

Meeting Minutes
South Dakota Council of Juvenile Services
June 8, 2015

Department of Corrections H-Unit Training Room; Pierre, SD

Monday, June 8, 2015

Council of Juvenile Services Members Present: Mike Leidholt, Vice-Chair and Hughes County Sheriff; Nancy Allard, Director of Trial Court Services; Dadra Avery, School Counselor at Sturgis Brown High School; Austin Biers, Youth Member; Kim Cournoyer, Service Provider; Doug Herrmann, Director of Juvenile Services; Judge Karen Jeffries, Cheyenne River Sioux Tribe Judge; Amy Lake-Harmon, Brown County Juvenile Detention Center Administrator; Aaron McGowan, Minnehaha County States Attorney; Sara McGregor-Okroi, Director of Aliive-Roberts County; Lyndon Overweg, Mitchell Chief of Public Safety; Carol Twedt, Former Minnehaha County Commissioner; Virgena Wieseler, Director of Division of Child Protection Services.

Council of Juvenile Services Members Absent: Becca Bedard, Youth Member; Judge Jeff Davis, Seventh Circuit Court Judge and Pennington County JDAI Co-Chair; Jacob Kabrud, Youth Member; Vanessa Merhib, Executive Director of Boys & Girls Club of Brookings; Beth O'Toole, Professor at the University of Sioux Falls; Betty Oldenkamp, Chair and CEO of Lutheran Social Services; Marissa Surrounded, Youth Member;

Others Present: Bridget Coppersmith and Heather Van Hunnik, South Dakota Department of Corrections; Tami Haug-Davis and Kathy Rutten, South Dakota Voices for Children; Christina Lloyd, Avera St. Luke's Worthmore Addiction Services; Shawn Koontz, Action for the Betterment of the Community; Kelli Rumpza, Human Service Agency; J. Allen, Positive Action; and Debra Jeffries, Sister of Judge Karen Jeffries.

1. WELCOME

Vice-Chair Sheriff Mike Leidholt called the meeting to order at 10:06 AM on Monday, June 8, 2015 and welcomed all participants. Vice-Chair Leidholt explained that he would be chairing the meeting due to an anticipated absence from Council Chair Betty Oldenkamp.

2. APPROVAL OF DECEMBER 2014 MEETING MINUTES

Doug Herrmann moved to approve the December 2014 Meeting Minutes as presented, Lyndon Overweg seconded. Motion carried unanimously.

3. BUDGET STATUS REPORT

Discussion of Formula FFY2011 Budget: Bridget Coppersmith provided an overview of the Formula Grants Program FFY2011 budget status. Coppersmith explained that the Department of Corrections (DOC) began coding services to the award in March 2014 and that the award will be fully expended prior to its extended end date of September 30, 2015. Coppersmith explained that \$60,000 can be moved internally to aid in closing the award in time. Coppersmith added that once the award is fully expended, budget categories will start to be spent down in the FFY2012 award. Vice-Chair Leidholt explained that the reason FFY2011 is being spent rather than more recent awards is due to a large award being allocated to South Dakota when the state came into compliance with the Juvenile Justice and Delinquency Act.

Approval of Submission of a Grant Adjustment Notice for the Formula FFY2012 Award to the Office of Juvenile Justice and Delinquency Prevention: Coppersmith stated that the current end date for the FFY2012 Formula Grants Program award is September 30, 2015. Coppersmith referred back to the status of the FFY2011 budget and explained that a Grant Adjustment Notice to extend the award will need to be sent to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in order to be able to fully expend the award. Coppersmith noted that the new end date, if approved, would be September 30, 2016. Coppersmith added that the budget program areas also need to be amended to add the program area of Delinquency Prevention and remove Alternatives to Detention.

Judge Karen Jeffries moved to approve DOC staff submitting a Grant Adjustment Notice to the Office of Juvenile Justice and Delinquency Prevention in order to extend the end date of the FFY2012 Formula Grants Program award to September 30, 2016 and to amend the program areas, Virgena Wieseler seconded. Motion carried unanimously.

4. SUBGRANT UPDATES

Coppersmith and Heather Van Hunnik provided an update of subgrants and contracts currently under the Formula Grants Program. Coppersmith explained that the Council approved two Prison Rape Elimination Act (PREA) subgrants at their December Meeting and that the award with Lutheran Social Services for cameras at New Beginnings Center has been fully expended with interest money under the FFY2012 Juvenile Accountability Block Grant (JABG) Award. Coppersmith added that Volunteers of America is in the process of completing their PREA Audit at their Group Care facility.

