

*Meeting Minutes*  
**South Dakota Council of Juvenile Services**  
*January 4, 2010*  
*AmericInn Conference Center. Ft. Pierre, SD*

**Council of Juvenile Services Members Present:** Carol Twedt, Mike Leidholt, Aaron McGowan, Grant Walker, Jo Vitek, Karen Jeffries, Nancy Allard, Susan Randall, Gib Sudbeck, Janine Kern, Tanner Starr, Doug Herrmann, Beth O'Toole, Victor Erlacher, Jason Goette.

**Council of Juvenile Services Members Absent:** Ella Rae Stone, J.C. Chambers, Kaylee DeNeui, Liz Heidelberger, Virgena Wieseler.

**Others Present:** Kevin McLain, Jodi Kirschenman, and Joy Erlenbusch from DOC, and Stephanie Vetter, consultant with AECF.

1. WELCOME, INTRODUCTIONS and REVIEW of AGENDA

Chair Carol Twedt called the meeting to order at 9:02 A.M on January 4, 2010. Chair Twedt welcomed everyone to the meeting and introductions were made. The Council modified the agenda to include 'TAG Discussion' under the agenda item *Old Business*.

2. APPROVAL of OCTOBER 2009 MEETING MINUTES

*Janine Kern moved to approve the October 2009 meeting minutes, seconded by Doug Herrmann. Motion carried.*

3. JUVENILE DETENTION ALTERNATIVES INITIATIVE PLAN (JDAI)

The JDAI Subcommittee, which was appointed at the October 2009 CJS meeting, met Sunday evening, January 3<sup>rd</sup> in Ft. Pierre. Chair Twedt summarized the JDAI subcommittee meeting which included changes to the draft JDAI plan in the areas of the budget, timeline, and membership, establishment of the pilot sites of Minnehaha and Pennington Counties, and meeting plans for the local steering committees. The subcommittee also discussed JDAI briefings for judges, the use of a detention utilization survey, the possibility of CJS becoming an official grant site of the Annie E. Casey Foundation (AECF), and they established the JDAI protocol for the next several months.

Kevin McLain reviewed the revised draft JDAI plan. As measured in 2006, South Dakota has one of the highest incarceration rates while having one of the lowest violent crime rates. While South Dakota's arrest data is not up to par, the incarceration rate for Native American youth is highest and in the top ten highest for Hispanic and Black youth.

The process for JDAI includes pursuing eight core strategies. Outcomes mentioned and explained the composition of the local JDAI steering committees. McLain stressed that this is not a DOC initiative but a CJS initiative and eventually a local JDAI initiative. Jodi Kirschenman will provide staff support for the Minnehaha County pilot, and Joy Erlenbusch will provide staff support for the Pennington County pilot. At their meeting last night, the JDAI Subcommittee identified four additional representatives to serve on the local steering committees: County Commissioner, local community-based representative, DMC representative, and a CHINS representative. Nancy Allard will convene the local briefing for Pennington County and Aaron McGowan for Minnehaha County. The purpose of the briefing is to assist those at the table in understanding JDAI, to identify the benefits of and to gain support for the JDAI project.

Kevin McLain reviewed an updated budget sheet, which reflects money available for the JDAI project. The CJS had budgeted formula grant funding which is yet untapped and available. In reviewing the draft JDAI timeline, a March meeting for the two pilot sites is ideal, followed by the risk instrument committee to begin meeting in April. South Dakota has a draft risk instrument to begin using that can be supplemented with AECF's instruments.

Staff recommends using Stephanie Vetter to the greatest extent in order to get this project up and running. Vetter explained the process for model site visits. Data will be collected in July, as recommended by the AECF. Susan Randall requested the Council consider a third possible pilot site

as an alternate site in case one of the two identified pilot sites chooses not to move forward. Discussion ensued.

#### 4. JDAI NEXT STEPS

Stephanie Vetter commended Kevin McLain on the comprehensive draft JDAI plan. Vetter stressed the importance of not compartmentalize this initiative as a grant initiative – this is a systems improvement initiative, so methodology is crucial. The first three months of this initiative will be key to it's success. Vetter explained the importance of ensuring the right people are at the table, and the option of inviting a victim's advocate group to the table or a parent group / youth.

