# **SD** Department of Corrections

#### Joint Appropriations Committee

January 23, 2025



#### DAKOTA DEPARTMENT OF CORRECTIONS SOUTH

Kellie Wasko Secretary of Corrections

**Brent Fluke** Deputy Secretary of Corrections l'ii

# **Executive Team**





#### DEPARTMENT OF CORRECTIONS

#### 2024 Statistical Report

KRISTI NOEM

KELLIE WASKO CABINET SECRETARY

## 2024 Statistical Report

- 3<sup>rd</sup> annual statistical report
- Reference for data including:
  - Overview
  - Population projections
  - Offender demographics
  - Admissions/Releases
  - Clinical Services
  - Parole
  - Juvenile
  - Pheasantland Industries
  - Recidivism



## Agenda



#### Performance Outcomes



#### Workforce



FY26 Budget Request

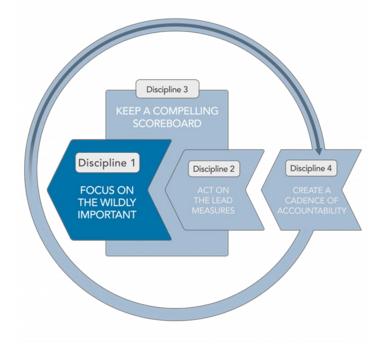


FY25 Budget Adjustments





## **Performance Outcomes**



## Modernize the state correctional system.



# Maintain safe & secure facilities.



#### **Facility Housing Capacity**

Measure: House offenders within the capacity of each facility.



# Maintain safe & secure facilities.

Figure 1.2: State Correctiona	al Facility Popu	lations & C	apacities
State Correctional Facilities	FY2024 ADP	Capacity	% Capacity
LEVEL II	nte e		
Pierre Minimum Center	178	120	148%
Rapid City Minimum Center	378	216	175%
Sioux Falls Minimum Center	188	80	235%
Yankton Minimum Center	270	192	141%
LEVEL III			
Mike Durfee State Prison	1088	963	113%
LEVEL IV			
SD State Penitentiary	775	426	182%
LEVEL V			M
Jameson Prison Annex	508	576	88%
SD Women's Prison	309	202	153%
TOTAL STATE	3,694	2,775	133%

Facilities were over capacity by 919 offenders in FY24.



#### Modernize the state correctional system.

Figure 1.3: Projected State Correctional Facility Capacity				
			%	
	Capacity	ADP	Capacity	
Level II				
Pierre Minimum Center	Dec	ommissione	ed	
Rapid City Minimum Center	216	205	. 95%	
Sioux Falls Minimum Center	80	76	95%	
Yankton Minimum Center	192	182	. 95%	
Level III				
Rapid City Correctional Facility	288	240	83%	
Mike Durfee State Prison	963	913	95%	
Level IV				
SD State Penitentiary	Dec	ommissione	ed	
Level V				
Lincoln County Correctional Facility	1584	1491	94%	
SD Women's Prison	202	151	75%	
Jameson Prison (Specialty Population)	192	140	73%	
Jameson Prison	384	360	94%	
SDDOC Facilities Total	4101	3758	93%	
Male	3419	3227	95%	
Female	682	531	85%	
Contracted Facilities Total		58		
Male		10	95%	
Female		48	92%	
Total Population/Capacity		3816	94%	

 With the addition of the Rapid City Correctional Facility & Lincoln County Correctional Facility, all facilities are under capacity and have at least 5% available for population growth or moving offenders.

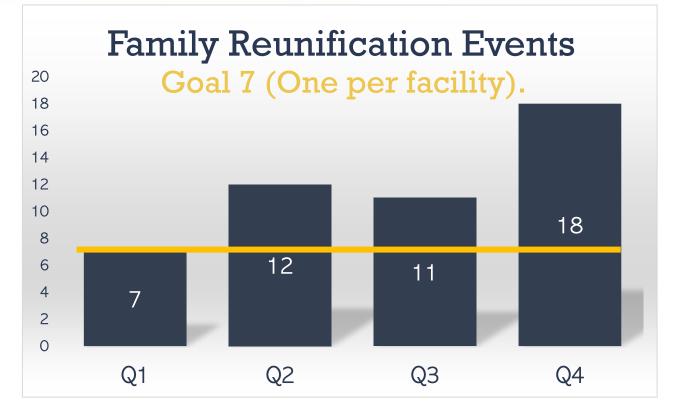


## Utilize evidencebased practices to support reentry.



#### Support reentry. Establish Family Reunification Events.







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#### Support reentry. Reduce recidivism by 3% in 2024.