Coppersmith explained that the current delinquency prevention subgrants located in Aberdeen, Sturgis, and Watertown will end June 30, 2015 and that the three subgrants will present their year two applications later in the meeting to continue implementing Project SUCCESS and Positive Action. Coppersmith noted that Watertown is anticipated to have the largest amount of unspent funds due to a slow start in figuring out programming and implementation and that implementation has progressed in recent months.

Coppersmith provided an overview of the Native American Programs subgrants of Cheyenne River Sioux Tribe and Sisseton Wahpeton Oyate Tribal Court. Coppersmith explained that there was turnover in the probation officer position on Cheyenne River Sioux Tribe which may result in a small amount left over after the end date of June 30, 2015. Coppersmith noted that Sisseton Wahpeton Oyate Tribal Court has yet to expend any funds associated with placing status offenders appropriately to come into compliance with the Juvenile Justice and Delinquency Prevention Act core requirements. Coppersmith added that she does not foresee any funds being spent under the award prior to the end date.

Coppersmith explained that the Tribal Advisory Group (TAG) contract is scheduled to end June 30, 2015 and that the last meeting was held in February 2015 where only two TAG members attended. Coppersmith added that the February meeting cost \$1,985 and that the TAG Chair, Ella Rae Stone, reached out to TAG members following the meeting which resulted in two responses that stated that the group lacked a clear focus. Coppersmith explained that representatives for South Dakota Voices for Children would present their proposal for SFY2016 later in the meeting and that there is currently funding under the Council's program area to fund TAG for another year if the Council chooses to continue funding the group.

Van Hunnik provided an overview of the current Disproportionate Minority Contact (DMC) subgrants in Minnehaha and Pennington Counties. Van Hunnik explained that Minnehaha County's award is under Lutheran Social Services (LSS) is for Functional Family Therapy activities and an interpreter. Van Hunnik stated that LSS has served sixteen youth and/or families through March and that a waitlist system was implemented due to the high number of referrals. Van Hunnik added that Pennington County's award through the Pennington County States Attorney's Office was approved to fund a community outreach case manager, implement moral recognition therapy, and provide vouchers for services. Van Hunnik noted that an amendment will need to take place for the county to fully expend their award and that a total of 52 youth have been served to date.

5. FFY2014 FORMULA GRANT SOLICITATION

Approval of Application for Submission to OJJDP: Coppersmith provided an overview of the FFY2015 Title II Formula Grant Application due on June 16, 2015. Coppersmith explained that the application is a full plan year and that the anticipated award amount is \$400,000 which is consistent with recent years. Coppersmith added that the Council is currently spending FFY11 with FFY12, FFY13, and FFY14 allocations approved but pending expenditure. Because of being behind in spending, the plan for the application remained consistent with the current plans approved by the Council with the understanding that an amendment could be submitted in the future once the award is drawn down. The main change to the application this year consisted of the required focus on statewide reform. This requirement led to a small allocation being put in the System Improvement program area for DOC staff to assist with the implementation of the Governor's Juvenile Justice Reinvestment Initiative (JJRI). The JJRI and statewide efforts with prevention and the Annie E Casey Foundation's Juvenile Delinquency Prevention Initiative (JDAI) were also discussed throughout the application.

Discussion ensued concerning the content of the application. Minor amendments were pointed out by Council Members as DOC staff walked through the application

Nancy Allard moved to approve submission of the FFY2015 Title II Formula Grant application to the Office of Juvenile Justice and Delinquency Prevention with the discussed amendments. Judge Karen Jeffries seconded. Motion carried unanimously.

Approval of the Core Requirements Sections for Submission to OJJDP: Coppersmith provided an overview of the second part of the FFY2015 Formula Grants Program application which includes plans for monitoring compliance with the core requirements of Jail Removal, Separation of Juveniles from Adult Offenders (Separation), Deinstitutionalization of Status Offenders (DSO), and Disproportionate Minority Contact (DMC). Coppersmith noted that this section was separated from the full application last year due to reorganization at OJJDP. Coppersmith explained that the plan for monitoring compliance with the core requirements is laid out in South Dakota's Compliance Monitoring Manual which is located on the South Dakota DOC webpage and that the manual outlines the daily efforts needed to maintain compliance. Coppersmith added that the manual goes into detail concerning the DOC's monitoring authority, the monitoring timeline, violation procedures, barriers and strategies, definition of terms, identification and classification of the monitoring universe, inspection of facilities, and data collection and verification.

