

***Official Proceedings
Codington County Justice Advisory Committee
Lake Area Technical Institute
Watertown, SD 57201
November 17, 2015***

The Codington County Justice Advisory Committee (CCJAC) met on November 17, 2015, at Lake Area Technical Institute Room 512. Present were committee members Al Koistinen, Lee Gabel, Tyler McElhany, Greg Endres, Toby Wishard, Megan Gruman and Larry Wasland. Absent were non-voting members Tom Walder and the Honorable Dawn Elshere. Chairman Lee Gabel called the meeting to order at 6:10 p.m.

Agenda Approved

The agenda for the meeting was presented. Motion by Ms. Gruman to approve the agenda, motion seconded; all in favor, agenda approved.

Minutes from October 20, 2015 Approved

A motion to approve the minutes was made by Koistinen, 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.

Self analysis

Sergeant Brett Schutt from the South Dakota Highway Patrol was present to give perspective on the impact of the current facilities on his squad's operations. The squad covers an area of four counties: Codington, Clark, Deuel and Hamlin. There are 11 total members, with 7 troopers, a motor carrier sergeant, 2 inspectors and himself. They all share a space of approximately 600 sq ft in the basement of the detention center which is rented from the county. The space includes two offices, a general squad area, a storage area for files and supplies, and an evidence room.

Being located within the detention center and adjacent to the courthouse has proven beneficial to the Highway Patrol, in Sgt. Schutt's opinion. Being in close proximity to the Sheriff's office is mutually beneficial, as a Highway Patrol officer is generally present on the weekends and can assist in the jail when there are problems with inmates. This occurs once a month or so. When a HP officer brings someone in to be booked, the jail staff can assist. The sheriff benefits from the presence of an additional uniformed officer carrying a gun, adding security that one can't put a price tag on. The two offices provide back-up for each other. The sheriff can turn over any bad accidents, etc., to the highway patrol.

With the change in the mandatory blood draw law, the Highway Patrol will now request a search warrant if someone refuses. Being located in the detention center means the officer can take the

person to the jail, type up search warrant, contact a judge by phone or e-mail and execute the search warrant – much easier than trying to do it from a squad car and safer for the officers.

It has been convenient for the Highway Patrol to be near the courthouse. Most of the foot traffic into the HP area is regarding motor carrier questions (the inquiry is made in the treasurer's office in the courthouse and they are sent over to the HP office in the adjacent building). Although HP officers are not in the courtroom often (it is considered overtime for them), it is convenient to be able to review a videotape in their office immediately before walking over to the courtroom for a trial.

Questions directed to Sgt. Schutt included:

- *Can you give an idea of how many arrests your squad makes, and the type of arrests?* This past weekend we had 15-20 arrests for drugs and DUIs actually taken in and booked.
- *Do you foresee an increase in the number of State Troopers in the coming years?* We are allotted 175 troopers across the state; we haven't added more people since the 1970's. It takes a legislative decision to increase the number.
- *Why are there more drug arrests now than ever before?* We are along the I-29 corridor and the interstate seems to bring that type of traffic.
- *Are there other state organizations that would benefit your squad if space was available next to you? DCI?* Drivers' licensing actually brings in a lot of warrants, but I don't foresee that Dept. of Licensing will be moving.

Kyle Thyen gave an overview of the functions of Teen Court. Mr. Thyen is Director of Club Services for the Boys and Girls Club and facilitates the Teen Court, the only court-certified diversion program. When a young individual is picked up for a misdemeanor ranging from underage consumption to petty theft, the State's Attorney can choose to offer Teen Court as an alternative. If the family/individual waive the right to an actual court trial, they can agree to accept Teen Court as a way to decide the disposition of their case. An intake session informs the family and the individual of the process.