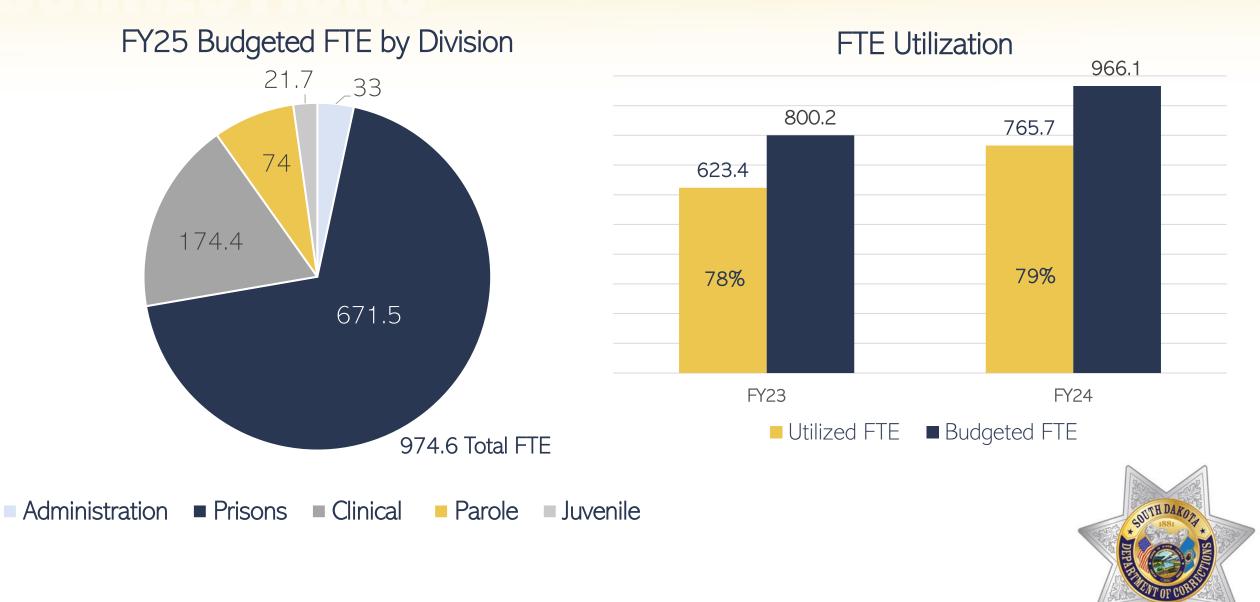




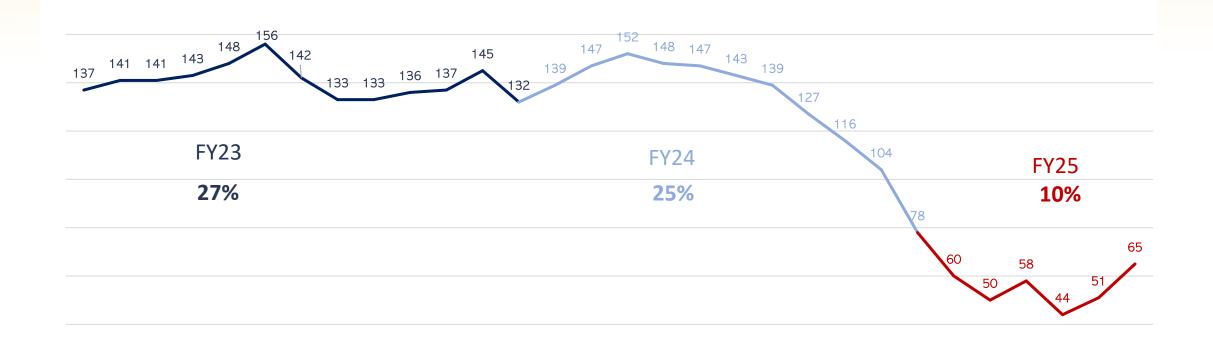
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## Workforce