Coppersmith explained that in calendar year 2013, there were six DSO violations and zero Jail Removal and Separation violations. Coppersmith noted that the programmatic plan for compliance with

the core requirements of DSO, Separation, and Jail Removal is to continue the county reimbursement program as the main project that would be funded.

Coppersmith provided an overview of the DMC component of the plan. Coppersmith explained that the data is from 2013 and is broken down by statewide, Minnehaha County, and Pennington County data for stages of the juvenile justice system. Coppersmith noted that Minnehaha and Pennington Counties are the only locations that have enough local system activity to track minority over-representation in a statistically significant and valid manner. Coppersmith explained that the juvenile justice system stages of arrest, diversion, detention, adjudication, and probation were statistically significant for all minority youth statewide and that the stages of arrest, referral, diversion, detention, and commitment to the DOC were statistically significant for statewide Native American youth. Coppersmith noted that the stages of arrest, referral, and detention were also statistically significant for statewide Black and Hispanic youth.

Coppersmith explained that the stages with the greatest volume, magnitude, and significance of DMC in Minnehaha County were arrest and detention for all Minnehaha County minority youth. Coppersmith noted that these were also the greatest points of DMC for Black, Hispanic, and Native American youth.

Coppersmith stated that the stage with the greatest volume, magnitude, and significance of DMC in Pennington County was arrest for all Pennington County minority youth. Coppersmith added that the stage of arrest was also the greatest point of DMC for Black, Hispanic, and Native American youth in Pennington County.

Coppersmith noted that the arrest data is being verified with the Division of Criminal Investigation (DCI) as the numbers are significantly higher than the Crime in South Dakota Report published by the same agency.

Discussion ensued concerning the source of previous DSO violations, the history of the county reimbursement program, and the arrest data in the DMC plan.

Doug Herrmann moved to approve DOC staff submitting the core requirements sections of the Formula Grants Program Application to the Office of Juvenile Justice and Delinquency Prevention, Nancy Allard seconded. Motion carried unanimously.

6. COMPLIANCE MONITORING REPORT

Van Hunnik provided an overview of how compliance is monitored by the DOC and the number of violations for calendar year 2014. Van Hunnik stated that juveniles were held at ten facilities resulting in 2,477 juvenile admissions to those facilities in CY2014. The compliance findings after data collection and verification resulted in zero Separation and Jail Removal violations and seven DSO violations. Of the seven DSO violations, three incidents resulted in violations but are classified as federal wards exceptions and were held in Roberts County and Pennington County under Tribal authority. The remaining four violations took place in Pennington County where status offenders were held beyond allowable parameters and exceptions.

Discussion ensued concerning the nature of the violations in Pennington County.

7. DOC RECOMMENDATIONS AND APPROVAL OF NATIVE AMERICAN PROGRAMS SUBGRANT AWARDS

Coppersmith explained that of the eight Tribes an application was sent to, three Tribes submitted an application for up to \$20,000 each. Coppersmith provided an overview of each application and stated that Cheyenne River Sioux Tribe applied to use the award to continue to support their Juvenile Probation Officer; Lower Brule Sioux Tribe applied to implement a cultural program focused on beading for juveniles on probation and diversion participants; and the Rosebud Sioux Tribal Detention Center applied to implement a youth delinquency prevention program which would provide various activities to help youth begin to understand their cultural identity, serve as role models and teachers of other youth, become contributing members in their community and family, and develop a change in perspective to improve their overall behavior.

Coppersmith noted that each Tribe is in compliance with holding youth appropriately in their detention centers and jails and that DOC staff recommends funding all three proposals with the exception of funding tobacco supplies in the Rosebud Sioux Tribe proposal.

Discussion ensued concerning the content of the three applications.

Lyndon Overweg moved to approve the application from Cheyenne River Sioux Tribe, Carol Twedt seconded. Motion carried unanimously with Judge Karen Jeffries abstaining.

Doug Herrmann moved approve the application from Lower Brule Sioux Tribe, Sara McGregor-Okroi seconded. Motion carried unanimously with Judge Karen Jeffries abstaining.

Lyndon Overweg moved to approve the application from Rosebud Sioux Tribe with the removal of tobacco supplies, Nancy Allard seconded. Motion carried unanimously with Judge Karen Jeffries abstaining.