The court trials are held in the evenings, in the large courtroom of the county courthouse, using trained youth who volunteer as jury members, attorneys and bailiffs. Actual attorneys from Watertown mediate the process. The Watertown Police Department provides an officer for security. Disposition is decided by the jury after deliberation, delivering a range of punishments. Sentencing involves personal apologies, community action, community service, restitution, accountability with parents, and follow-up with a Teen Court coordinator. If the individual doesn't complete the program (sentencing/disposition) within 90 days, the case is sent back to the States Attorney for prosecution. 75% of participants complete the program successfully. If the youth completes the disposition in 90 days, and doesn't re-offend during the following six months, the program is complete and the State's Attorney typically dismisses the case. There is a 5% recidivism rate after this 6 month period.

When the court began in 2013, there were 10-15 cases per year. This has tripled to 66 cases so far this year. It is generally used in the case of a first offense. The cost is \$200-300 per youth going through diversion. Mr Thyen's slides are attached to these mintues.

Obtaining analysis: Jail Assessment tasks

Key points of the jail analysis completed by Bill Garnos were reviewed (see attached slides). Of note, Mr. Garnos states in the report that the current jail facility is unable to meet current minimum standards

and is unable to be renovated or expanded. His recommendation is that the new jail facility have 120-140 beds to meet needs for the next 20 years. This recommendation take into account the recent summer record high ADP at the jail. As more data is gathered in upcoming months, Mr. Garnos plans to update the projections.

Motion was made by Gruman to recommend acceptance of the full report to the BoCC; motion seconded. All voted in favor, motion carried.

Regarding Instruction #3: Develop criteria

A draft table of criteria was presented by Gabel (attached to these minutes). The goal of criteria development is to define the needed and desired characteristics of the county's court and jail facilities. These criteria can then be used to evaluate and compare facility options. Areas of discussion:

- How criteria should address the general desire that courthouse activity (county administration or court-related) should remain in Watertown's central business district insofar as it is possible.
- The prioritization of criteria to denote their relative importance. The included a discussion of the relative importance of construction costs vs. long-term operational costs. The current draft assigns a higher importance to long-term operational costs.

Committee members will review the chart and offer revisions by or at the next meeting before recommending to the BoCC as standing criteria.

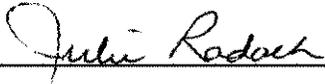
Request for Proposals (RFP) for Architectural Services

A draft RFP for architectural pre-design, master planning and options generation was reviewed by the committee (attached to these minutes). Motion made by Gruman to recommend the RFP to the BoCC. Motion seconded, all in favor; motion passed. The RFP will be sent to the BoCC and widely circulated to obtain bids.

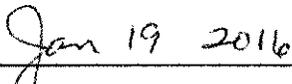
Outstanding questions, Future meetings

Agenda for the next meetings will center on continued self-analysis, finalization of criteria, and facility options (law library, jury assembly room, 2nd jury deliberation suite, etc). The CCJAC will not meet in December. Next meeting is scheduled for January 19 at Lake Area Vocational Technical Institute, Room 512. No facility visits are currently scheduled.

Wasland motioned to adjourn, motion seconded, all in favor; meeting adjourned at 8:05 p.m.



