

**Official Proceedings**  
**Codington County Justice Advisory Committee**  
**Lake Area Technical Institute**  
**October 20, 2015**

The Codington County Justice Advisory Committee (CCJAC) met at Lake Area Technical Institute, room 512, on October 20, 2015. Committee members Lee Gabel, Al Koistinen, Toby Wishard, Tyler McElhany and Tom Walder were present. Absent were Larry Wasland, Megan Gruman, Greg Endres and the Honorable Dawn Elshere. There being a quorum of voting members present, the meeting was called to order at 6:14 p.m. by Chairman Lee Gabel.

**Agenda Approved**

Motion by Koistinen to approve the agenda; motion seconded; all in favor, agenda approved.

**Minutes from Sept. 22<sup>nd</sup>, 2015 Approved**

Motion by Koistinen to approve the minutes; motion seconded, all in favor. Minutes approved.

**State of Process to Fulfill Commissioners' Instructions to the CCJAC**

- **Regarding Instruction #2: Analyze and recommend to the Board of County Commissioners (BoCC) ways to obtain the needed analysis**

**Bill Garnos, Jail Consultant**, presented a draft of the full Jail Needs Assessment Report (currently posted on the CCJAC webpage; Mr. Garnos' slides are attached to these minutes). The 2014 statistical information is now available and has been added to the report's criminal justice statistical indicators. Compared to 2013, these data show that crime overall was down by 13%, arrests down 15%. However, 2014 showed criminal case filings up 25% with new record highs of both misdemeanors and felonies. There was a 31% increase in felony case filings from 2013 to 2014. An increase in criminal case filings is usually a better indicator than arrests of the need for jail space.

Inmate population trends have been updated using the recent data. Monthly bookings show a new monthly high. The Average Daily Population (ADP) for Codington County inmates (not including other counties) has hit new highs each of the last three months. ADP for other jurisdictions has remained relatively steady. Total ADP shows record highs for the last three months, including an ADP of 80 inmates last month. It is the number of Codington County inmates that has caused the spikes in the last three months.

Four different projection models have been run with the data (see attached slides), and also an average of the four models for a midpoint. The midpoint basis is what Mr. Garnos had previously been using for his projections, and yet the numbers from the last three months have exceeded the ten-year projection. We have to deal with the reality of the inmate population we have, and the reality is that the models aren't supporting the trends we've had over the last three months. The ADP so far for 2015 is 68, so the

models don't underestimate it by much, but the big spikes have to be taken into account when telling architects what size facility is needed. Garnos originally thought jail needs would be in the 100-120 bed range, which is still supported by the projections (even incorporating the recent record-high numbers), but given the recent spikes we may need to look at 120-140 beds so the facility isn't filled to capacity very quickly after it opens.

Discussion was held as to possible reasons for the spike in numbers over the last three months. Possible factors include the rise of methamphetamine arrests; the impact of SB-70; the Police / Sheriff Office / Highway Patrol all being fully staffed for the past year. The large amount of arrest warrants in a court system that lacks space results in a backlog of cases. Sheriff Wishard stated that it was not uncommon for someone to have 6-7 different pending files for criminal activity and to be in the court system for over a year. More violent crime is being seen, with a 31% increase in felonies.

Mr. Garnos advised that no decisions need to be made on facility size at this time; future months will show whether the spikes continue. New data can be added and analyzed using the same factors, giving more information to aid in future decisions.

The entire draft report (100+ pages) is online and available for public review. Chairman Gabel encouraged committee members to review it and give feedback before the next meeting.

#### ***Self-analysis: Stakeholder Input***

***Tim Toomey, Assistant Police Chief at the Watertown Police Department (WPD)***, provided input on the jail and courthouse (see attached slides for main points).

From the WPD perspective, major concerns with the jail include the booking area, the sally port and the interview rooms. The booking area is congested with constant traffic, presenting a safety issue, not only for officers, but also for inmates. The sally port (garage area) is small and difficult to enter. There is not enough space inside to deal with aggressive offenders. The interview rooms lack space and technology and are inadequate to separate inmates.

The lack of adequate courthouse space consistently costs the city money. Officers are frequently called into court to testify (being paid a required minimum of two hours) only to see the trial moved to another date. During grand jury weeks, there are often two to three attorneys waiting to process cases; if more space were available, two grand juries could be hearing cases simultaneously. There are serious safety and security concerns when bringing inmates through the parking lot and public areas of the courthouse on the way to the courtroom.