#### Workforce: FTE Overview



#### Workforce: Security Staff Vacancies



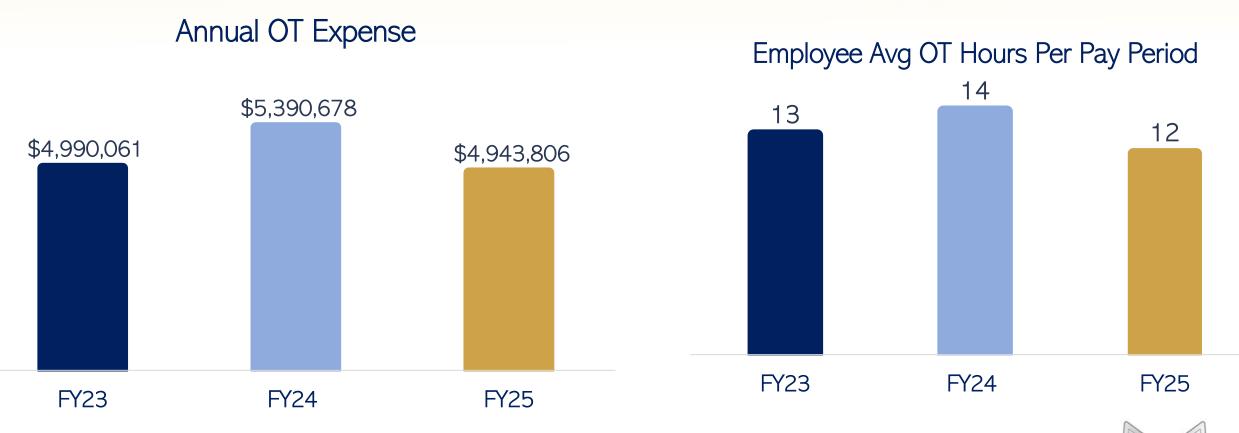
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#### Uniformed security staff

• Correctional Officers, Corporals, Sergeants, Lieutenants, Captains



#### Workforce: Security Staff Overtime



- Vacancies drive overtime hours.
- PS budget available from vacancies pays for OT.

#### Workforce: Clinical Staff

Clinical Services Vacancies	FY24	FY25
Vacant Positions	46	63
Vacancy Rate	27%	36%

- Nurse positions difficult to recruit
- 53% vacancy rate LPN's, 40% vacancy rate RN's

Clinical Services Overtime	FY24	FY25
Overtime Expenses	\$380K	\$392K
Average OT Worked Per Employee/Pay Period	2.5	2.7

Clinical Services Nurse Contracts	FY24	FY25
Contract Travel Nurse Staffing Expenses	\$3.1M	\$4.6M



## Workforce: Financial Incentives

- Increased salaries for security staff by 43%
  - •\$17.89 to \$25.50 over the past three years
- Night shift differential
  - \$2/hour security & \$5/hour nursing
- Referral bonus \$1,500
- Nurse loan repayment/scholarship programs
- Sign on bonus \$10,000 (Nurses)



## Workforce: Recruiting Efforts

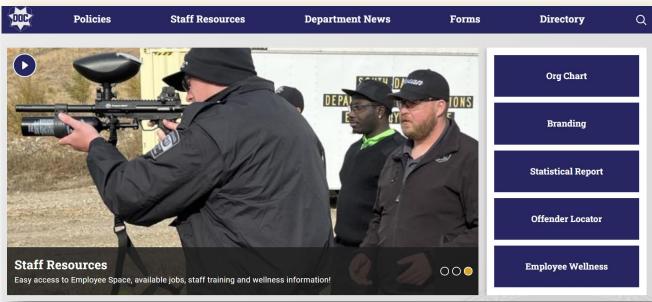
- RCI Advanced Recruitment Solutions
  - Sources and recruits potential candidates
  - Targeted internet posts & email campaigns.
  - Review, evaluate, and screen for interest & qualifications

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- Onsite hiring events/job fairs
- Social media advertising
- Billboards
- Movie theater ads



#### Workforce: Retention Efforts



- Developed DOCNet Staff Resource
  - o Allstar Wellness Challengeo Race Across DOC Challenge
- Developed Staff Recognition Policy
- Created Special Teams



# FY26 Budget Request

## **Governor's Recommended FY26 Budget**

Budget	FTE	General	Federal	Other	Total
FY25 Base Budget	974.6	151,164,947	3,943,447	5,143,463	160,251,857
FY26 Recommended	<u>974.6</u>	<u>156,220,919</u>	<u>3,247,091</u>	<u>5,271,863</u>	<u>164,739,873</u>
Difference	0.0	\$5,055,972	(\$696,356)	\$128,400	\$4,488,016