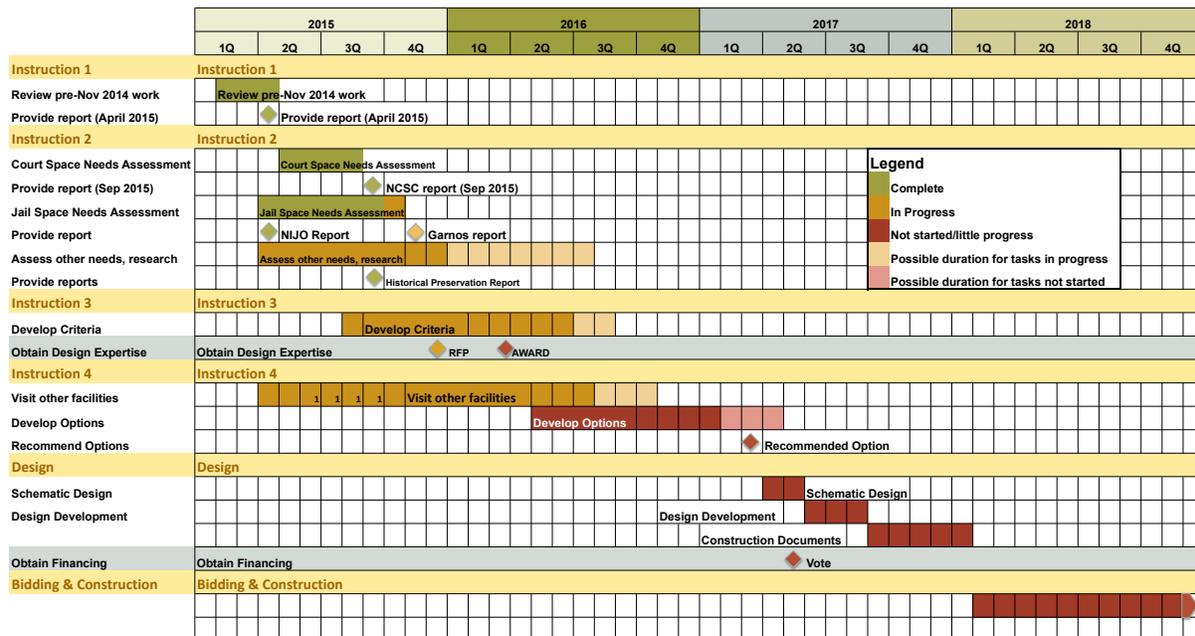
Secretary, CCJAC



Date Approved



CCJAC Process Status



- ∞ Teen Court is a Diversion Program through the States Attorney's Office where the youth are given an opportunity to take responsibility for the things they have done without the side effects of the juvenile court system. They are judged by a jury of their peers who give the defendant a chance to serve as a contributing and constructive member of their community.
- ∞ Trained teenage volunteers and returning defendants make up the Teen Court team. They work to create a legal and binding sentence for the defendant based on the following principles of Restorative Justice: What harm has been done? Who has been harmed? What can be done to repair the harm?

What is Teen Court?

⌘ Juveniles between the age of 13-18

⌘ The process for the defendant

⌘ Participation in Teen Court is voluntary and is based on an admission of guilt. The steps involved in the Teen Court process include the following:

- ⌘ Referral to the program by the States Attorney
- ⌘ Contact letter sent to parent/guarding by Teen Court Coordinator
- ⌘ Parent/guarding contacts Coordinator to schedule an intake.

Who do we serve?

- ⌘ Parent/guarding and youth complete intake held at Boys and Girls Club with Teen Court Coordinator. This includes program expectation, signing of Program request sent by the States Attorney, and scheduling a court date.
- ⌘ Youth and parent/guarding appear in court and hear their disposition given to them by a jury of his/her peers.
- ⌘ Youth is given 90 days to complete his/her disposition.

Who do we serve?

⌘ Sentencing and Disposition

- ⌘ Personal, written and Court apologies
- ⌘ 2-6 Teen court jury sessions
- ⌘ 20-60 Community Action Points (CAPS)
- ⌘ 10-35 Community Service Points
- ⌘ Restitution
- ⌘ "Where am I" Forms
- ⌘ Alcohol/Drug, YES!, or SMART Moves class
- ⌘ Additional items deemed appropriate by the jury
- ⌘ Bi-Monthly meetings with Teen Court Coordinator at Boys and Girls Club

How do we operate?

⌘ Completion

- ⌘ Upon successful completion of the program, a letter is sent to the States Attorney for dismissal of the case. A completion letter is also sent to the defendant. An evaluation of Teen Court for parents/guardians is included in the final paperwork.
- ⌘ Six months after completion date, a re-evaluation of defendant's record is noted for recidivism rates.

How do we operate?

⌘ Since 2013, the program's case load has more than tripled with the group already being referred 66 cases in 2015. This increase is due in large part to the successes of the program. Over a five year period, 129 youth individuals have participated in the Teen Court program provided by the Boys & Girls Club of Watertown. With a 75% successful program completion rate, the Boys & Girls Club of Watertown is proud to show that only 5% of those youth have reoffended after the 6 month completion date.

