

Meeting Minutes
South Dakota Council of Juvenile Services

September 13-14, 2011

AmericInn, Fort Pierre, SD

Tuesday, September 13, 2011 – Jim Leighton Meeting Room, AmericInn

Council of Juvenile Services Members Present: Carol Twedt, Mike Leidholt, Victor Erlacher, Shawna Fullerton, Liz Heidelberger, Doug Herrmann, Janine Kern, Aaron McGowan, Susan Randall, Ella Rae Stone, Grant Walker, and Michael Zellmer.

Council of Juvenile Services Members Absent: Nancy Allard, JC Chambers, Karen Jeffries, Kelsey Lambert, Beth O’Toole, Tanner Starr, Joanna Vitek, and Virgena Wieseler.

Others Present: Kevin McLain, Joy Ellefson, and Bridget Henderson, DOC. CJS Guests, Kristi Bunkers, Jeff Haiar, and Roland Loudneburg. Bob Mercer, News Reporter. Michael Winder, Communications and Information Manager for DOC. Denny Kaemingk, Secretary of DOC. Erin Srstka, JDAI coordinator for Minnehaha County.

1. WELCOME, INTRODUCTIONS AND AGENDA REVIEW

Chair Carol Twedt called the meeting to order at 7:05 PM on September 13, 2011. Chair Twedt welcomed everyone to the meeting and introductions were made. Chair Twedt extended her welcome to new Council member Shawna Fullerton and new Juvenile Justice Specialist Bridget Henderson. Department of Corrections Secretary Denny Kaemingk addressed the Council and expressed his appreciation of the staff at DOC and his confidence in the Council to accomplish the multiple tasks they take on. Agenda items added included a letter from Pennington County requesting approval for the use of the local DMC allocation for drug and alcohol prevention programming and the Title V Grant application submission.

Judge Janine Kern moved to approve the agenda, Doug Herrmann seconded. Motion carried.

2. APPROVAL OF MARCH 2011 MEETING MINUTES

Judge Janine Kern moved to approve the March 2011 meeting minutes, Victor Erlacher seconded. Motion carried.

3. RATIFICATION OF DECISIONS FROM JUNE EXECUTIVE COMMITTEE CONFERENCE CALL

Kevin McLain discussed the JDAI Budget, Formula Grant Budget, and SFY2012 Native American Programs Subgrant Applications sections from the conference call minutes. The remaining items from the Executive Committee will be discussed in the DMC, compliance, and new business sections of the meeting.

JDAI BUDGET- Kevin McLain discussed the planning budget and timeline for the JDAI initiatives for Minnehaha and Pennington Counties. Discussion ensued on JDAI trainings, the DOJ Conference, and the travel budget. McLain asked the Council to ratify the decision made by the Executive Committee to submit the budget to the Annie E. Casey Foundation.

Sheriff Mike Leidholt moved to ratify the decision made by the Executive Committee, Ella Rae Stone seconded. Liz Heidelberger abstained herself from voting. Motion carried.

FORMULA GRANT BUDGET- Kevin McLain discussed the FY2008 Formula Grant which is closing out at the end of September and requested to amend the budget by moving \$9,595.18 from DSO, Separation and Jail Removal and Compliance to DMC to zero out the FY2008 budget.

Judge Janine Kern moved to ratify the decision made by the Executive Committee to amend the budget in the amounts discussed, Aaron McGowan seconded. Motion carried.

SFY2012 NATIVE AMERICAN PROGRAMS SUBGRANT APPLICATIONS- Kevin McLain discussed that Cheyenne River Sioux Tribe, Sisseton Wahpeton Oyate, Standing Rock Sioux Tribe, and Flandreau Santee Sioux Tribe could apply to extend their grant for one additional year. Applications were received from all four entities and the Executive Committee approved the applications for funding Cheyenne River Sioux Tribe, Sisseton Wahpeton Oyate, and Standing Rock Sioux Tribe. The Executive Committee determined that the performance measures under the Flandreau Santee Sioux Tribe subgrant did not show enough services provided to continue funding the program. Discussion ensued on the topic of not awarding the Flandreau Santee Sioux Tribe an extension of funds.

Victor Erlacher moved to ratify the decision made by the Executive Committee, Ella Rae Stone seconded. Motion Carried

4. DEPARTMENT OF CORRECTIONS, DIVISION OF JUVENILE CORRECTIONS PRESENTATIONS

Chair Twedt turned the meeting over to Doug Herrmann to introduce the DOC speakers and begin their presentations. Doug introduced Kristi Bunkers, director of juvenile community corrections, Jeff Haiar, superintendent of STAR Academy, and Roland Loudenburg, Mountain Plains Evaluation.