***Gib Sudbeck moved to approve the DOC to enter a contract with Stephanie Vetter for 15 days of consultation through the March CJS meeting to work on implementation of the JDAI project, Aaron McGowan seconded. Motion carried.***

Vetter provided a handout explaining the process and benefits of becoming an AECF Model Site. Some benefits include a small cash grant, technical assistance, JDAI tools, guides and publications, ability to visit other model sites, access to training seminars, national conferences, and large networks and peer groups. With becoming a model site are requirements to include implementation of the JDAI core strategies, fidelity to the model, determined leadership, communication and transparency with foundation, and data reporting. Vetter inquired if the CJS was interested in applying for South Dakota to become an AECF Model Site. McLain indicated that at last night's subcommittee meeting, the JDAI subcommittee agreed to wait to apply as a grant site after the March meeting to make sure we have two communities on board. Discussion ensued. ***Mike Leidholt moved to apply for the AECF grant contingent on at least one site on board, Victor Erlacher seconded. Motion carried.***

#### 5. FORMULA GRANT BUDGET STATUS REPORT

Kevin McLain reviewed the budget handout that outlines the FFY07 and FFY08 formula grant budgets, overages and shortfalls. These two awards will be expended through February 2010, at which time we will begin drawing down on our FFY09 award. Beginning in February as we start to expend FFY09 money, we will only have \$600,000 per year because we have now caught up with spending the influx of funding we received back with FFY03 grant dollars. Due to this budget issue, adjustments to the County Reimbursement Program will need to be discussed and determined. During previous discussions, the CJS recommended notifying counties of the changes as soon as possible to allow them ample time as they prepare their 2011 budgets. For the next CJS meeting, staff will provide potential changes to the CY2011 County Reimbursement program for the Council to approve and staff to implement. Chair Twedt suggested giving consideration to providing a presentation to the Statewide County Commissioner Convention in September. Aaron McGowan suggested a presentation for the State's Attorney's annual meeting in May to help prepare counties of what is forthcoming.

If the CJS wants to support additional JDAI generated alternatives to detention, funds could come out of the Jail Removal/DSO/Sight-Sound Separation budget category – particularly the DSO category since it focuses on status offenders, which is relevant to JDAI.

#### 6. DMC UPDATE

Joy Erlenbusch provided an update on the cultural training planning. Over the last few months, the training workgroup has met and pursued a survey of court service officers, juvenile corrections agents, and detention staff in Minnehaha and Pennington counties. The survey asks the participants what they hope to receive training on, what training topics are most appropriate for their jobs and the clients they work with, what topics are of least importance, etc. The survey was released but minimal responses received by the deadline. Even though it would cause a delay, the survey was reopened to obtain more responses and get a thorough understanding of which topics participants want covered. Once the survey was closed, the results were collected and given to Mountain Plains research to review. Next, a small group of potential trainers met, reviewed the data, identified training topics, developed objectives, and developed a draft curriculum. Currently, the workgroup is reviewing this information and the trainings will move forward, although the committee did not feel ready to give a timeline of rolling out the training.

Susan Randall indicated this is a really important strategy for the DMC work in Minnehaha County. She commended staff on the methodical process being used, but expressed her desire for this

training to move forward faster. Randall is concerned money is going to run out before this critical training is completed. Kevin McLain reiterated the last attempt at cultural training and the use of extra caution this time around to ensure this training isn't a failure, hence the deliberate caution and utilization of the survey. Janine Kern requested the workgroup provide the Council with a training timeline to move this forward positively. McLain will ask the committee for a timeline to provide to the CJS.

The DMC Budget was reviewed. Randall asked if the CJS would provide additional support of DMC initiatives once the current projects end June 30, 2010. Randall and Aaron McGowan spoke on the success of the Sioux Falls DMC projects, and Janine Kern spoke on the successes and obstacles of the Rapid City DMC project. Discussion ensued. McLain explained the amounts budgeted in each category but that the Council has yet to decide how the money will be divided among the projects. Joy Erlenbusch explained last year's process of the DMC applications and the required component in the application of identifying goals and objectives of the proposed program. Randall asks that this funding issue be put on the front burner.

7. TITLE V UPDATE

Jodi Kirschenman reviewed year two Title V subgrants. The budget period for year two will end March 31, 2010 and it is anticipated that subgrantees will have their funds expended. If there are any funds left unspent, the money can be rolled over and expended within the third year cycle. This would not increase the dollar amount an entity would receive as a subgrant, but instead just a fiscal way of utilizing all of our federal dollars instead of sending unspent grant dollars back to the federal office. Applications for third and final year funding will go out to the current subgrantees this month. The CJS allocated \$35,000 in federal funds to each of the three subgrantees. If the full CJS doesn't meet in March, staff will ask the Executive Committee to review and approve the subgrant applications in March. The budget period for the third year subgrant will run April 1, 2010 – March 31, 2011. At Gib Sudbeck's request, Kirschenman will put together outcome data based on the subgrantee's quarterly performance reports and provide this information at the next CJS meeting.

8. JABG UPDATE

Jodi Kirschenman reviewed the Juvenile Accountability Block Grant budget handout and gave project updates for the various funded projects. Some entities are delinquent on submitting reimbursement requests but Kirschenman's contacts with the grant project directors indicate projects are continuing and reimbursements will be forthcoming. The use of dollars for personnel versus direct services for youth was discussed. Subgrantees are expected to have their Local Crime Enforcement Coalitions make funding recommendations and approve the subgrant application before it is submitted to the DOC. As requested, Kirschenman will provide additional information specific to Minnehaha and Pennington County's JABG subgrants to Janine Kern, Carol Twedt, and Aaron McGowan.