Additional Information

Codington County Teen Court Cases



2011: 10
2012: 12
2013: 17
2014: 32
2015: 66

■ 2011 ■ 2012 ■ 2013 ■ 2014 ■ 2015

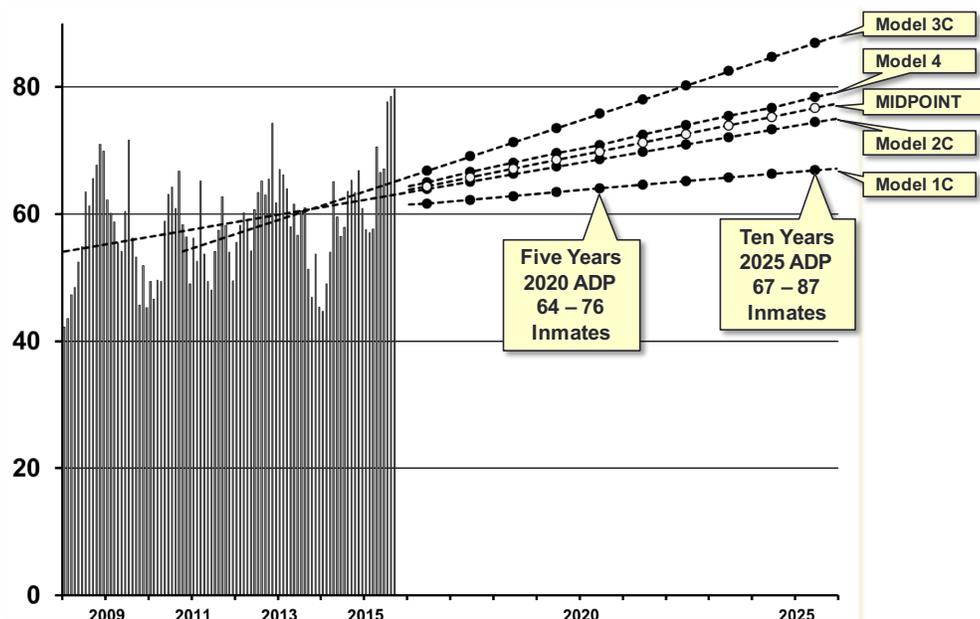


Obtaining Analysis: Jail Assessment Tasks

1. Review of Current Trends in Codrington County's Criminal Justice System. (pp 6-16)
2. Review of Previous Jail Studies and Facility Assessments. (pp 17-28)
3. Assessment of the County Detention Center and Current Jail Capacity. (pp 70-98)
4. Analysis of the County's Current Inmate Population Trends and Profile. (pp 29-55)
5. Inmate Population Projections and Jail Capacity Requirements. (pp 56-69)
6. Final Report and Presentation.