Doug Herrmann presented an overview of the history of juvenile DOC population numbers, the NIC model of implementing evidenced-based practices and how that fits with division efforts, and a history on reentry efforts and 2nd Chance Act Grant and recidivism reduction efforts.

Kristi Bunkers presented on the juvenile aftercare and revocation strategic plan efforts to achieve the goal of 50% recidivism reduction over five years. Information presented included the YLS/CMI 2.0, enhanced case planning, incentives matrix, EPICS, Thinking for a Change groups, and data and communication strategies.

Jeff Haiar presented on the history of STAR Academy and the programs and services provided at the Academy. Mr. Haiar also presented on PbS (Performance-based Standards) at STAR Academy since 2001 and the Decade of Excellence which celebrated the achievements reached since starting PbS.

Kevin McLain presented recidivism data since 2005 by sex, type of recidivism, race, age, region, and last placement (DOC or private facility).

Roland Loudenburg presented data outcomes on recidivism and results of assessment instruments specifically the YLS/CMI risk assessment, the HIT Questionnaire (How I Think), and the Stages of Change (URICA).

The meeting recessed for the evening at 9:45 PM.

Wednesday, September 14, 2011 – Jim Leighton Meeting Room, AmericInn

Council of Juvenile Services Members Present: Carol Twedt, Mike Leidholt, JC Chambers, Victor Erlacher, Shawna Fullerton, Liz Heidelberger, Doug Herrmann, Janine Kern, Aaron McGowan, Susan Randall, Ella Rae Stone, Grant Walker, Virgena Wieseler, and Michael Zellmer.

Council of Juvenile Services Members Absent: Nancy Allard, Karen Jeffries, Kelsey Lambert, Beth O'Toole, Tanner Starr, and Joanna Vitek.

Others Present: Kevin McLain, Joy Ellefson, and Bridget Henderson, DOC. CJS Guests, Kristi Bunkers and Jeff Haiar. Bob Mercer, News Reporter. Scott Bollinger, Director of Operations for DOC. Denny Kaemingk, Secretary of DOC. Erin Srstka, JDAI coordinator for Minnehaha County.

5. WELCOME AND AGENDA REVIEW

Chair Carol Twedt asked that the meeting come out of recess at 8:05 AM on September 14, 2011. Chair Twedt welcomed everyone to the meeting and introduced those members who were not present before the meeting recessed the night before.

6. ELECT CHAIR AND VICE-CHAIR OF COUNCIL OF JUVENILE SERVICES

Carol Twedt turned the meeting over to Kevin McLain in order to preside over the annual election of the Council Chair and Vice Chair for SFY2012. McLain opened nominations for the positions of Chair and Vice-Chair.

Liz Heidelberger moved to nominate current Chair Carol Twedt as CJS Chair for FY2012, Sheriff Mike Leidholt seconded. Dr. Susan Randall moved to cease nominations for CJS Chair and cast a unanimous ballot for Carol Twedt as CJS Chair for FY2012, Victor Erlacher seconded. Motion carried unanimously.

Judge Janine Kern moved to nominate current Vice-Chair Mike Leidholt as CJS Vice-Chair for FY2012, Aaron McGowan seconded. Dr. Susan Randall moved to cease nominations for CJS Vice-Chair and cast a unanimous ballot for Mike Leidholt as CJS Vice-Chair for FY2012, Victor Erlacher seconded. Motion carried unanimously.

McLain turned the meeting back over to re-elected chair, Carol Twedt.

7. 2011 GRANT AWARDS – TITLE V, JABG, AND FORMULA GRANTS

Kevin McLain discussed the status of the FFY2011 grants that have been submitted to the Office of Juvenile Justice and Delinquency Prevention. SD received a \$600,000 award for the Formula Grant for FFY2011, which is the same as previous years. The JABG Grant award is \$271,000 and the Title V award was not approved yet as the federal application process was released late but it is anticipated that it will be awarded as well.

Kevin McLain explained that the future for FFY2012 awards continues to be uncertain as far as the federal appropriations are concerned. There is no mention of Title V in the draft budget bill in the Senate Appropriations subcommittee responsible for the Department of Justice. There is a small allocation for the JABG Grant but the most concerning is a significant decrease in the Formula Grant. Historically the appropriation has always been around \$75 million, which generates our \$600,000 allocation, and the current mark up for the appropriations bill is for \$40 million. The impact this would have on the states would be if the floor of \$600,000 is adjusted downward or if it remains the same so the bigger states would receive less funding. More information may be available at the December meeting. If there is a reduction in the allocation, we are currently spending FFY2009 now and have FFY2010 and FFY2011 awarded, meaning we have two years or more before we would experience any difficulty with lack of funding.

