

Official Proceedings
Codington County Justice Advisory Committee
Lake Area Technical Institute
Watertown SD 57201
April 13, 2016

The Codington County Justice Advisory Committee (CCJAC) met on April 13, 2016 at Lake Area Technical Institute Room 512. Attending were committee members Megan Gruman, Al Koistinen, Greg Endres, Lee Gabel, Larry Wasland, Toby Wishard and Tyler McElhany. Also present were non-voting members Tom Walder and the Honorable Robert Spears (the Honorable Carmen Means, and Commissioners Myron Johnson and Brenda Hanten were also present). Meeting was called to order at 6:13 p.m. by Chairman Lee Gabel.

Agenda Approved

Motion was made by Ms. Gruman to approve the agenda, motion seconded, all in favor; agenda approved.

Minutes Approved

Motion was made by Wasland to approved the minutes from March 29, 2016. Motion seconded, all in favor, minutes approved.

Kickoff Session with BKV Group Architects

Present from BKV Group were Bruce Schwartzman, independent jail consultant Allen Brinkman, and assistant Aaron Johnson. The purpose of the “Kickoff” was to ensure that BKV and CCJAC have a common understanding of the current state of progress and scope of pre-design work.

Dates set at the previous meeting were reviewed (see the attached “proposed schedule”). The first public presentation (scheduled for June 28, 2016) will deal with the “why”, helping the public to understand why revisions to the current spaces are needed. The dates of meetings and public presentations may change.

Mr. Schwartzman presented slides covering summarizing the work done up to this point and scope of pre-design services (see attached).

Existing Conditions Review

JAIL SPACE ISSUES:

Mr. Allen Brinkman reviewed issues identified in previous reports. These include:

- Lack of privacy in the booking area. The intake area is the hub of the jail. Cells in the booking area can be helpful for short-term offenders who will likely be released within 72 hours. These would be considered temporary inmates and would require less space.
- Staff safety concerns due to narrow hallways, blind corners

- Classifications of prisoners according to required security levels. South Dakota does not seem to have special requirements regarding housing pre-trial with sentenced inmates. This leaves three general populations, (six when accounting for two genders): minimum, general population and special.
- Lack of proper backup to handle emergency situations.
- Bed count. The projection model used by Bill Garnos projected a need of 81 beds in 2016. Today the jail population already has a population of 86. In determining the number of beds, functional flexibility for classification of prisoners must be considered. The typical standard is approximately 10% of beds over the projected ADP for flexibility to properly classify inmates.
- America Correctional Association (ACA) standards. Part of the reason for the ACA standards is to mitigate risk. The ACA standards talk about encumbered vs. unencumbered space. ACA standards are 35 unencumbered SF per inmate (which cannot count space under the bed, etc.).

Day room ACA standards are also 35 SF per inmate. Sub-dayrooms can be effective in behavior management of inmates. Dorms are less expensive to construct for lower-risk inmates, requiring 25 SF unencumbered space, but limit the flexibility due to classifications.

Forecast of capacity requirements show a clear linear increase. Drug court, teen court and other programs will have a small effect in terms of total population but can give additional lifespan to a facility. The jail study shows a requirement of 86 beds in five years but this appears to be needed now. Mr. Schwartzman stated: "We feel that 120 beds should be appropriate; we are having a hard time justifying that the population will continue to climb at a steep spike like it is now. We also feel there needs to be some growth factor built in. It would be simple to build 140 beds; but prudence would say to build 120 beds with the possibility to add 24 or so. We need to get at least 35 years of life from the facility."

The recent spike in jail population was discussed. Judge Means stated that SB70 went into effect in summer 2014 and the effect is now being seen. More cases are staying in the county rather than being sent to the penitentiary. Bill Garnos did not have full information on the effect of SB70 when making his projections. The Highway Patrol also is now fully staffed, with four patrols instead of one. The effects of these situations are not quantifiable until a year or two after they have happened.

Sheriff Wishard stated that South Dakota does allow video visitation; this could be a cost savings with limited in-house visitation posts if the right vendor is found. Standards require one video booth per ten inmates, some of which have to be ADA accessible. With video visitation the inmate does not need to be moved out of the unit. The visit is recorded and monitored. Video arraignment is also allowed, and a room can be set up within the jail for this; it is an operation efficiency as far as moving inmates.

There was discussion comparing ACA standards to those of Minnesota. Minnesota state jail standards are 35 total (as opposed to unencumbered) SF per inmate. Quick figuring shows a possible cost difference of about \$300,000 for a 120-bed facility. Since Minnesota implemented these standards in about 1978, there has not been a lawsuit contesting this. When discussing which standard to adopt, all physical features of the jail must be considered to arrive at an effective, safe and humane facility.

Mr. Schwartzman noted that things are currently working well in a less than ideal facility (the current jail) because of excellent staff in the jail.

COURT SPACE ISSUES:

As previous studies have shown, current courtroom space is inadequate. Courts have been overbooked, speedy trials are jeopardized, and another judge has been assigned but there is no available office space. BKV Group has compared two previous studies. The one done in 2013 by Architect Inc. showed typical court spaces and a total gross number of 38,000 SF. NCSC did their analysis and came up with 29,600 SF. The primary difference is the first had five courtrooms; the NCSC proposed three. We are going to be using the NCSC proposal as it seems to have rectified an inaccuracy and is more appropriate. The next meeting will have some projections for courtroom spaces, visitation spaces, property storage (for inmate property), kitchen and laundry; these areas also need a plan for future expansion.

The north side of the existing courthouse and the north lawn is the heart of the historic building and should be respected. The rotunda is off limits due to its historic value.

Review of Construction Options Criteria

The basic construction options criteria as set forth by the CCJAC and approved by the BoCC were reviewed (see slide). Of highest priority are appropriate size, must be expandable, must preserve historical features. Next in order of importance are operational cost, efficiency of design and future expandability. Efficiency of design can include options such as pre-constructed steel cells which can save on square footage, among other options. The sites chosen will determine whether building vertical vs. horizontal and will affect the design of the facility and also the staffing. Operational costs take precedence over project cost since the effect is long-term. The facility must be able to adapt as technology changes. Aesthetics was lower on the priority list but is important as it represents the identity of the community; it should represent who we are as a community. Where it is placed should also appropriately represent the community.

Preliminary site options

A number of preliminary site options were presented (see slides). Chairman Gabel explained that some of the sites are obvious; more sites may be added; and there is also some brainstorming that has happened as every option needs to be explored. The committee will continue taking suggestions, including from the public. Once the committee accepts three sites, then the discussion begins on the future use of the courthouse.

Before the next meeting, Gabel will meet with the First District and Watertown Development Company to get additional information about legal size of the sites, property cost, existing buildings (age, utilization), soil conditions, utilities (size of sanitary sewer, size of water lines, cost to extend). Additional consideration will be given to ease of public access, parking area, impact on local businesses, impact of the location on the work-release population, and the distance from the courthouse which will affect operational costs. BKV would like a comprehensive list of all ideas of sites, along with the preliminary information obtained from First District and Watertown Development Company. BKV will put together a site matrix with all the sites and all the information, then rank the criteria against the site. This will be reviewed with the CCJAC and ranked according to which sites best satisfy the criteria.

Unfinished Business, New Business, Next Meeting

No unfinished business or new business was presented. The next meeting will be May 24, 6:10 p.m. at Lake Area Technical Institute.

Motion was made by McElhany to adjourn the meeting; motion was seconded and all in favor. Meeting adjourned at 9:05 p.m.

Julie Radaet

Secretary
CCJAC

May 25 2016

Date Approved