Additional stakeholder input was given by ***Kari Johnston, Chief Operations Officer for the Human Service Agency (HSA)***; and ***Sarah Petersen, Director of the Codington County Welfare Office***. As part of the national Stepping Up Initiative, Codington County, worked with HSA to provide of a mental health professional dedicated to the jail 20 hours per week. The mental health professional can ascertain the needs of each inmate, help with the mentally ill population, and provide follow-up care such as medications and continuing services. The counselor has been busy from the start (about a month ago), providing a resource that wasn't available previously. A large percentage of inmates struggle with some form of mental illness. A spike in admissions to both the Human Service Center in Yankton and Avera Behavioral Health in Sioux Falls has filled those two facilities and they often are not able to accept involuntary commitments, putting additional pressure on the local jail facilities.

This addition of a dedicated mental health counselor may lessen jail time for those who are at low risk of re-offense. Having a counselor to work alongside judges and Court Service Officers can potentially provide case management and better connection to resources. This could reduce the time to resolution for low-risk offenders, (thereby lowering the inmate population at least slightly). Ms. Johnston estimated that it will take at least a year before enough data is available to begin to evaluate the effect of the program. It may be helpful to implement a screening process for risk assessment. This would take about 30 minutes per booking and can be done immediately upon inmate admission. It could connect the inmate to any needed medications or other services.

Regarding the current jail facilities, deficiencies were noted in available space for persons coming in on a mental health hold. Currently these people are kept in the detox or solitary confinement areas in inadequate conditions that add to their trauma. Any planning for a future facility should consider the needs of the mentally ill population, perhaps with a "safe room" similar to what is provided at Serenity Hills. The mental health counselor will also need office space with inmate access. Program space for rehabilitation programs should be considered.

- ***Regarding Instruction #3: Developing criteria to determine what we need/want***

Gabel presented a chart of draft criteria for evaluating options to address future facility needs (see slides attached to these minutes). The key change from the previous CCJAC meeting was the addition of a screening criterion to ensure options included a strategy to physically expand the facility if/when needed.

### ***Discussion of draft Request for Proposals (RFP)***

A draft of a pre-design RFP was discussed by the committee (attached to the minutes). The main goal of the RFP is for an architect to generate options with data that would permit accurate comparison. Gabel will work to add language to the RFP to provide for preliminary evaluations by an architect to determine the feasibility of potential construction sites to include modifying existing buildings; that might be located at these sites. Gabel asked that CCJAC members review the draft RFP (attached to the minutes) and give feedback and ideas for language.

### ***Outstanding Questions***

The committee reviewed outstanding questions (see attached slide). A law library survey (draft questions on attached slide), polling the local law firms, will be developed by Gabel in coordination with Megan Gruman. Sheriff Wishard clarified that access to legal resources for inmates is separate from the public law library. The jail currently has South Dakota Codified Law books for inmate access.

**Future Meetings**

The next meeting of the CCJAC will be November 17, 6:10 p.m., Lake Area Technical Institute Room 512. A tentative date of December 15 was also set. There are currently no facility visits scheduled.

**Unfinished Business, New Business, Open**

There being no other business, McElhany motioned to adjourn. Motion was seconded, all in favor, meeting adjourned at 8:10 p.m.

Julie Rodack  
Secretary  
CCJAC

Nov. 17, 2015  
Date Approved



# Instruction Task Tracker

Reports/ Recommendation	CCJAC agreement	Report CCJAC apprvd	Forwrd to BoCC	Comment
Review of pre-Nov 2014 work	General data on rising caseload & ADP. General info on facility needs. General info	Summary report		Done – Short Summary Report
Further self analysis	Space inventory			
	Compare to basic standards			
	Stakeholders			
	Funds inventory			
	Assumptions/Choices			
Recommendations for obtaining analysis	Jail			Mr. Garnos, NCSC
	Court			
Develop Criteria	Elimination			Consultant(s), Architect
	Comparative			
Develop Options	Facility			Architect
	Execution (loc, \$, phasing)			