8. TRIBAL ADVISORY GROUP UPDATE, FUTURE FUNDING DISCUSSION, AND POTENTIAL AWARD

Kathy Rutten and Tami Haug-Davis from South Dakota Voices for Children provided an overview of the discussions that took place at the February Tribal Advisory Group (TAG) Meeting and their strategic plan for the future of the TAG. Rutten explained that there have been staffing changes at South Dakota Voices for Children over the past years that led to some disconnect with communication. Rutten stated that the February Meeting was impacted by weather and lack of a complete list of TAG members and that the meeting was not a formal meeting due to the lack of attendance.

Haug-Davis explained that South Dakota Voices for Children has a rich history of doing collaborative work across the state and that she has been working to see where to take TAG after ebbs and flows with the group in the past. Haug-Davis stated that the strategic plan is in draft form and is a fluid document. Haug-Davis walked through the objective and goals of the plan highlighting that the goals are broad and focus on where to begin again with the nine sovereign nations to have appropriate representation and identify the topics that would best serve Native youth, how to work with the Juvenile Justice Reinvestment Initiative (JJRI) and provide healing for Native people to address the crises with Native youth and families, and how to provide and obtain data, resources, education, advocacy, and sustainable funding opportunities for the sovereign nations. Haug-Davis stated that the requested budget is for three meetings with a total of \$12,000.

Discussion ensued concerning the purpose of the TAG, the history of the TAG, the recent decline in the commitment from Tribes, how to add value for the members, the outcomes of the group, having the right representation and appropriate attendance at the meetings, adding “in advisory to the Council of Juvenile Services” to the objective of the strategic plan, Ella Rae Stone’s feedback after reaching out to the TAG Members, and partnering with other agencies or groups.

Judge Jeffries moved to approve the full requested amount of \$12,000 with the requirements of adding “in advisory to the Council of Juvenile Services” to the strategic plan objective and having rules regarding minimum attendance requirements and guidelines for the group prior to the first meeting, Carol Twedt seconded.

Discussion ensued concerning having one restructuring meeting prior to receiving the full award and what is an appropriate attendance requirement.

Judge Jeffries withdrew her motion.

Judge Jeffries moved to approve one restructuring TAG Meeting for SFY2016 at up to \$4,000 to determine guidelines and rules and to evaluate the interest of Tribes to participate. The results of the meeting would then being presented to the Council at their next scheduled meeting after the restructuring TAG Meeting to determine if the remaining requested \$8,000 should be awarded, Dadra Avery seconded. Motion carried unanimously.

9. POSITIVE ACTION PRESENTATION AND TRAINING OVERVIEW

J. Allen from Positive Action presented an overview of Positive Action, an evidence-based prevention program, and the orientation training that would take place June 9 -10, 2015 in Pierre, SD. Allen explained the history of Positive Action and highlighted key academic, behavioral, character/social-emotional, health, family and community, and long-term outcomes. Allen provided an overview of the intuitive philosophy, the Pre K – 12th Grade curriculum, and supplemental and climate kits. Allen highlighted that Positive Action provides additional components to address topics such as bullying prevention, substance abuse prevention, and conflict resolution as well as materials for counselors, families, and community groups. Allen explained that all program components are based on the same six units which provide the conceptual foundation and positive actions for the whole self: physical, intellectual, social, and emotional.

Discussion ensued concerning the content and implementation of Positive Action , how the Council appreciates the structure and outcomes of the program, the participants of the Positive Action Orientation Training, incentives being offered to school districts that choose to implement Positive Action after the training, and what is considered implementing with fidelity to the program for schools who cannot implement 140 lessons per year.

10. DOC RECOMMENDATIONS AND APPROVAL OF DELINQUENCY PREVENTION SUBGRANT AWARDS

Coppersmith explained that her contacts from Action for the Betterment of the Community (Sturgis), Avera St. Luke’s Worthmore Addiction Services/Aberdeen Roundtable Coalition (Aberdeen), and Watertown Healthy Youth Coalition/Human Service Agency (Watertown) were in attendance to present their year two applications to the Council. Coppersmith explained that year one was full of figuring out implementation of Positive Action and Project SUCCESS and that the year two applications remain

consistent with the year one plan of implementing Positive Action and Project SUCCESS. Coppersmith added that each application was for \$47,500.