Recommended Changes	FTE	General	Federal	Other	Total
Operating Expenses	0.0	3,727,498	0	0	3,727,498
Clinical Services	0.0	954,732	0	0	954,732
Provider Adjustments	0.0	782,142	(696,356)	0	85,786
Budget Reductions	<u>0.0</u>	<u>(408,400)</u>	<u>0</u>	<u>128,400</u>	<u>(280,000)</u>
FY26 Total Changes	0.0	\$5,055,972	(\$696,356)	\$128,400	\$4,488,016



Operating Expense	General	Federal	Other	Total
Transfer from DSS	2,619,700	0	0	2,619,700
Food Services	452,492	0	0	452,492
One Stop Shop Lease	364,077	0	0	364,077
Utilities	<u>291,229</u>	<u>0</u>	<u>0</u>	<u>291,229</u>
Total	\$3,727,498	\$0	\$0	\$3,727,498

Transfer from Department of Social Services, \$2,619,700 (p. 15)

- Like decrease in Dept. of Social Service's budget
  - \$0 net impact to State
- Meal costs for offenders housed at the Yankton Minimum Center that receive meals from HSC food services contract
- Average of 300 offenders



Operating Expense	General	Federal	Other	Total
Transfer from DSS	2,619,700	0	0	2,619,700
Food Services	452,492	0	0	452,492
One Stop Shop Lease	364,077	0	0	364,077
Utilities	<u>291,229</u>	<u>0</u>	<u>0</u>	<u>291,229</u>
Total	\$3,727,498	\$0	\$0	\$3,727,498

#### Food Services, \$452,492 (p. 3, 8)

- Meals for offenders at correctional facilities
- Food services provided by Aramark Correctional Services
- Total food service budget of \$8.2M



Operating Expense	General	Federal	Other	Total
Transfer from DSS	2,619,700	0	0	2,619,700
Food Services	452,492	0	0	452,492
One Stop Shop Lease	364,077	0	0	364,077
Utilities	<u>291,229</u>	<u>0</u>	<u>0</u>	<u>291,229</u>
Total	\$3,727,498	\$0	\$0	\$3,727,498

One Stop Shop Lease, \$364,077 (p. 13)

- Leased office space in Sioux Falls for 41 staff
- Move in date of April 2025



Operating Expense	General	Federal	Other	Total
Transfer from DSS	2,619,700	0	0	2,619,700
Food Services	452,492	0	0	452,492
One Stop Shop Lease	364,077	0	0	364,077
Utilities	<u>291,229</u>	<u>0</u>	<u>0</u>	<u>291,229</u>
Total	\$3,727,498	\$0	\$0	\$3,727,498

#### Utilities, \$291,229 (p. 16)

- Based on EnergyCAP projections
- \$94,744 electricity, \$94,965 natural gas, (\$108,127) fuel oil, (\$3,354) propane, \$213,001 water/sewer

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#### **Clinical Services**

Clinical Services	General	Federal	Other	Total
Offender Increase	814,725	0	0	814,725
Inflationary Increases	<u>\$140,006</u>	<u>0</u>	<u>0</u>	<u>\$140,006</u>
Total	\$954,731	\$0	\$0	\$954,731

Offender Increase, \$814,752 (p. 12)

- All offenders receive medical & behavioral health care.
- Total budget of \$38.2M for clinical services
- Increase based on increase of average daily population of offenders



#### **Clinical Services**

Clinical Services	General	Federal	Other	Total
Offender Increase	814,725	0	0	814,725
Inflationary Increase	<u>140,006</u>	<u>0</u>	<u>0</u>	<u>140,006</u>
Total	\$954,731	\$0	\$0	\$954,731

#### Inflationary Increases (p. 12)

- 2.9% inflation based on USDOL 2023 annual prescription drug rate
- 0.5% inflation based on USDOL 2023 medical care services rate



#### **Provider Adjustments**

Provider Adjustments	General	Federal	Other	Total
Juvenile Placements	375,005	(486,479)	0	(111,474)
Discretionary Inflation	176,057	21,203	0	197,260
FMAP	<u>231,080</u>	<u>(231,080)</u>	<u>0</u>	<u>0</u>
Total	\$782,142	(\$696,356)	\$0	\$85,786

#### Juvenile Placements, (\$111,474) (p. 9)

- (\$26K) for juvenile detention facility bed changes
- \$617K for group care, independent living, and foster care bed changes
- (\$344K) general, (\$486K) federal for Medicaid bed changes
- \$129K due to increase in detention rates at Brown County, Beadle County, Hughes County, and Roberts County