## Agenda

### Updated Inmate Population Trends

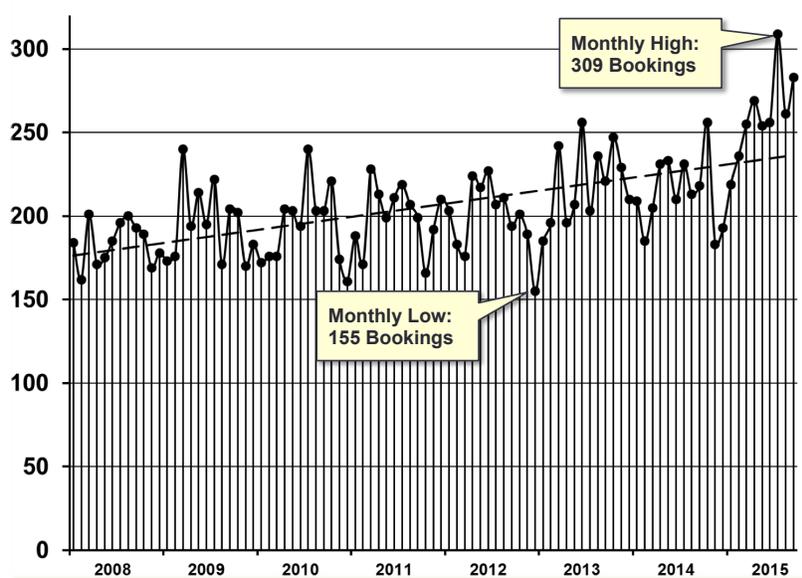
- Bookings
- Average Daily Population (ADP)
- High and Low Inmate Population

### Updated Inmate Population Projections

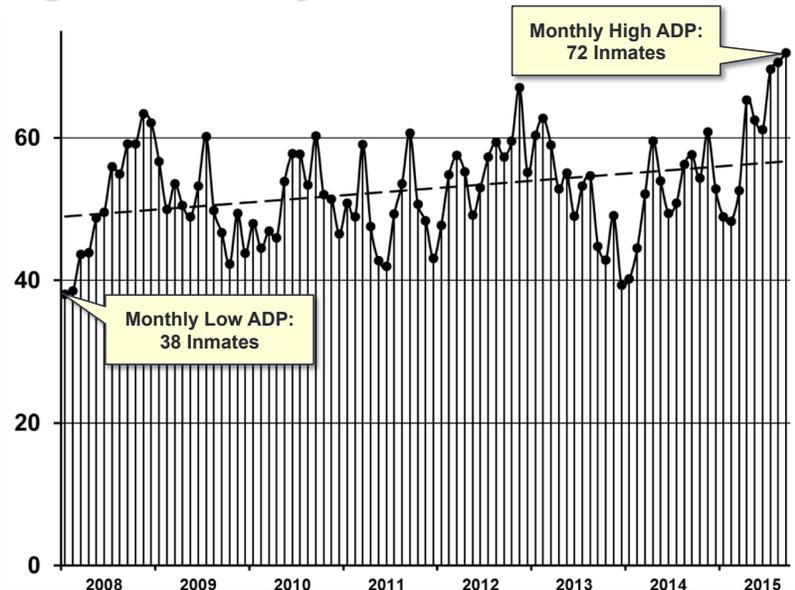
- ADP Projections — Total Inmates
- Forecast of Jail Capacity Requirements