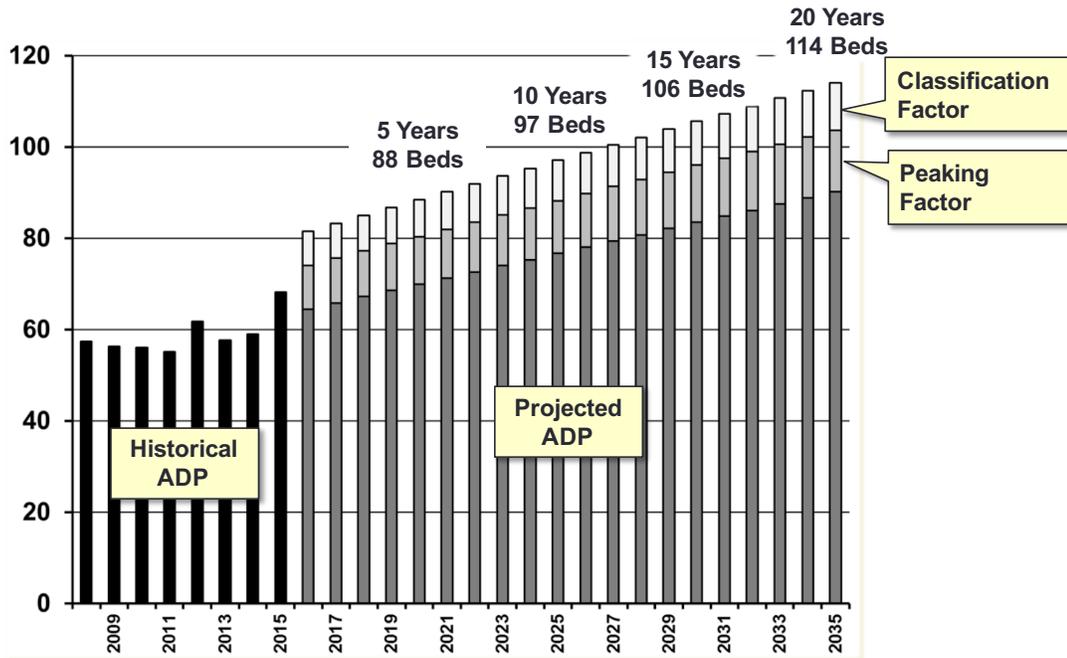


ADP Projections Total Inmates (p. 64)





Forecast of Jail Capacity Requirements (p. 68)



Estimated Capacity based on ACA Stds (p. 97)



Housing Unit	Cells / Dorms	Current Capacity	Estimated Capacity based on ACA Stds.
Main Level			
Medium	2 One-Person Cells 3 Two-Person Cell	8 Beds	5 Beds
Maximum	2 One-Person Cells 3 Two-Person Cell	8 Beds	5 Beds
Dorm 1	Dorm (6 Bunkbeds)	12 Beds	6 Beds
Dorm 2	Dorm (6 Bunkbeds)	12 Beds	6 Beds
Women 1	3 Two-Person Cells	6 Beds	3 Beds
Women 2	Dorm (2 Bunkbeds)	4 Beds	2 Beds
Minimum	3 Two-Person Cells	6 Beds	3 Beds
Segregation	3 One-Person Cells	3 Beds	3 Beds
Juvenile Boys	Dorm (2 Bunkbeds)	4 Beds	2 Beds
Juvenile Girls	Dorm (2 Bunkbeds)	4 Beds	2 Beds
Handicapped Cell	Dorm (1 Bunkbed)	2 Beds	1 Bed
Tank	Dorm (2 Benches)	2 Beds	
Confinement	1 One-Person Cell	1 Bed	
Basement Level			
Work Release 1	Dorm (6 Bunkbeds)	12 Beds	12 Beds
Work Release 2	Dorm (6 Bunkbeds in 4 Rooms)	12 Beds	12 Beds
TOTAL		96 Beds	62 Beds



Overall issues with the jail (p. 99)

- Outmoded / outdated;
- Under-sized;
- Poorly laid out & organized;
- Worn out;
- Comprised primarily of dormitory style housing;
- Insufficient space for support services, including kitchen and laundry;
- Not designed for staff observation or interaction with inmates;
- Lacking natural light;
- Lacking adequate inmate program space;
- Lacking intake and release area that efficiently supports that function, and which provides appropriate temporary holding capacity;
- Unable to meet current, accepted, minimum jail standards or legal-based jail guidelines; and
- Unable to be renovated or expanded in a way that addresses current deficiencies.



Key recommendations

- “...it seemed like 100 to 120 beds was a good, reasonable, and practical capacity ... Now, having experienced an ADP of 80 inmates last month, and a daily high of 89 inmates in July, and a high of 88 inmates last month, it would seem prudent to plan for an initial jail capacity in the **120 to 140 bed** range for a new facility.” (p. 101)
- Probably need lower ratio of dorm style beds (p 101)
- Design booking area for need (p102)
- Pursue incarceration alternatives with caution (p102-103)
- Consider work release facilities (p103-104)