#### **Provider Adjustments**

Provider Adjustments	General	Federal	Other	Total
Juvenile Placements	375,005	(486,479)	0	(111,474)
<b>Discretionary Inflation</b>	176,057	21,203	0	197,260
FMAP	<u>231,080</u>	<u>(231,080)</u>	<u>0</u>	<u>0</u>
Total	\$782,142	(\$696,356)	\$0	\$85,786

#### Discretionary Inflation, \$197,260 (p. 6)

- 1.25% inflation for adult & juvenile community providers
- \$30K for clinical service providers (inside facilities)
- \$123K juvenile providers (group care, residential placements, etc.)
- \$44K for community housing providers

#### **Provider Adjustments**

Provider Adjustments	General	Federal	Other	Total
Juvenile Placements	375,005	(486,479)	0	(111,474)
Discretionary Inflation	176,057	21,203	0	197,260
FMAP	<u>231,080</u>	<u>(231,080)</u>	<u>0</u>	<u>0</u>
Total	\$782,142	(\$696,356)	\$0	\$85,786

Federal Medical Assistance Percentage (FMAP) (p. 7,11)

- \$164K due to the end of 5% enhanced FMAP from Medicaid Expansion
- \$66K increase of state paid portion of Medicaid for juvenile placements
- State share 48.47%, federal share 51.53%



#### **Budget Reductions**

Budget Reductions	General	Federal	Other	Total
Salary Funding Change	(128,400)	0	128,400	0
Employee Travel	<u>(280,000)</u>	<u>0</u>	<u>0</u>	<u>(280,000)</u>
Total	(\$408,400)	\$0	\$128,400	(\$280,000)

#### Salary Funding Change (p. 17)

- (\$128K) in general funds and increase in \$128K other funds
- Warden salary paid with Pheasantland Industries revolving fund
- SDCL dictates allowable expenses from PI revolving fund



#### **Budget Reductions**

Budget Reductions	General	Federal	Other	Total
Salary Funding Change	(128,400)	0	128,400	0
Employee Travel	<u>(280,000)</u>	<u>0</u>	<u>0</u>	<u>(280,000)</u>
Total	(\$408,400)	\$0	\$128,400	(\$280,000)

#### Employee Travel, (\$280,000) (p. 15)

- Reduction in employee travel to align budget with actual expenses
- Includes budget for employees for conferences, meetings, and intrastate travel to DOC facilities.



# FY25 Budget Adjustments

## FY25 Budget Adjustments

Adjustments	General	Federal	Other	Total
Clinical Services	424,959	0	0	424,959
Juvenile Placements	375,005	(486,479)	0	(111,474)
Utilities	223,480	0	0	223,480
Food Services	<u>210,818</u>	<u>0</u>	<u>0</u>	<u>210,818</u>
FY25 Total Adjustments	\$1,234,262	(\$486,479)	\$0	\$747,783

- Budget changes are included in HB 1046.
- Includes one-time budget adjustments for clinical services inflation, juvenile placement changes, utilities, and food services.



# Rapid City Correctional Facility Construction Updates



## Rapid City Correctional Facility

Level III custody facility





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### **Rapid City Correctional Facility** Level III custody facility September 2024

















## Rapid City Correctional Facility

### Level III custody facility

### December 2024

















### Rapid City Correctional Facility Level III custody facility September 2024





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### Rapid City Correctional Facility Level III custody facility December 2024









