP) since the CCJAC's last meeting (pre-COVID). Just prior to COVID, the ADP was in the mid 60s (see attached slides). The ADP dipped dramatically during COVID. Over 2021 and 2022, the ADP has been climbing toward the low 60s. However, the January 2023 ADP was in the 40s. It seems that the ADP may not be rising as quickly as expected since the COVID dip. Some possible reasons for this discussed by the committee included: "fast-tracking" of certain typical cases (offering standard pleas for typical offenses), a tendency toward shorter sentences and more probation (especially for non-violent offenses), increase efficiency in the 24/7 system and a lack of fully-manned law enforcement agencies causing fewer arrests.

The Sheriff (Brad Howell) and Chief Corrections Officer (Matt Blackwelder) noted that the jail population seems to have tended to a much greater proportion of violent offenders with a greater proportion of recidivists over the past few years. The Sheriff noted that many of these offenders would have been in prison, instead of jail, in the past.

**Update on legislation that may affect county jails.** The CCJAC reviewed the jail-related bills being heard during the 2023 legislative session. See attached slides.

**Future CCJAC activity** – It was generally agreed that the CCJAC should observe jail trends over the next 4 to 6 months. The next major step would be to update the professional analysis of jail trends since the preparation for the jail bond vote in 2017. This may result in a recommendation to the County to

engage the services of an architect or jail consultant. This would need to be budgeted (probably in 2024).

**Adjournment** Howell made a motion to adjourn, motion seconded, all in favor. Meeting adjourned at approximately 5:52 pm.



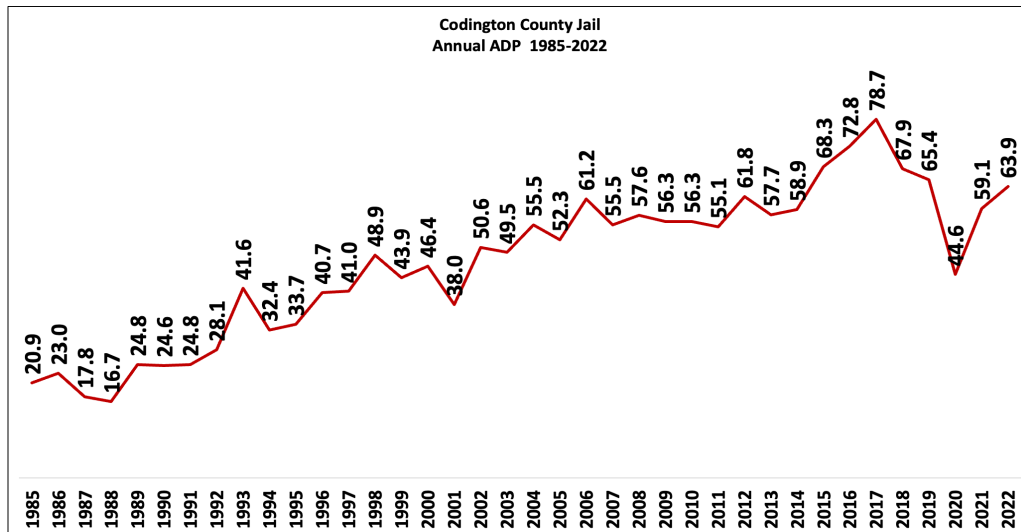
Secretary  
CCJAC

12/04/2023

Date Approved



## ADP Update



## Update on legislative activity

- Interim Studies
  - Study Committee on Regional Jails and State Correctional Plans
    - Recognized that most jails are de facto regional
    - Regional Jail Authority (SB74)
    - Loan/Grant fund (SB155)
    - Didn't agree on sales tax idea
  - Legislative Task Force on Incarceration Construction Fund
    - Mostly about prisons and leveraging county resources
  - Study Committee on Juvenile Justice



## Update on legislative activity

- HB1050 & SB99 Enable Counties to ask voters for ½ cent sales tax to bond funds for county jails, courthouses...
  - Voters must approve 60%
  - 5 year cooling off period
  - Would save money (all revenues go to paying bond, shortening term & lowering financing cost)
  - Fairer (not just taxing property owners)
  - Sunsets when bond is paid off
- HB1050 failed in committee, SB99 passed committee, failed in Senate
- Identical bill passed House during 2022 session
- Previous versions have made it out of committee but failed on the floor



## Update on legislative activity

- SB74 Establish mechanism for Regional Jail Authorities (RJA)
  - Two or more political subdivisions may form a regional jail authority
  - RJA acquires/builds facilities and operates the jail
  - Sheriff in county where jail is located has "charge of the jail"
  - May levy property tax of up to 90¢ per \$1000 of valuation
- Passed Senate, to be heard in House State Affairs Committee



## Update on legislative activity

- SB155 create the jail improvement and construction fund
  - \$40M revolving loan fund – loans up to 1/3 of project cost
  - \$10M grant fund – grants up to 1/6 of project cost
  - Creates “South Dakota Jail Improvement Board” (UJS rep, a sheriff, an auditor, two commissioners, a state’s attorney, a financial rep) to administer loans and grants.
- Senate Local Government committee sent to Joint Appropriations



## Update on legislative activity

- SB64 Repeals most provisions of the Jail Mental Health Screening Pilot Program
  - Ends data tracking and screening requirement for UJS, HSC and counties.
  - Keeps provisions for competency evaluation reimbursement and mental health response teams.
- Passed Senate. To be heard by House Judiciary