

Meeting Minutes
South Dakota Council of Juvenile Services
June 18, 2008
Dakota Digital Network (DDN)

Council of Juvenile Services Members Present: Carol Twedt, Mike Leidholt, Janine Kern, Beth O'Toole, JC Chambers, Doug Herrmann, Susan Randall, Jo Vitek, Grant Walker, Virgena Wieseler, Victor Erlacher, Karen Jeffries, Jason Goette, Liz Heidelberger.

Council of Juvenile Services Members Absent: Nancy Allard, Dave Nelson, Ella Rae Stone, Richard Erickson, Gib Sudbeck, Tara Russell.

Others Present: Nick Broken Leg from SDVC, Kevin McLain, Jodi Kirschenman, and Beth Feist from DOC

1. WELCOME, INTRODUCTIONS, and REVIEW OF AGENDA

Chair Carol Twedt called the meeting to order at 1:35 PM. Introductions were made, and the Council welcomed observer Nick Broken Leg. Jodi Kirschenman requested "Title V application review" be added to the agenda under the New Business agenda item. No other modifications were made to the agenda.

2. APPROVAL OF JANUARY 2008 MINUTES

Susan Randall moved to approve the meeting minutes, seconded by Beth O'Toole. Motion carried

3. RATIFY EXECUTIVE COMMITTEE'S ACTIONS

- JANUARY 17TH
- APRIL 21ST
- FFY'08 FORMULA APPLICATION
- FFY'08 JABG APPLICATION

Beth O'Toole moved to ratify the Executive Committee's actions on the January 17th meeting minutes, April 21st meeting minutes, the FFY'08 Formula grant application, and the FFY'08 JABG grant application, Karen Jeffries seconded. Motion carried with Susan Randall abstaining from vote.

4. TRANSPORT PROTOCOL FOR ADJUDICATED JUVENILES & CHINS

Randall voiced her concern regarding juveniles riding in the same transport bus as adult inmates. Even though the adults are in the back of the bus and the juveniles are in the front, this practice does not violate the sight and sound separation requirement of the Juvenile Justice and Delinquency Prevention Act (JJDP Act or 'Act'). The Act only applies to residential places where juveniles are housed. However, this practice does violate the 'spirit' of the Act. Randall has talked to DOC Secretary Tim Reisch about her concerns, and she also made Representative Hunhoff and Lt. Governor Daugaard aware of this issue during session. Discussion ensued. Kevin McLain looked into the cost of replicating the transport process six months ago. At that time, it estimated to be \$384,000. And if you remove the juveniles from the bus transport, then the adult inmate transport would increase as well. Further discussion ensued. *Randall moved to call this issue to the attention of Governor Rounds and express concern from the Council of Juvenile Services that this is not in the spirit of the Act to conform with the sight and sound separation requirement, and ask this practice be reconsidered, Jason Goette seconded.* Discussion ensued. McLain asked for clarification on how this be brought to the Governor's attention. Twedt offered to write a letter to the Governor and meet with him if amenable to Governor Rounds. Kern indicated she would like to see outreach to Sheriff Holloway and hope he can make immediate changes while this is going to the Governor. Leidholt and Doug Herrmann both shared the results of their discussions with Sheriff Holloway regarding this issue. The Council agreed to copy Sheriff Holloway on the letter to the Governor, as well as copy the Council. *Motion carried.* Jo Vitek and Victor Erlacher were not able to vote on this issue due to technical difficulties with the sound bytes at their DDN site.

5. DOC COMMUNITY BASED PROJECTS and AFTERCARE

Doug Herrmann gave a presentation on the South Dakota Department of Corrections Juvenile Division's community-based projects and aftercare program. Herrmann reviewed the FY09 budget, juvenile population and placement trends, aftercare and CHINS numbers, and community-based services by regions of the State. He said the department's goal is to rely less on placement, focus on keeping youth in the community and provide more services in the community. Questions and discussion ensued.