Christina Lloyd discussed how Aberdeen's year first year was difficult due to transitions and cuts with staff to implement prevention services in the schools. Lloyd added that not everything was accomplished that they had outlined but that they were still able to serve youth through individual sessions. Lloyd explained that in year two, she plans to have sessions at the juvenile detention center, continue Project SUCCESS sessions with the addition of Positive Action at New Beginnings Center, and have a school wide Pride Survey which will provide strong data for next year.

Dadra Avery and Shawn Koontz provided an overview of Sturgis' year one award highlighting that the bulk of the funding went to hiring Koontz to provide universal implementation of Project SUCCESS and Positive Action. Koontz stated that she started out with the 9th grade twice a week for the first semester and added the 8th grade the second semester for seven weeks and concluded the year with the 7th grade. Koontz explained that she also did small lunch groups which led to some referrals for additional services. Avery added that Kara Graveman, Executive Director of Action for the Betterment of the Community, also did 56 drug and alcohol evaluations of referred youth and that Butte County reached out to request prevention services and assistance in forming a community coalition to be able to provide diversion services. For year two, Avery explained that their plan is to continue the work started in year one and that Koontz will be in the classroom less as most of the school counselors are coming to the Positive Action Orientation Training so that they can implement the program universally while Koontz will focus on small groups with indicated populations.

Kelli Rumpza explained that in year one, Watertown implemented in the middle school implemented based on referral of students who were not being successful in the classroom. Rumpza added that 19 students were involved in individual sessions after they started implementing in mid November and that there were little to no office referrals of the 17 students who completed the program. The plan for middle school in year two is to continue with targeting the indicated population. Rumpza explained that in year one, the high school level sessions were individual or small group sessions which served 29 students, 17 of whom were DOC youth. Rumpza added that serving targeted youth led to relationship building with the Unified Judicial System, the DOC, Codington County Teen Court, and local groups to find the best services for youth in need. Rumpza explained that healthy coping strategies was the strongest need for high school students and that year two implementation is to include Positive Action curriculum with Sophomore Language Arts and with the Alternative Education programming.

Coppersmith noted that DOC staff recommended approval of the three proposals for a second year of funding.

Discussion ensued concerning the content of the three proposals

Lyndon Overweg moved to approve the application from Avera St. Luke's Worthmore Addiction Services/Aberdeen Roundtable Coalition, Doug Herrmann seconded. Motion carried unanimously with Dadra Avery and Amy Lake-Harmon abstaining.

Nancy Allard moved to approve the application from Action for the Betterment of the Community, Austin Biers seconded. Motion carried unanimously with Dadra Avery abstaining.

Judge Jeffries moved to approve the application from Watertown Healthy Youth Coalition/Human Service Agency, Amy Lake-Harmon seconded. Motion carried unanimously with Dadra Avery abstaining.

11. JUVENILE JUSTICE UPDATES

Sara McGregor-Okroi discussed her coalition's invitation to present at the White House to Jodi Gillette who recently stepped down as President Barack Obama's special assistant for Native American affairs. McGregor-Okroi explained that her coalition was invited for a 30 minute presentation to discuss their work and what they have been doing to have tribal and non-tribal entities working together. McGregor-Okroi noted that their meeting ended up being extended an extra hour. McGregor-Okroi added that three youth she works with have since been invited to the White House youth gathering in July.

Dadra Avery explained that Kara Graveman, Executive Director of Action for the Betterment of the Community, and a Sturgis Law Enforcement Officer, are in Florida filming a commercial concerning the collaborative work Action for the Betterment of the Community does with law enforcement and that the coalition was one of two coalitions selected across the United States to be involved.

Coppersmith explained that South Dakota's State Representative with OJJDP, Carmen Santiago Roberts, will be visiting South Dakota for a site visit at the end of July. Coppersmith stated that Santiago Roberts will visit with Chair Oldenkamp, Carol Twedt, and subgrants located in Sioux Falls, Brookings, Watertown, and Sisseton along with touring the Sisseton Wahpeton Oyate Reservation. Coppersmith noted that this visit is not an audit but rather a chance for OJJDP to conduct a site visit and engage with local subgrants.

12. NEXT MEETING, WRAP-UP AND ADJOURN

Vice-Chair Leidholt stated that the next meeting will be September 23-24, 2015 in Custer, SD. Coppersmith explained that the first day will consist of tours of STAR Academy and the second day will include the business of the Council.

At 3:37 PM, Judge Jeffries moved to adjourn, Doug Herrmann seconded. Motion carried unanimously

Recorded by Bridget Coppersmith, Juvenile Justice Specialist