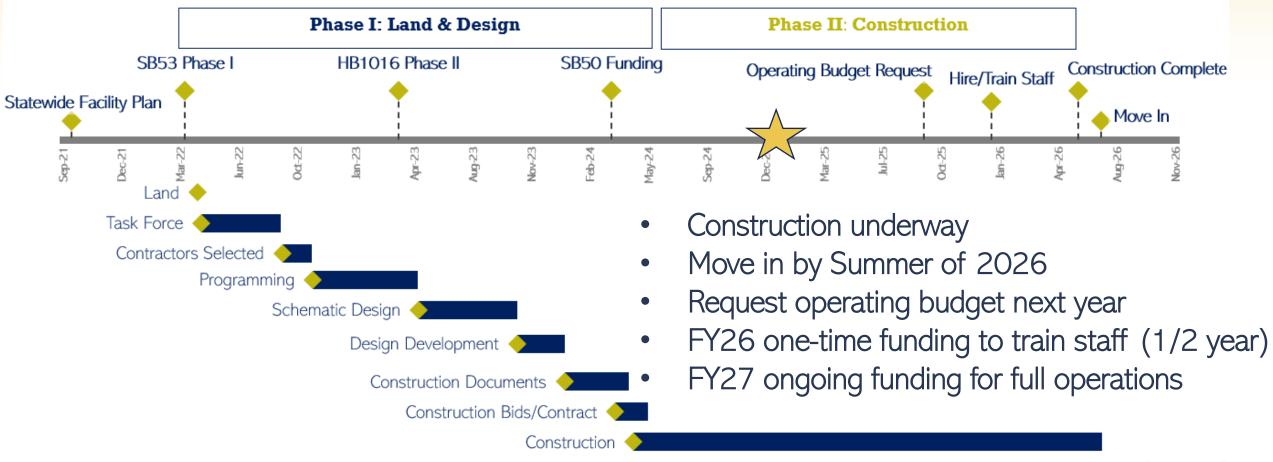








### **Rapid City Correctional Facility: Timeline**





### **Rapid City Correctional Facility: Expense Updates**

Expense Type	Budget	Expenditures	Remaining
Land	\$1,082,172	\$1,082,172	\$0
Design (Architecture Inc.)	\$4,849,500	\$3,840,034	\$1,009,466
Commissioning/Services	\$1,673,597	\$1,352,671	\$320,926
Construction (Scull/Flintco)	\$72,980,869	\$12,811,266	\$60,169,603
Furniture, Fixtures, Equipment	\$1,739,078	\$0	\$1,739,078
Owner's Contingency	<u>\$4,819,804</u>	<u>\$0</u>	<u>\$4,819,804</u>
Total:	\$87,145,020	\$19,086,143	\$63,239,073

- Total Appropriation: \$87.1 M
- Total spent: \$19.1M
- 5% owner's contingency of \$4.8M



### Rapid City Correctional Facility: Operating Costs

Budget Impact	FTE	FY25 Staffing Costs	FY25 Operating Costs	FY25 Total
Rapid City Correctional Facility	152.4	\$12.6M	\$3.4M	\$16.0M
Transfer Budget (PMC)	<u>0.0</u>	<u>\$0</u>	<u>(\$1.8M)</u>	<u>(\$1.8M)</u>
Total Est. Increase:	152.4	\$12.6	\$1.6M	\$14.2M



- Staffing analysis conducted by CGL Inc.
- Pierre Minimum Center (PMC) decommissioned & budget transferred
- Total estimated budget increase needed of 152 FTE & \$14.2M
- Based on FY25 costs; will change next year



SOUTH DAKOTA DEPARTMENT OF CORRECTIONS

### Lincoln County Correctional Facility Construction Updates



### **Studies & Recommendations**

Statewide Facility Plan, DLR Group, 2021

- "Roadmap" for DOC's current & future facility demands
- **#1 Recommendation:** Construct men's multi-custody facility in Sioux Falls area
- Reviews:
  - January 6, 2022, Joint Committee on Appropriations
  - January 13, 2022, Senate Judiciary
  - February 22, 2022, Senate Appropriations
  - March 2, 2022, House Appropriations
  - May 19, 2022, Interim Joint Committee on Appropriations
  - June 9, 2022, Study Committee on Regional Jails & State Correctional Plans
  - July 26, 2022, Incarceration Construction Fund Task Force

Statewide Facility Plan South Dakota Department of Corrections OSE# C1221-17X Prepared by:

Statewide Facility Plan
South Dakota Department of Corrections
OSE# C1221-17X







### **Studies & Recommendations**

i. Project 1.A - Construct a new 1,372-bed Multi-Custody Correctional Facility



### **Project Description**

The proposed location of this new facility has not been determined at this time, but it is recommended that it be located in the vicinity of the Sioux Falls metropolitan area due to workforce availability and supporting community services required to operate the new facility.

When considering potential sites for the proposed facility, it is recommended that properties considered should be approximately 160 acres, but not less than 100 acres. The site should be large enough to accommodate buffer zone areas between the property line and secure perimeter which could range between 300-600 feet. It should also be large enough to provide for future construction

### Statewide Facility Plan, DLR Group, 2021

- Recommended <u>160 acres</u> for new men's prison in the vicinity of the Sioux Falls area.
- No less than 100 acres.



### **Studies & Recommendations**

Legislative Task Force on Incarceration Construction Fund 2022 Final Report



### Study Assignment

During the 2022 Session, the Legislature passed SB144, establishing the incarceration construction fund to "be used for the capital construction or improvement of incarceration facilities located in South Dakota." Before any money is appropriated from the fund, a task force must provide "a report to the Legislature regarding incarceration and corrections within the State."