6. FACJJ MEETING

Doug Herrmann attended the April 6-8th FACJJ meeting in Washington, DC that focused on best practices. This was his first FACJJ meeting as our State's representative. The 2008 draft Federal Report to the President and Congress was completed. Since it's still in draft form, Herrmann did not share it at this time and instead briefed the Council on the draft reports contents. The FACJJ is also working on the recommendation report to the Office of Juvenile Justice and Delinquency Prevention (OJJDP). Herrmann also indicated there is a debate as to whether or not the FACJJ will continue with a new President and/or new party.

7. FORMULA GRANT BUDGET STATUS REPORT

McLain provided a report of the Formula Grant budget. We began expending the FFY05 money in December 2007 and he is projecting we will have it fully expended by the end of July 2008. The handout provided shows the categories where funds are short and those where we have excess funds. A budget amendment will be submitted to OJJDP in order to adjust the budget categories. McLain also reviewed the FFY06-07 formula grants and estimates these will last through September 2009. Again, there may be money remaining in categories that need to be shifted to other categories where there are shortfalls. If needed, a budget amendment will be submitted for these grants in order to expend them in full.

McLain suggested the Council do long-range planning at their next meeting and focus more time on the budgets. Since we have spent the initial windfall of money upon our coming back into compliance, we are now getting caught up to the funding cycle that is awarded to us. This means we will have to be more cautious on where the money is expended or awarded. Janine Kern said she would like the courts to have access to this money for community-based services for kids on probation, and wants consideration to go to using System Improvement money for the Unified Judicial System and the courts. Twedt indicated that these budgets are not up for approval or action, merely as an update. McLain said he could ask Nancy Allard to provide a presentation at the next meeting, similar to Doug's presentation today, to explain the UJS' needs.

8. DMC UPDATE

Joy Erlenbusch is at a two-day training so McLain is providing the updates for today's meeting. Currently, Minnehaha and Pennington County workgroup coordinators are in place and progress is being made with Sisseton School District to implement a position that is part-time DMC coordination duties and part-time duties relating to accountability for attendance and behavior within the school.

Dr. Martin Brokenleg agreed to work as a consultant for the DMC cultural training. DOC staff has submitted a technical assistance (TA) request to OJJDP for this. If the TA is denied, we may request the CJS Executive Committee approve use of formula funds to hire Dr. Brokenleg on a contractual basis. The training development is progressing well, and potential trainers are being identified to go through a Training of Trainers (TOT's) provided by Dr. Brokenleg. McLain contacted Dr. Howe in Pine Ridge, and McLain is also identifying other potential local trainers in Sioux Falls and Rapid City.

Roland Loudenberg was asked to assess the results of the local DMC assessments. He suggested using cultural competency and do a pretest and post-test of the participants, and use a survey to gauge competency of the organization as a whole. All concepts are tentative at this time, but the training committee will review and decide. The training development team will potentially meet in September and follow-up in October or November with the actual training beginning sometime thereafter. JC Chambers and Beth O'Toole commended McLain on the progress made so far.

McLain explained the DMC summary trends and the changes from 2002 to 2006 by explaining the most recent Relative Rate Index (RRI). He said DMC at arrest and DOC Commitments are not getting lower, which is why we are doing the DMC efforts/training that we are. Discussion ensued.

9. COMPLIANCE MONITORING

The annual compliance monitoring report will be filed at the end of June. McLain anticipates that OJJDP will find us in compliance with the numbers we will be reporting. We had 20 jail removal violations in 2007, which puts us above the threshold of 17; therefore we will need more responses and explanations of how we will address this issue. These violations occurred in Bennett County, Charles Mix County, Davison County, and Edmunds County. The DSO violations occurred at Chamberlain Academy, Edmunds County, Day County, and Walworth County. Erlenbusch is getting more information from the courts and the facilities to try to find compliance with the valid court order violations. Kern believes that additional training for the courts is needed on the VCO issue. Randall asked for a report back in three to six months on the type of responses that DOC is getting in regards to these violations.