## Monthly Bookings at the Codrington County Detention Center

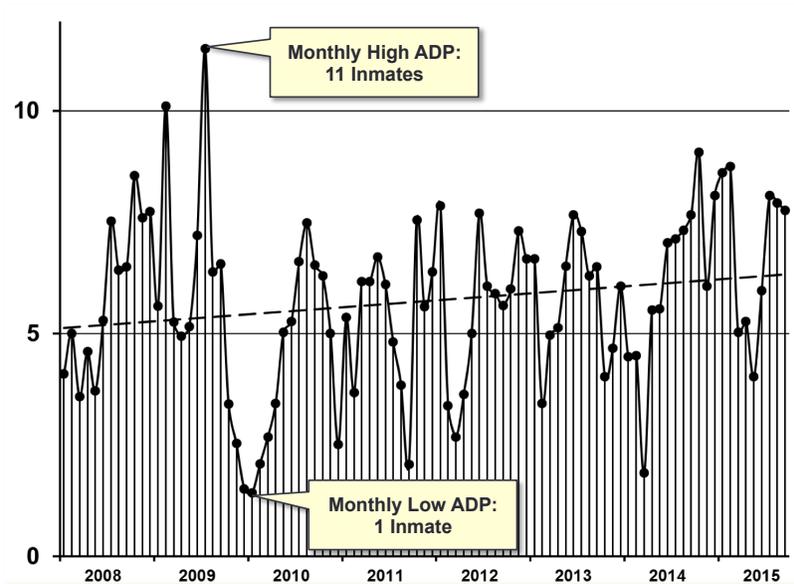


## Codrington County's ADP at the Codrington County Detention Center

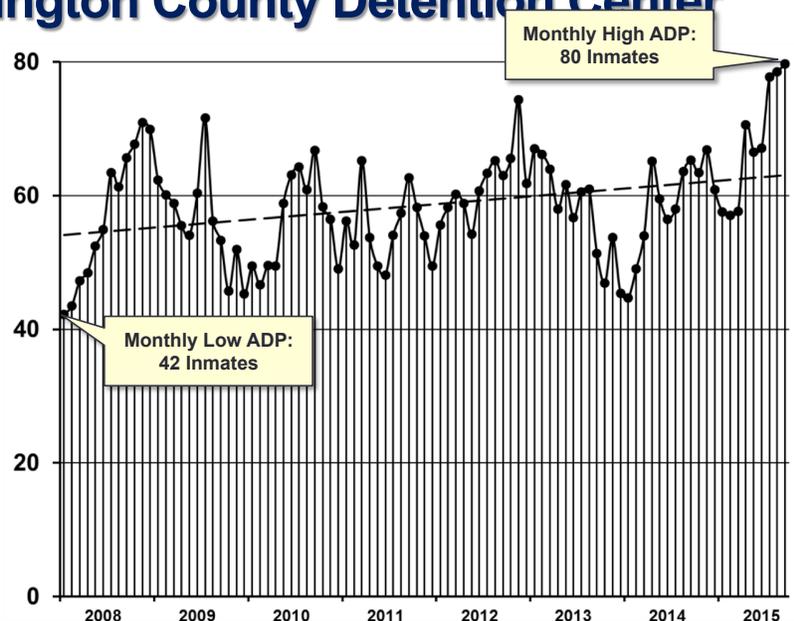




## Other Jurisdictions' ADP at the Codrington County Detention Center

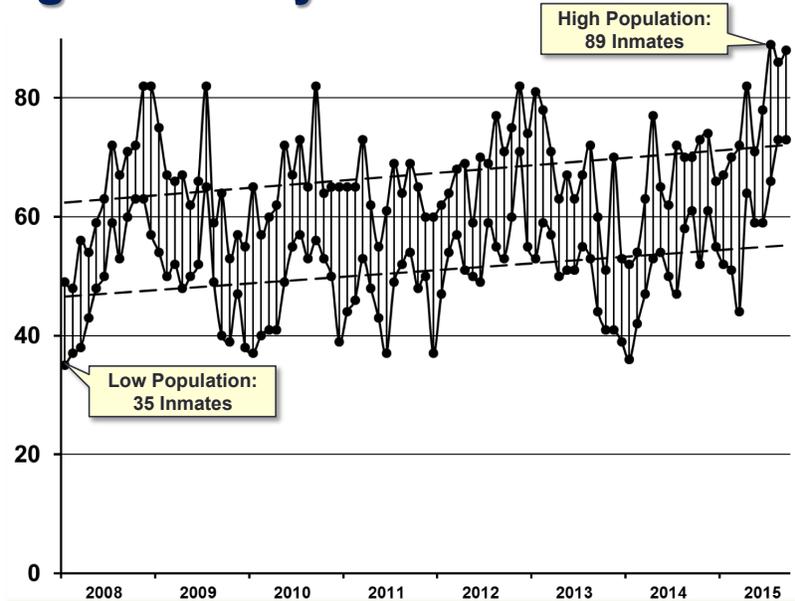


## Total Average Daily Population at the Codrington County Detention Center





## High and Low Inmate Population at the Codington County Detention Center

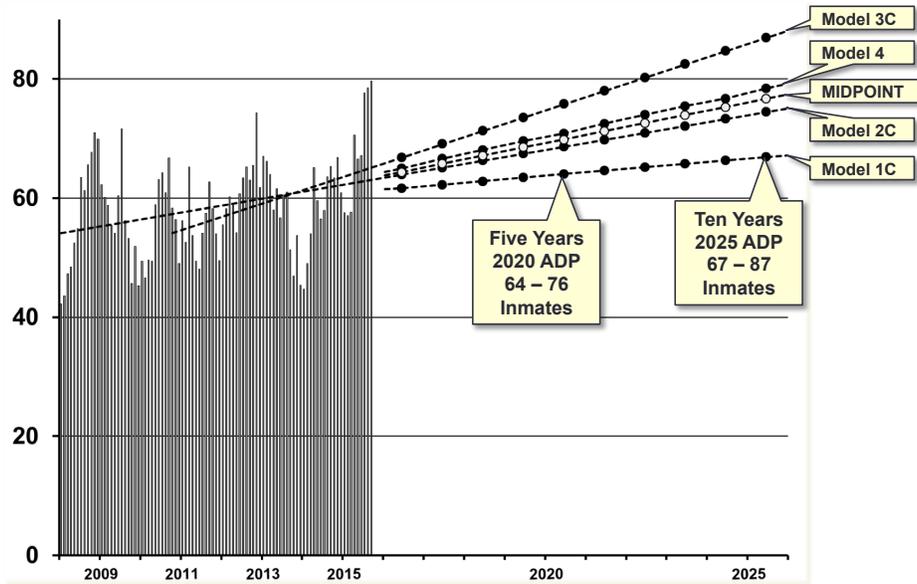


## Inmate Population Projections

- **Model 1 — Rate of Incarceration (ROI) Projections.**  
Based on the 2008 – 2015 average ROI per 1,000 County residents.
- **Model 2 — Average Daily Population (ADP) Trend Projections.** Based on the monthly ADP trend from 2008 – 2015.
- **Model 3 — Five-Year ADP Trend Projections.**  
Based on the monthly ADP trend from 2010 – 2015.
- **Model 4 — Average Length of Stay (ALOS) Projections.**  
Based on the ALOS trend from 2008 – 2014.