On April 25, 2022, the Executive Board of the Legislative Research Council established the Legislative Task Force on Incarceration Construction Fund (Task Force) and provided the following scope: "To study the physical plant of correctional facilities, the funding thereof, the services provided at those facilities, and report to the Legislature."

### Summary of Interim

### First Meeting

At its first meeting, held on July 26, 2022, in Pierre, the Task Force heard from the Department of Corrections (DOC), which spoke to the (1) current status of its facilities, including programming, costs, staffing, and populations; (2) population trends and recidivism rates; (3) and recommendations on future construction projects and filling gaps in services (Document #1). DLR Group, which previously studied DOC and made its own findings as to recommended DOC changes (Document #2), also answered questions from the Task Force. After the meeting, Task Force members had the opportunity to tour the South Dakota Women's Prison, along with the Women's Prison Unit E and Pierre Minimum Center.

### Second Meeting

The Task Force's second meeting was held on August 31, 2022, in Pierre. During this meeting, the Task Force heard presentations from other criminal justice-related interim committees, including the Study Committee on Regional Jails and State Correctional Plans and the Study Committee on Juvenile Justice. After hearing an update on correctional officer pay increases implemented by DOC and testimony from members of the public, including Brown County, the Task Force moved to make certain recommendations for inclusion in this report.

### Report on Incarceration and Corrections within South Dakota

### Executive Summary

The Task Force found two correctional facilities in the state need immediate attention to ensure the long-term safety of inmates, DOC staff, and the public and efficacy of DOC: the South Dakota State Penitentiary in Sioux Falls and South Dakota Women's Prison in Pierre, including Women's Prison Unit E and Pierre Minimum Center.

- The South Dakota State Penitentiary is the oldest prison in the state by a wide margin, leaving it the most
  outdated structurally and efficiency-wise. It does not meet modern correctional standards and cannot be
  updated in a cost-efficient manner. A new men's facility would not only allow for the State Penitentiary (not
  including the Jameson Prison Annex or Sioux Falls Minimum Center) to be fully decommissioned but also
  help relieve any growing pressure at the other male facilities by increasing male inmate capacity in the
  system overall.
- The South Dakota Women's Prison, the campus of which also contains both Women's Prison Unit E and the Pierre Minimum Center, is by far the most overcrowded in South Dakota. The female inmate population

### Legislative Task Force on Incarceration Construction

- 2022 SB 144 required a task force to study correctional facilities and report to the Legislature
- **#2 Recommendation:** Purchase land in Sioux Falls area for future construction of a new men's prison



### Legislative Approval & Funding

- 2022 SB 144: Created the incarceration construction fund (ICF)
- 2022 SB 60: Transferred \$17M to the ICF
- 2022 HB 1340: Transferred \$70M to the ICF
- 2023 HB 1017: Appropriated \$52M for the purchase of land and design services for a new prison facility & transferred \$271M to the ICF
- 2023 HB 1049: Transferred \$8M to the ICF
- 2024 SB 49: Appropriated \$10M of ARPA funding for water/sewer infrastructure & transferred \$132M from the general fund and \$94M from the budget reserve to the ICF

Six funding bills passed since 2022!

### Lincoln County Correctional Facility Level V multi-custody facility



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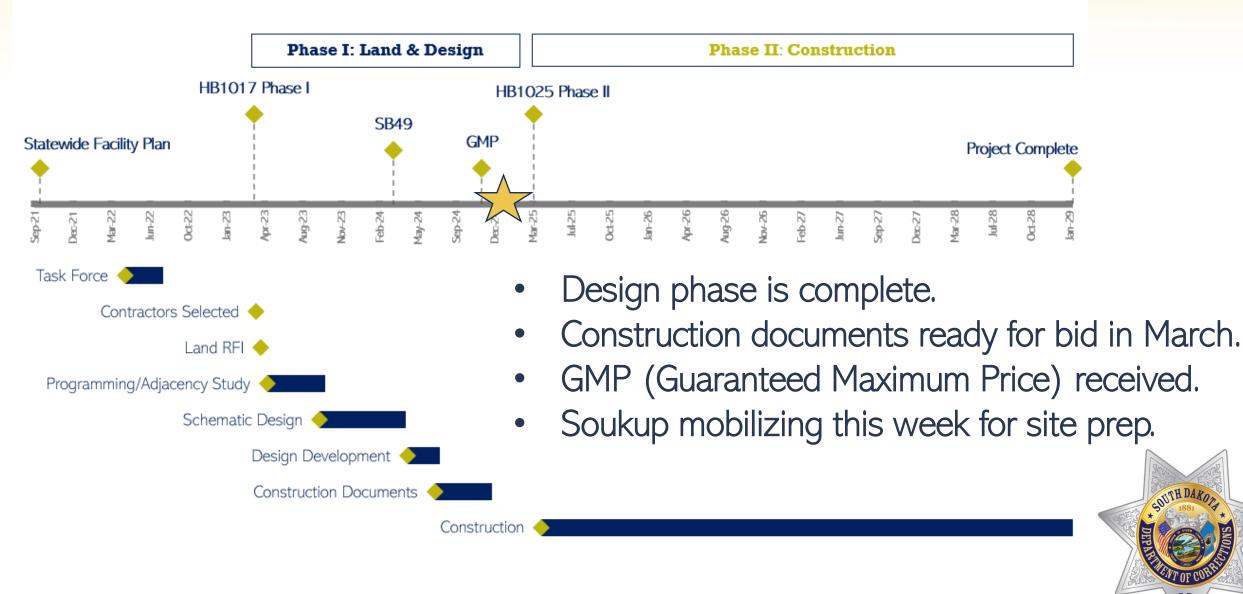