Four teen court programs are submitting reimbursements as well, and performance reports are due this month.

9. NAP UPDATE

Jodi Kirschenman provided updates for the Native American Programs subgrants. The current grant cycle ends June 30, 2010, and all subgrant money is being used for juvenile probation officers, or juvenile court service officers. These positions on the reservations are desperately needed, which has also been reiterated by the TAG. Cheyenne River Sioux Tribe and Flandreau Santee Sioux Tribe have submitted reimbursements and are current with their performance reporting. Kirschenman has had contact with Sisseton-Wahpeton Oyate Sioux Tribe and Rosebud Sioux Tribe. Both indicate their projects are active and they will be submitting reimbursement requests. Standing Rock Sioux Tribe's project director has had regular contact with Kirschenman and indicates they are struggling with getting someone hired for the position. They are working diligently on getting their project up and running.

10. FY2009 CJS ANNUAL REPORT UPDATE

Jodi Kirschenman provided CJS members with a copy of their FY2009 Annual Report and gave them a listing of recipients that received an electronic copy of the report, and those that received a hard

copy. Gib Sudbeck talked briefly about the alcohol and drug juvenile admissions to treatment on page five of the report. Discussion ensued. The Council thanked Kirschenman for summarizing their FY09 activities into the annual report.

#### 11. FACJJ MEETING SUMMARY

Doug Herrmann attended the Federal Advisory Committee on Juvenile Justice October 29-31<sup>st</sup> in Austin, Texas.

The FACJJ released the 2009 annual report. Jodi Kirschenman mailed a copy of the report to CJS members prior to the meeting. Herrmann explained that the report is developed differently than past reports as it covers juvenile justice leadership and specific recommendations regarding leadership. The federal role of the FACJJ has been discussed and what position the FACJJ will take regarding it's future since the Act's reauthorization includes language that would change the role of FACJJ if the reauthorization passes. Reauthorization may occur in the next three to six months and new administration of OJJDP may be appointed soon.

Regardless of changes that occur, FACJJ will work to continue obtaining ARI (annual request for information) from states. Discussion ensued.

Herrmann will be meeting with Governor Rounds tomorrow at which time he hopes to share this report with him.

#### 12. FY2010 GRANT APPLICATION DUE DATES

The DOC is working on federal fiscal year 2010 applications through the Office of Juvenile Justice and Delinquency Prevention. The FY2010 JABG application must be submitted to OJJDP no later than February 28<sup>th</sup>. Since the CJS is not meeting prior to the due date, Jodi Kirschenman will provide the Executive Committee with a copy of the completed application and seek their approval. Their decision can then be ratified at the next CJS meeting. The FY2010 Title II and Title V applications must be submitted to OJJDP no later than March 31<sup>st</sup>. If the CJS meets prior to this date then the agenda will include time to review and approve the applications for submission to OJJDP. If the CJS does not meet prior to March 31<sup>st</sup>, Kirschenman will seek approval of the Executive Committee with the full Council ratifying the decision at their next meeting.

Since she does not serve on the Executive Committee, Susan Randall asked that DMC remain a priority, and she hopes the Native American Program budget would get \$125,000 as that money is very important to the Tribes.

#### 13. OLD BUSINESS

##### ◆ TAG DISCUSSION

Susan Randall was absent for the October CJS meeting and the minutes from that meeting reflect a motion to approve SDVC to staff three TAG meetings in 2010 at no more than \$2,000 per meeting. Randall indicated SDVC could not do it for this amount. Randall reviewed her handouts, which include the updated Tribal Juvenile Justice Directory, two sets of TAG meeting minutes, and the TAG Strategic Plan. Randall explained their workload, tasks, etc and stressed that they just can not staff meetings at \$2,000 but that up to \$3500 per meeting is more feasible. Discussion ensued followed by questions for Randall.

Randall excused herself from the room while the Council voted. CJS members discussed meeting frequency, location of meetings, benefits of holding the meetings on reservations, and the average costs of meetings. Kevin McLain referred to the budget. \$12,000 is budgeted for TAG support. ***Gib Sudbeck moved to fund three meetings up to \$3,500 per meeting in CY2010, Beth O'Toole seconded. Janine Kern recused herself from voting. Motion carried.***

#### 14. NEW BUSINESS

##### ◆ JUDGES ASSOCIATION MEETING TRAINING SLOT

Janine Kern informed the Council that there is an opportunity in June at the Judges Association meeting, as there is a one and a half-hour training slot available. This slot could be an opportunity to give an overview of JDAI if the initiative is moving along progressively. Discussion ensued. Kern will explore this possibility further with Kevin McLain and Nancy

Allard based on where the CJS is at with the JDAI. The next opportunity for judicial training would be in September where a more formalized presentation could be given.

15. SCHEDULE NEXT MEETING

The Council's next meeting will be Thursday, March 25, 2010 in Chamberlain from approximately 10AM to 3PM.

16. ADJOURN

The meeting adjourned informally at 12:53 P.M.