8. BUDGET STATUS REPORT

Kevin McLain provided a brief overview of the current status of grant funds for the FFY2008 and FFY2009 Formula Grant allocations. The FFY2008 grant has been fully expended after previously approving budget modification from DSO, Separation and Jail Removal and Compliance to DMC. For the FFY2009 grant, McLain noted that financially we are in a good position overall to fund commitments CJS made regarding JDAI. Discussion ensued on county reimbursement and local impacts of the removal of electronic monitoring.

9. DMC INTERVENTIONS UPDATE

DMC Update- Joy Ellefson provided an overview of the status of DMC programs funded in SFY2011 resulted in a DMC balance of \$55,000 left unspent which was reallocated to cover other programming under the Formula Grants Program. Ellefson discussed the following actions of the Executive Committee for funding in SFY2012:

SFY2012 DMC Subgrant Applications

- Aliive Roberts County – The project will provide a continuation of their gang reduction and mentoring programming and the Executive Committee approved an award of \$22,291.50. ***Ella Rae Stone moved to ratify the decision made by the Executive Committee, Doug Herrmann seconded. Motion carried.***
- Lutheran Social Services, Hocoka Diversion Program and Native American Outreach Program – The Executive Committee approved funding for both program components for \$53,787.00. ***Dr. Susan Randall moved to ratify the decision made by the Executive Committee, Grant Walker seconded. Motion carried.***
- Great Plains Psychological Services Native Parenting – The Executive Committee approved funding for \$4,200.00. ***Dr. Susan Randall moved to ratify the decision made by the Executive Committee, Virena seconded. Motion carried***
- Society for the Advancement of Native Interests-Today (SANI-T) – The Executive Committee did not grant an extension of funding for the program but wanted to see the talking circles and the parenting class continued. Discussion ensued from those who had contact with SANI-T expressing their agreement with the decision made by the Executive Committee. ***Sheriff Mike Leidholt moved to ratify the decision to not fund the SANI-T project for another year made by the Executive Committee, Doug Herrmann seconded. Motion carried.***

JSC Talking Circles – Joy Ellefson explained that the Executive Committee did not fund a Pennington County program and requested that staff work locally to determine if it was possible to continue to provide parenting and talking circle programming within the community. Through discussion with local stakeholders it was determined that talking circles at WSDJSC could continue at an amount of \$6,000. The costs associated with the implementation were budgeted to cover two consultants who would receive \$50 a week and there would be no administrative costs associated with implementation. Dr. Susan Randall mentioned that this is a one year funding and that future funding should be through JDAI once established.

Sheriff Mike Leidholt moved to approve the funding JSC Talking Circles, Aaron McGowan seconded. Motion carried.

10. COMPLIANCE MONITORING UPDATE

Joy Ellefson presented data which reflected the number of violations as submitted to the Office of Juvenile Justice and Delinquency Prevention since DOC began tracking compliance associated with admission to secure facilities in 2002. For the first time, the 2010 Compliance Monitoring Report indicated no violations. In 2009 there were only three violations and they all were federal exception youth held in the Roberts County Detention Center. It should be noted that these violations were cases where there was not enough information available to prove that the admissions were not in violation of the JJDPA. Discussion ensued on sending a letter to local facility administrators to show the accomplishments, thanking them for their assistance and notifying them that we will be continuing site visits. It was noted that a press release could be issued as well. Further discussion stressed that we have been in compliance since 2004 but this is the first year we have were able to submit a compliance report with zero violations.

Dr. Susan Randall moved that the Chair send a letter to each site commending them on their participation and making this full compliance possible and that the Department of Corrections prepare a press release covering this accomplishment and that it coincide with the letter, Grant Walker seconded. Motion carried.

Kevin McLain asked the Council to ratify decision made by Executive Committee to submit the CY2010 Compliance Monitoring report to OJJP.

Judge Janine Kern moved to approve decision, JC Chambers seconded. Motion carried.

11. NATIVE AMERICAN PROGRAMS

Joy Ellefson presented an overview of the progress of the four projects which were funded through June 30, 2011 and the three projects that will be funded through June 30, 2012.