# ADP Projections Total Inmates



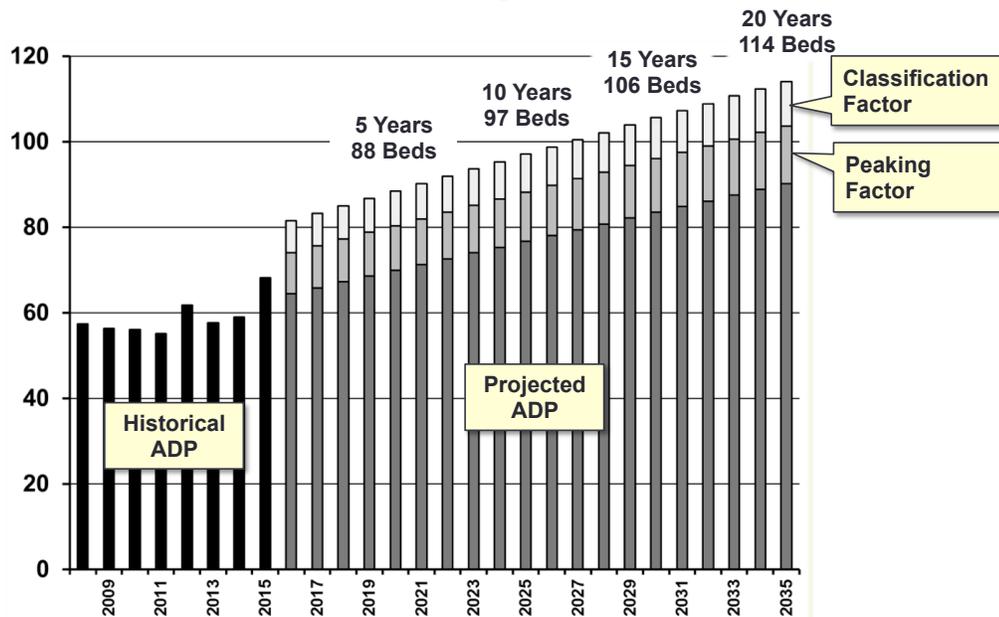
# Forecast of Jail Capacity Requirements

Forecast Year	Year	MIDPOINT ADP Projections	Peaking Factor (@ 15.1%)	Classification Factor (@ 10%)	Total Jail Beds Needed
1	2016	64	10	7	81
2	2017	66	10	8	83
3	2018	67	10	8	85
4	2019	69	10	8	87
5	2020	70	10	8	88
6	2021	71	11	8	90
7	2022	73	11	8	92
8	2023	74	11	9	94
9	2024	75	11	9	95
10	2025	77	12	9	97
11	2026	78	12	9	99
12	2027	79	12	9	100
13	2028	81	12	9	102
14	2029	82	12	9	104
15	2030	83	13	10	106
16	2031	85	13	10	107
17	2032	86	13	10	109
18	2033	87	13	10	111
19	2034	89	13	10	112
20	2035	90	14	10	114

↑ Inmates      ↑ Beds      ↑ Beds      ↑ Beds



## Forecast of Jail Capacity Requirements



## Stakeholder Input: Watertown PD

### Jail

- Booking area is congested with inmates and staff.
- Sally ports are small and less than ideal to get in and out.
- Lack of good interview rooms at the jail (size, safety, technology).
- Lack of space to separate inmates (forced to house together because of lack of beds).



