

### A Reasonable Approach.

I am introducing a bill to stop current construction activity (SB204) and another to create a task force of stakeholders to revisit the studies we are ignoring (SB124). No legislators or stakeholders have been allowed have any input on the proposed prison site or facility since the original task force recommendations were released. The decision to ignore the fact that the original recommendation was for a men's prison with an estimated cost of just under \$339 million. Since then the DOC has escalated the price to \$825 million. The task force did not approve that price tag.

This is the largest single cash expenditure this state has ever seen, and they cannot, or will not, project what the daily cost of operations will be when the facility opens in 2028. Before your legislators vote on a bill that ties the hands of future legislatures, for the next 100 years, make sure they know what they are voting for.

Considering that prior to the appointment of Secretary Wasko the prison operations had remained somewhat stable for many years we need to ask, what has changed? Some overcrowding does exist and I believe every legislator agrees that we need to address all the issues. We have set aside hundreds of millions of dollars to do that, but it is obvious the administration is only focusing on the building.

After Secretary Wasko's arrival many policy changes were introduced and far too many noticeable negative behaviors and incidents have occurred under her watch. Even with the negative publicity and with continuing and growing problems, she has not made an effort to change anything, we are headed down the same path that she has set us on. Corrections Officers are now afraid to work in many areas of the prison and staff is leaving. Staff retention problems were well noted in the CGL study (\$166,000 study released in 2022). This was not the case 3 year ago, at least not to this extreme. No matter what the rhetoric, the buildings are not the problem, the policies are. Things changed quickly after her appointment on March 7, 2022, and not for the better.

I have laid out many factual issues in other documents, that have all been verified. DOC has refused to give straight answers and will not discuss reasons why they will not even consider another location. There was no input from stakeholders outside of the department of corrections office and their contractors. I can understand reluctance to discuss matters concerning the proposed site because of the lawsuit and the appeal that were filed, but there is nothing keeping them from discussing their refusal to consider alternatives. Even with the lawsuit waiting to be heard by the Supreme Court, they are crashing forward and trying to force an early vote to begin construction before an opinion is given. What if the court agrees with the plaintiffs?

I was on the Corrections Commission for 6 years. I have studied the project and the reports for over a year. I have been in contact with Corrections Officers, former wardens, retired and former officers, medical unit staff, families, clergy, mental and addictions counselors and many more people with a stake in the project. I am offering a reasonable way forward, which I encourage legislators to consider before approving the release of the funding for the new prison. We also need to discuss the \$258 million dollar shortfall we are facing just for this one project in this budget. The DLR study we commissioned suggested another 16 projects for updates to all the other DOC facilities, which are still greatly needed, but those projects apparently have been ignored. Those projects, if completed, would cost an estimated \$300 million in addition to the cost of building the new prison.

Additional expenditures not in the DOC \$825 million dollar budget is a new 4 mile long, 2 lane highway with turning lanes, from highway 115 (Minnesota Ave) to Highway 11. A rough estimate based on other models, this road will cost around \$30 million.

So where do we go from here?

**Phase 1:**

1. End all operations involved in building at the remote site in Lincoln County immediately. Return the land to School and Public Lands and return it to agricultural use. DO NOT tear down the historical building on the property as DOC has proposed. (too late, they already did and did so by violating yet another country ordinance requiring a permit for demolition)

2. Reverse the dangerous policies implemented over the last two years and return to 2021 and prior policies. Return inmates to the proper level of security as before. State law requires that death row inmates are separated from the rest of the population. We have one death row inmate and he is allowed to be with the general prison population.

**Phase 2:**

1. Address the problem of hiring and retention. If we raise entry-level salaries we also need to make adjustments to current staff as well. If we do not have the budget for this now – how will we staff a new prison?

2. Revert to the 2022 DLR Group study with all options on the table. (17 projects for \$608 million which included a 1,372 bed men's prison)

3. Begin expanding the D-Wing with a second level adding up to 192 beds

4. Develop a plan to build a low-medium-maximum security Jameson style prison on the 28.5 acres easily adding a minimum of 540 beds, with one

story. The land is located 2,000 feet north of the existing Jameson Annex already owned by DOC.

5. Place a high degree of effort in treatment and rehabilitation through education and training programs. Restore industrial training programs.
6. A full investigation into commissary products, pricing and any other services the inmates pay for. The prison runs out of food almost daily.
7. Update Yankton facility with 2-300 bed Low/medium security facility with a focus on addiction and mental health treatment.
8. Update Mike Durfee Prison in Springfield with a 300 bed unit and focus on industrial job skills training for rehabilitation..
9. Construct a new 300 bed low-medium men's facility in Rapid City with work release.
10. Expand probation services and policies for low-level drug offenders including ingestion and residue only offenses.
11. Work with courts for alternatives to incarceration for drug and non-violent offenders, possible legislation coming.
12. Restore visitation, phone and religious opportunities.

It sounds simple and the truth is this can be done quickly and orderly and simultaneously completing it all by 2028 for far less money than a single 1500 bed new prison.