#	What	Description	Key Source/Reference	Priority
1	Minimum Size, Required Type of Space & features	Court Space: Minimums based on 20-year projections	NCSC Report pages 26-35	Must do
		Jail Space: Minimums based on 20-year projections	Garnos' Report pages 99-101	
2	Efficiency of Design	How well does the facility design enable effective and safe operation of court/jail/other affected offices and user-friendly access?	NCSC Report pages 18-25 (Goals 2,4,5,6)	1
			Garnos' Report pages 70-104 (Assessment of current facility)	
3	Mid-term Adaptability	How readily would the structure accomodate sooner-than-expected workload growth, policy & technology changes? This may be additional space and/or modifiable features	NCSC Report pages 12, 21-22, 24-25, footnotes on 28-30	2
			Garnos' Report pages 99-101	
4	Expandability Strategy	Does the option provide a way to expand the facility should the required capacity eventually exceed the space minimums (see Criteria 1)?	-NCSC Report pages 18, 21-24 (Goals 3,6)	Must do
			Garnos' Report pages 99-101	
5	Future Expandability	How difficult will it be for future generations to expand?	-NCSC Report pages 18, 21-24 (Goals 3,6)	1
			Garnos' Report pages 99-101	
6	Construction Cost	How much will it cost to renovate/add/build?	Architect	2
7	Operational Cost	How much will it cost to operate (sheriff, jail, maintenance,	Architect	1
8	Historical Preservation	Must preserve North façade, rotunda	Historical Society, NRHP	Must do
9	Aesthetic	Appropriate appearance (& rehabilitative approach for options involving current courthouse)	NCSC Report pages 17-18 (Goal 1), Historical Preservation Report	3
10	Location	How well does the option address the desire to maintain current courthouse-related (county administration and judicial) activity in Watertown's business district?		3

REQUEST FOR PROPOSALS (RFP)
for Architectural Services
Codington County, South Dakota

Project Summary:

To address the current and future space needs of the Codington County Courthouse and Jail, Codington County is requesting proposals from qualified and licensed individuals/firms interested in performing architectural services for:

- Pre-design work (needed programming, space analysis and plan diagrams) 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.
- Site evaluation of up to five potential construction/remodel sites.
- Operational analysis of options to include construction and operational cost estimates associated with various construction options for the current and future space needs of the Codington County Courthouse and Jail.
- Assistance in the selection of the best value option for Codington County
- Documentation of the results of the afore-mentioned work.
- Public awareness campaign services.

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. The BoCC anticipates that funding for the construction or remodel of court and jail facilities will require the passage of a bond referendum.

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 firm or individual providing architectural services will work with the CCJAC and BoCC as it/he/she provides the requested services.

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

Should the bond referendum pass, the architect selected from this RFP may be retained for some or all of the following design services:

- Schematic Design
- Design Development
- Construction Documents
- Bidding
- Construction Administration.

Background Information 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 jail bed count. Mr. Garnos also recommended the use of ~~and reviewed~~ American Correctional Association (ACA) standards and assessed Codington County's current jail based on ACA standards. The current version of 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 is discussing 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
- Needs of other county offices 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/Codington-Courthouse-History-and-Architectural-Report.pdf>.
- Location options.
- Funding options.

The CCJAC is developing some basic criteria to be used to evaluate the construction options. These are available on the CCJAC website (<http://codington.org/codington-county-justice-advisory-committee/>) under the "CCJAC Work" subheading. 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.

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 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.