# Stakeholder Input: Watertown PD

## Court House

- Serious safety concerns when bringing inmates in and out.
- Walk inmates past the public (potential for assaults and passing of contraband).
- Walk inmates outside (potential for escapes).
- No secure area to hold inmates while waiting for court proceeding.
- Lack of space for Grand Jury proceedings (victims and witnesses have nowhere to wait, should be separate from officers)
- Public has open access to the courtroom and someone could walk in at any time with a gun, knife, etc



# Developing Criteria (deciding what we need/want)

What	Description	Source	Type	Priority
Minimum Size, Required Type of Space & features	Court/Jail Space: Minimums based on 20-year projections	-NCSC Report pages 26-35 -Garnos' Report pages 99-101	Screening	Must
Efficiency of Design	How well does facility design enable effective and safe operation of court/jail and user-friendly access?	-NCSC Report pages 18-25 (Goals 2,4,5,6) -Garnos' Report pages 86-98	Comparative	1
Expandability Strategy	Does the option provide for physical expansion beyond the projected need?		Screening	Must
Future Expandability	How difficult will it be for future generations to expand? Strategy for dealing with higher than projected growth, policy, technology changes.	-NCSC Report pages 18, 21-24 (Goals 3,6)	Comparative	1
Construction Cost	How much will it cost to renovate/add/build?	Architect	Comparative	2
Operational Cost	How much will it cost to operate (sheriff, jail, maintenance, utilities)	Architect	Comparative	1
Historical Preservation	Must preserve North façade, rotunda	Historical Society, NRHP	Screening	Must
Aesthetic	Appropriate appearance (& rehabilitative approach for options involving current courthouse)	NCSC Report pages 17-18 (Goal 1), Historical Pres Report	Comparative	3

## REQUEST FOR PROPOSALS

### **Project Title: Pre-Design, Master Plan Services, and Preliminary Cost Estimates for Various Construction Options for current and future space needs of the Codington County Courthouse and Jail.**

Architectural services for pre-design work, site master plan development, and preliminary cost estimates for various construction options for the current and future space needs of the Codington County Courthouse and Jail.

#### **Project Summary:**

Codington County is requesting proposals from individuals/firms interested in performing architectural services for:

- Pre-design work to include various conceptual construction options for the current and future space needs of the Codington County Courthouse and Jail
- Development of a site master plan
- Preliminary construction and operational cost estimates associated with various construction options for the current and future space needs of the Codington County Courthouse and Jail.

The information developed through this process will be used by the Board of County Commissioners (BoCC) to determine an option for meeting the justice facility space needs of the county.

To assist in the process, the BoCC has appointed the Codington County Justice Advisory Committee (CCJAC). The CCJAC's basic task is to recommend to the BoCC a way to address the county's justice facility space needs. The BoCC will, based on the recommendations of the CCJAC, intend to develop a ballot measure to seek voter approval of the funding of construction to address the county's justice facility space needs. The firm or individual providing architectural services will work with the CCJAC and BoCC as it/he/she provides the requested services.

#### **Constraints and Expectations**

##### Needs Analysis

The CCJAC has obtained the expertise of consultants to assess future justice facility space needs.

- For court space needs, the National Center for State Courts (NCSC) projected the likely caseload twenty years into the future and recommended specific room types along with specific square footages. NCSC also recommend guidelines for adjacencies between rooms as well as features intended to maximize the efficiency of court operations. The report is available on CCJAC website <http://codington.org/ccwp/wp-content/uploads/2014/12/Codington-County-Sourthouse-Space-Assessment-FINAL-REPORT-AUGUST-31-2015.pdf>
- For jail space needs, Mr. Bill Garnos projected the likely adjusted daily population of the jail twenty years into the future and recommended a specific jail bed count. Mr. Garnos also recommended the use of and reviewed American Correctional Association (ACA)

standards and assessed Codington County’s current jail. The report is available on the CCJAC website at <http://codington.org/ccwp/wp-content/uploads/2014/12/DRAFT-REPORT.pdf>