### Lincoln County Correctional Facility – Timeline Updates



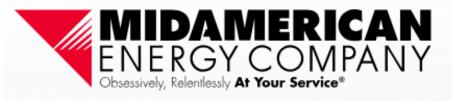
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### Lincoln County Correctional Facility Utilities & Infrastructure



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### **South Lincoln Rural Water System**

Committed to Providing Clean, Safe Water for All Our Residents

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### Lincoln County Correctional Facility: Expense Updates

Funding Source	Amount	Expenditures to Date	Remaining
Land & Design Authority	\$52,000,000	\$31,105,152	\$20,894,848
Utilities/Site Prep (ARPA)	<u>\$10,000,000</u>	<u>\$10,000,000</u>	<u>\$0</u>
Total:	\$62,000,000	\$41,105,152	\$20,894,848

Land & Design Expenses	Authority to Spend	Expenditures to Date	Remaining
Design (Nelson/Arch Inc)	\$39,000,000	\$19,387,162	\$19,612,838
Commissioning/Services	\$5,090,000	\$3,807,990	\$1,282,009
Land	<u>\$7,910,000</u>	<u>\$7,910,000</u>	<u>\$0</u>
Total:	\$52,000,000	\$31,105,152	\$20,894,848



### Lincoln County Correctional Facility: Preliminary Operating Costs

Budget Impact	FTE	FY25 Staffing Costs	FY25 Operating Costs	FY25 Total
Lincoln County Correctional Facility	441.5	\$36.7M	\$18.7M	\$55.4M
Existing Budget	<u>(201.4)</u>	<u>(\$19.2M)</u>	<u>(\$14.6M)</u>	<u>(\$33.8M)</u>
Total Est. Increase:	240.1	\$17.5M	\$4.1M	\$21.6M



- Staffing analysis conducted by CGL Inc.
- SDSP decommissioned & budget utilized for new facility
- Offender populations at existing male facilities reduced
- Estimates are based on FY25 costs



### Lincoln County Correctional Facility: Total Project Cost

Project Costs	Amount
Land & Design	\$52,000,000
ARPA Eligible Utility Expenses	\$10,000,000
Construction/GMP	\$737,070,395
Services	<u>\$25,929,605</u>
Total:	\$825,000,000

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• Guaranteed Maximum Price (GMP) for Construction included in total project cost of \$825M.



# Lincoln County Correctional Facility: 2025 Legislation



### 2025 South Dakota Legislature House Bill 1025

Introduced by: The Chair of the House Committee on Appropriations at the request of the Department of Corrections

An Act to authorize the Department of Corrections to construct a prison facility for offenders committed to the Department of Corrections in Lincoln County, to make an appropriation therefor, to transfer moneys to the incarceration construction fund, and to declare an emergency.



# Lincoln County Correctional Facility: 2025 Legislation

Project Funding	Amount
Funds Dedicated	\$567,002,464
Estimated Interest Earnings	\$75,961,565
HB 1025 Transfer	<u>\$182,035,971</u>
Total:	\$825,000,000

• Section 3 cash transfer to the incarceration construction fund.

Project Authority	Amount
Land & Design	\$52,000,000
ARPA Eligible Expenses	\$10,000,000
HB 1025 Transfer	<u>\$763,000,000</u>
Total:	\$825,000,000

• Section 4 authority to spend from the fund.



SOUTH DAKOTA DEPARTMENT OF CORRECTIONS



### Thank you!