10. SYSTEM IMPROVEMENT GRANTS STATUS REPORT

Kirschenman reviewed the systems improvement subgrants handout and explained the budget status of each of the subgrantees. The Center for Disabilities submitted their final claim for reimbursement leaving a remaining balance of a little over \$2600. The Minnehaha County JDC is actively spending their award.

11. NATIVE AMERICAN PROGRAMS GRANTS & SUPPLEMENTAL APPLICATION STATUS REPORT

Kirschenman gave an update of the Native American Pass-Through subgrantees and the reporting/budget status of each. With the Tribes' NAP budgets on a state fiscal year basis, there was a remaining balance to open a supplemental subgrant solicitation. Kirschenman described the programs that each of the four Tribes applied for through the supplemental solicitation and requested approval. The applicants are Cheyenne River Sioux Tribe, Crow Creek Sioux Tribe, Flandreau Santee Sioux Tribe, and Yankton Sioux Tribe. ***Mike Leidholt moved to approve the supplemental applications, Beth O'Toole seconded. Motion carried.***

12. TRIBAL ADVISORY GROUP UPDATE

Susan Randall gave an update on the Tribal Advisory Group. The Tribal Juvenile Justice directories are updated. Randall will email a copy to all Council members and if you want a hard copy mailed to you, then she asks that you reply as such when you receive her email. Randall then gave an overview of the TAG's strategic planning session that was held March 26-27 conducted by Susan Balbas through a technical assistance request approved by OJJDP. Randall has a follow-up report from Balbas and participation evaluations that she will review with the TAG Chair and Vice Chair before sharing with the full TAG at their next meeting in July.

13. OJJDP NATIONAL CONFERENCE

Kirschenman informed the Council of OJJDP's upcoming fall training conference in Nashville. The theme for the conference is "Charting the Course, Developing Effective Plans for the Future". There is money available in the SAG budget if council members are interested in attending the conference August 17-19th, 2008. DOC staff will assist in making the travel arrangements, so contact Kirschenman if you would like to attend. Kern requested copies of handouts from the session titled "Understanding and applying the VCO process". Liz Heidelberger expressed an interest in attending.

14. OLD BUSINESS

- OJJDP PROGRAMMATIC SITE VISIT

Scott Pestridge, South Dakota's State Representative from OJJDP conducted a programmatic site visit May 14th-16th. The visit included a review of files, reports, budgets, projects, and our DMC and compliance monitoring activities. Mr. Pestridge also visited subgrantees and toured the Minnehaha County JDC and received a demonstration of the Centralized Intake Project. Kirschenman assisted Mr. Pestridge throughout his visit, and Twedt was involved in the opening meeting, the JDC tour, and the exit review.

- PIERRE'S 3rd YEAR TITLE V APPLICATION

Pierre submitted an application for their third and final year of Title V money for their Title V project titled "Youth Assessment and Assistance Team". All three of their applications were for \$50,000 and required a 50% match. Pierre has overmatched all three years with \$51,000 for a total of \$101,000 per

year. *Kirschenman requested approval of Pierre's third year application in the amount of \$50,000 in federal dollars. Mike Leidholt moved, Doug Herrmann seconded. Motion carried.*

15. NEW BUSINESS

Kern expressed her desire to have long-term planning at the next CJS meeting. She is concerned with our high incarceration numbers, and would like the Council to brainstorm, look at new approaches, and determine where we are headed.

16. SCHEDULE NEXT MEETING

The council requested Kirschenman solicit dates by email from the Council for the end of September or beginning of October, then compile and see what is available for meeting space/rooms. Then let the CJS know what date(s) the Fall CJS meeting will fall on.

17. WRAP-UP & ADJOURN

JC Chambers moved to adjourn, Beth O'Toole seconded. Meeting adjourned at 4:22 PM.

*Recorded by Jodi Kirschenman
Juvenile Justice Specialist*