In addition, the CCJAC has preliminarily discussed or will discuss other aspects of justice facility needs, to include:

- Desired lifespan / expansion strategies beyond the twenty-year projections of the consultants noted above. These can include both construction and programmatic strategies such as incarceration alternatives and diversion programs
- Need of other county offices to that may be affected (e.g. sheriff) in the process of jail or court construction
- Historical preservation. A report is available on CCJAC website at <http://codington.org/ccwp/wp-content/uploads/2014/12/History-and-Architectural-Draft-Report-v2.pdf>
- Location options
- Funding options

The CCJAC has developed the following basic criteria to be used to evaluate the construction options.

What	Description	Source	Type	Priority
Minimum Size, Required Type of Space & features	Court/Jail Space: Minimums based on 20-year projections	-NCSC Report pages 26-35 -Garnos' Report pages 99-101	Screening	Must
Efficiency of Design	How well does facility design enable effective and safe operation of court/jail and user-friendly access?	-NCSC Report pages 18-25 (Goals 2,4,5,6) -Garnos' Report pages 86-98	Comparative	1
Expandability Strategy	Does the option provide for physical expansion beyond the projected need?		Screening	Must
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Historical Preservation	Must preserve North façade, rotunda	Historical Society, NRHP	Screening	Must
Aesthetic	Appropriate appearance (& rehabilitative approach for options involving current courthouse)	NCSC Report pages 17-18 (Goal 1), Historical Pres Report	Comparative	3

The firm or individual providing architectural services will work with the CCJAC and BoCC to facilitate sufficient development of these criteria and other necessary aspects of the project to

ensure that the construction options address the needs presented.

### Construction Options

The firm or individual providing architectural services will, at a minimum, provide the following construction options:

- Option(s) that incorporate the current courthouse
- Option(s) for completely new construction on a new site
- At least one option must have the courthouse and jail connected
- Options may involve relocation of other county offices

### Financial Considerations

The County's present and anticipated financial resources depend on voter approval. A key consideration to any facility expansion is the long-term impact on facility operating costs and the potential impact on the County's property tax revenues.

### **Submission Requirements**

Any individual/firm wishing to submit a proposal is strongly encouraged to view all of the reports and studies associated with the work of the CCJAC. These reports are available on the Codington County website located at [codington.org](http://codington.org) under the tab "Criminal Justice Advisory Committee" located on the county's home page (<http://codington.org/codington-county-justice-advisory-committee/>). Individuals/firms are encouraged to review all of the documents on this page, especially focusing upon on the reports under the "CCJAC Work" section. The CCJAC minutes and older documents created prior to the existence of the CCJAC will also provide context.

Arrangements to view any of the present correction facilities including the Codington County Courthouse and Jail, and Sheriff's office may be made by contacting ...

### **Requirements for Submission of Proposals:**

\_\_\_\_\_ copies of the proposal must be received at the Codington County Auditor's Office no later than 2:00 p.m., on Thursday, February ..., 2016

The proposal must include the following:

- Name and address of the individual/firm that will perform the work described in the Project Summary.
- Name, title and telephone and fax number of the person to contact concerning this proposal submission.
- Names of key personnel who will be assigned to work on this project. Please provide a resume of each person named.
- Relevant experience: Describe the work by the individual/firm which best illustrates current qualifications relevant to this request for proposals.
- Availability: When is the organization/firm available to begin work on the project?
- Cost summary: Provide an estimate of the number of hours, cost per hour of key

personnel, and a final cost for the proposed work described in the Project Summary. Note that this request for proposals is not a bid and the lowest cost estimate will not necessarily be selected. However, it is a consideration in the overall ranking of the proposals that are received.

**Evaluation and Award Factors:**

All proposals received will first be reviewed and ranked by the CCJAC. The committee may conduct interviews with firms/individuals as part of the selection process. The committee will rank the top # proposals and interviews will be with the firms submitting the top # proposals. After the interviews are conducted, the committee will make a recommendation for accepting a proposal to the BoCC. The BoCC will make the final determination in accepting a proposal and awarding a contract for service not later than .... .., 2016.

The CCJAC will rank the proposals and make its recommendation based on the following criteria:

- 1) Understanding of the requirements of this project as evidenced by the proposal content and knowledge of the material and reports contained in the CCJAC website.
- 2) The individual's or firm's experience and qualifications.
- 3) Estimated cost of contained in the proposal to perform the work.