12. NATIVE AMERICAN PROGRAMS FY2013 GUIDELINES

Kevin McLain provided an informational overview of past guidelines for request for proposals that went to all nine tribes with the goal of funding four tribes at a max of \$25,000 each. McLain noted that it would be appropriate to ask the TAG for their input on NAP guidelines for FY2013. McLain also mentioned that staff needs time to look at the budget to see if we can go above \$100,000 and have the amount be available for multiple years. McLain noted that tribes need to be aware that they will need to comply with the Juvenile Justice Delinquency Prevention Act core requirements and that DOC started to request summary compliance data. A message will be prepared for the TAG to provide notice to applicants that this will be enforced and explain what the requirement means and what will be required to be found in compliance with the JJDP.

13. TRIBAL ADVISORY GROUP UPDATE

Dr. Susan Randall discussed the agenda for the next TAG meeting on September 27, 2011 and an overview of the spring TAG meeting. Determination of how many TAG meetings for 2012 will be on the December CJS meeting agenda. Ella Rae Stone noted that it would be a good idea to put together materials on core requirements for the spring TAG meeting for leaders to take back before the Native American Program applications are due.

14. JDAI UPDATE

Joy Ellefson presented an overview of the current JDAI budget and timeline for year two which began in August and runs through July 31, 2012.

Kristi Bunkers, Dr. Susan Randall, Joy Ellefson, Chair Carol Twedt, and Aaron McGowan spoke of their site visits in Portland and Albuquerque and how they relate to South Dakota. They also expressed the benefits of going on the site visits as a state to work together rather than individual communities.

Erin Srstka presented on the actions completed to date for JDAI sites in Minnehaha and Pennington Counties including recent model site visits, status of local work groups, and an overview of completed JDAI products. Erin also recognized Pennington County for their recent Detention Utilization Study as a nationally recognized model document which may be found on the JDAI Help Desk. Also recognized as a model document is Pennington County's Purpose of Detention Statement.

Liz Heidelberger presented an overview of the next steps of JDAI implementation which includes risk assessment instrument testing to be completed in October, quarterly data report process implementation, and local intervention projects to begin in January 2012.

Both coordinators noted that through the implementation of the JDAI process detention numbers have already started to decrease in both counties and that they are beginning to see improvements within the system. Discussion ensued on the topics of judge rotation, juvenile court, and reception centers.

15. OLD BUSINESS

Kevin McLain explained that Joy Ellefson, Bridget Henderson, Erin Srstka, and Liz Heidelberger will be attending the OJJDP conference in October in Washington DC.

Doug Herrmann reviewed that FACJJ membership has changed to regional representatives rather than state representatives and membership is through application filed directly with OJJDP. None of the CJS members present applied to be the representative for the region which includes South Dakota.

16. NEW BUSINESS

The SFY 2011 Annual Report will be drafted by Bridget Henderson and finalized and approved by the December CJS meeting to be ready for the legislative session. Judge Janine Kern and Dr. Susan Randall agreed to help review and finalize the document.

Kevin McLain asked the Council to ratify the Executive Committee's decision to approve the Title V application submission to OJJDP for the amount of \$50,000.

Dr. Susan Randall moved to ratify the decision made by the Executive Committee, Ella Rae Stone seconded. Motion carried.

Liz Heidelberger presented a request from Judge Jeff Davis and Commissioner Don Holloway, Co-Chairs of the Pennington County JDAI Steering Committee that outlined the steps that were taken leading up to the request for Lifeways to access DMC funding to implement a program to provide additional drug and alcohol services to at-risk youth within the Rapid City community. This program would use the DMC funds that are not currently awarded in Pennington County. Discussion ensued as to how the program would ensure the DMC funds will be used to serve minority youth, what would happen to the money if not allocated to the Lifeways program, and the requirement that Lifeways would need to submit for approval.

Sheriff Leidholt moved to approve the request and require Lifeways to submit appropriate paperwork to the Executive Committee, JC Chambers seconded. Kevin McLain suggested that the proposal be approved by the full JDAI steering committee, that it comes to the Executive Committee, and that it is required to be tied to DMC. Sheriff Leidholt asked to amend his motion to reflect Kevin's concerns and statement, JC seconded. Liz Heidelberger abstained from voting. Motion carried.

17. NEXT MEETING LOCATION AND DATES

The next CJS meeting is scheduled for December 7, 2011 in Chamberlain/Oacoma, SD with a tentative schedule of 10AM to 4PM.

18. WRAP-UP AND ADJOURN

At 11:49AM, Doug Herrmann moved to adjourn, JC Chambers seconded. Motion carried.

Recorded by Bridget Henderson, Juvenile Justice Specialist