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 _____, _____, 2016

A. The proposal must include the following, but not exceed 20 pages:

- *Cover Letter*
- *Section 1* Identify your firm(s); include name, address, telephone number and name of the person to contact regarding this Request. (One Page)
- *Section 2* Organizational Chart: identify Team; disciplines, specific personnel and role of those who will be assigned to this project (One Page).
- *Section 3* Project Approach: describe your ~~project~~ approach to this project, including; design, bidding, construction administration and close-out services. (Two Pages)
- *Section 4* Firm Capacity: Number of full-time licensed architects. Provide resumes and workload of those, listed in Section #2 above, who will be assigned to this project. (maximum one page per person)
- *Section 5* Detail your firm's Quality Control Process concerning design, document control and construction administration.
- *Section 6* Detail the litigation history of your firm, in its current or past names, with county clients within the last five years, including binding arbitration, whether initiated by yourself or clients. Are you a party to any pending litigation, or binding arbitration with a client? If yes, please list the plaintiff(s), the defendant(s), nature of the complaint(s) and disposition, if determined, of each case.
- *Section 7* Include a copy of your current proof of professional liability, or errors and omissions insurance. Have you had any claims on your professional liability insurance, or errors and omissions insurance in the last five years? If yes, please list the claimant, the nature of the claim(s) and final disposition of the claim(s) if determined.
- *Section 8* List your firm's and/or team personnel's recent experience up to the last five (5) similar projects you were involved with. At a minimum provide; Project size (courtroom number, jail bed number and project cost), location, date of vote, outcome and owner reference. Include the engineering and/or other services not readily available directly from the lead firm required to accomplish the total project. (maximum one page per project)
- *Section 9* Please describe what it is that makes your firm the uniquely qualified, to design Codington County's Court and Jail facilities.
- *Section 10* Availability: When is the organization/firm available to begin work on the project?
- *Section 11* 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.

B. Proposals should be submitted in a sealed envelope, marked "**Justice Project Architect RFP**", and addressed to:

Name: Lee Gabel, Commissioner c/o Codington County Auditor
Address: Codington County Courthouse
14 1st Ave. SE
Watertown, SD 57201

C. Submittals **must** contain a manual signature of an authorized representative of the proposing firm.

D. Questions concerning the request for qualifications or the selection process or requests to view the present

facilities should be directed to Lee Gabel, Commissioner, who can be reached at (605) 880-1278. E-mail address dlee.gabel@gmail.com of Sheriff Toby Wishard _____

- E. Submittals received prior to the time of opening will be secured unopened. The Commission will open all submittals on or after the specified time. **No** submittal received after the scheduled receipt time will be accepted.
- F. The BoCC will **not** be responsible for the premature opening of a submittal not properly addressed and marked on the outside of the envelope/package.
- G. Submittals received after the scheduled time will be marked "**TOO LATE**" and will be returned unopened to the vendor.
- H. The CCJAC/BoCC will review the submittals and may invite some or all firms to make an oral presentation to the BoCC and designated representatives, at a future date.

DRAFT

Terms and Conditions

- A. The BoCC reserves the right to recommend or reject any submittal in the best interest of the County.
- B. The BoCC reserves the right to recommend the award of the contract to the next most qualified firm, if the successful firm does not begin the contracted services within the prescribed thirty (30) days.
- C. In the event that a contract cannot be negotiated with the first firm, the BoCC reserves the right to negotiate with the next qualified firm(s) until a contract can be reached.
- D. The BoCC reserves the right to waive irregularities in the RFP responses in order to ensure obtaining the most qualified services.
- E. The successful firm shall not discriminate against any person in accordance with federal, state, or local laws.

Selection Criteria The following criteria will be used for selection (criteria 1 to 4 are generally based on SDCL 5-18D-18):

- 1. Project approach and understanding of the requirements of this project as evidenced by the proposal content and familiarity with Codington County's unique situation.
- 2. Experience and qualifications of the firm and individuals that would be available and assigned to the project.
- 3. The firm's record of past performance, including price and cost data from previous projects, demonstrated technical competence, quality of work, ability to meet schedules, cost control (despite special project constraints), and contract administration?"
- 4. Proposed project management techniques as demonstrated by the proposed approach and methodology to meet the project requirements
- 5. Estimated cost 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.



Outstanding Questions / Issues

- Self Analysis
 - ✓ Understand Alternative/Diversions Programs and other things that might help control future jail population growth
 - Longevity options and desired strategy -
 - Other jurisdictions' issues –
 - Identify county offices that may be affected
 - Location options
- Criteria
 - Finalize -
- Facility Options
 - Law library – Survey out to local lawyers for response
 - ✓ Court reporter – Magistrate indicates that additional space not needed
 - Jury Assembly
 - 2nd Jury deliberation suite