The selected individual/firm will be expected to enter into a formal contract with Codington County for the provision of the architectural services. The final contract will be determined through negotiations between Codington County and the selected individual/firm using the proposal submitted as a basis for negotiations.

Questions regarding this request for proposals should be directed to the Codington County Auditor, 14 1st Ave. SE, Room 109, Watertown, SD 57201-3611.

Codington County reserves the right to reject any or all proposals.



## Preliminary RFP for architect

- Desired Services:
  - Pre-design options with \$ estimates
  - Master planning
  - Facilitation of needed dialogue to refine analysis/criteria (including variations)
  - Phasing options
- Constraints/Requirements/Expectations:
  - Based on understanding of our situation (background)
  - Facility criteria
  - Options for uptown (i.e. renovation/addition) & new site(s)
    - May be with jail & courthouse together or apart
    - May involve relocation of other county offices
- Submission requirements
- Award Criteria:
  - Understanding of project requirements based on proposal
  - Experience & Qualifications
  - Price



## Outstanding Questions Issues

- Self Analysis
  - Understand Alternative/Diversionary Programs and other things that might help control future jail population growth
  - Longevity options and desired strategy
  - Other jurisdictions' issues
- Criteria
  - Finalize
- Facility Options
  - Law library
  - Court reporter
  - Jury Assembly
  - 2<sup>nd</sup> Jury deliberation suite



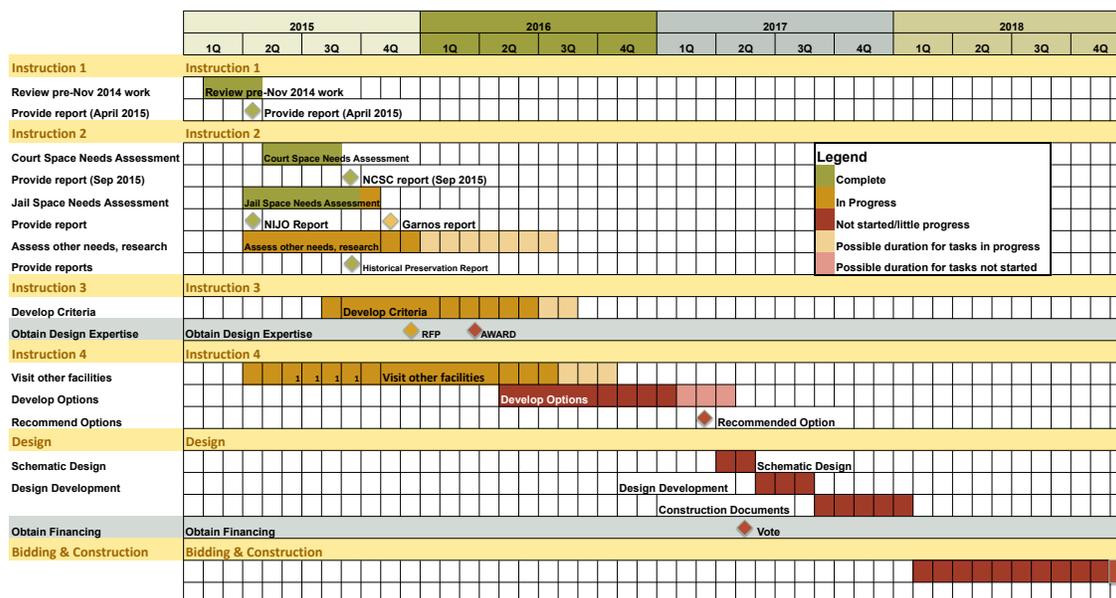
# Outstanding Questions Issues

Law library Survey questions for Bar (one response for each law firm)

- What resources do you use for legal research? (actual law books, digital subscription)
  - Where do you conduct legal research? (office, elsewhere, by mobile device)
  - How often do you need access to such resources while in the courthouse?
  - How often do you think you would use a law library in the courthouse?
  - How often do your clients need direct access to a law library?
  - How often do you think you would use a law library located outside the courthouse?
  - How often do you think your clients would use a law library located outside the courthouse?
- (never, <1x/month, 1x to 10x/month, >10x/month)



# CCJAC Process Status



**Legend**

- Complete
- In Progress
- Not started/little progress
- Possible duration for tasks in progress
- Possible duration for tasks not started