

Meeting Minutes
South Dakota Council of Juvenile Services
June 11, 2009
Thunderstik Lodge, Chamberlain, SD

Council of Juvenile Services Members Present: Carol Twedt, Mike Leidholt, J.C. Chambers, Doug Herrmann, Grant Walker, Nancy Allard, Janine Kern, Kaylee DeNeui, Beth O'Toole, Victor Erlacher, Jason Goette, Aaron McGowan, Gib Sudbeck, and Karen Jeffries.

Council of Juvenile Services Members Absent: Susan Randall, Jo Vitek, Ella Rae Stone, Tanner Starr, Virgena Wieseler, and Liz Heidelberger.

Others Present: Jodi Kirschenman, Joy Erlenbusch, and Sarah Burger from DOC.

1. WELCOME, INTRODUCTIONS, and REVIEW of AGENDA

Chair Carol Twedt called the meeting to order at 10:07 AM, CDT with introductions. The Council modified the agenda to include "CJJ Updates" and "State Statute Changes" under the agenda item *New Business*.

2. APPROVAL of MARCH 2009 MEETING MINUTES

Janine Kern requested two additions to number five of the March 2009 meeting minutes. *Gib Sudbeck moved to approve the March 2009 meeting minutes with the requested changes, seconded by Janine Kern. Motion carried.*

3. BUDGET STATUS REPORT

Jodi Kirschenman gave an overview of the FFY07 and FFY08 Formula Grant budgets. She reviewed the budget categories, expenses to date, current balances, and the projected ending balances. There is money available for the Native American Program (6 subgrants up to \$25,000 each) and for the DMC initiative. The budget period for this money will end June 2010 leaving a projected balance of approximately \$164,595. *Staff recommend the balances remain unallocated until the CJS has concluded the planning process with the juvenile detention alternatives initiative (JDAI), in order to determine if there are JDAI implementation and intervention costs that should be supported with Formula Grant funds. Janine Kern so moved, Nancy Allard seconded. Motion carried.*

4. DETENTION REFORM / ALTERNATIVES INITIATIVE

Jodi Kirschenman gave an overview of the Juvenile Detention Alternatives Initiative (JDAI) and examples of JDAI supported by the Annie E. Casey Foundation. Staff asks for the Council's approval to submit a technical assistance (TA) request for planning TA. Staff suggests this initiative focus on addressing South Dakota's incarceration rate, the DMC issue as it relates to detention and out of home placement, and CHINS. Through this planning process, the Council will then be able to determine the steps that the state will undertake to address these issues, confirm that it's appropriate to address these three issues as a single process, and determine if we work on the JDAI as a statewide initiative or regionally. For this to be successful there has to be local support. It's not enough for this to be a concern of the CJS. Local juvenile justice professionals and communities need to take ownership and be willing to address these issues. Judges, States Attorneys, Sheriff's and detention center operators will need to be part of the process, buy in to and appreciate the problems and the solutions to address them. Kirschenman indicated that this is just the first TA request for the planning process. There may be more TA needs regarding strategy, activities, etc. that are identified/developed through the planning process. Discussion ensued and expectations were discussed. Nancy Allard recommended a TA provider that has experience in rural states and rural communities with high DMC numbers. Members agreed it would be best to receive the TA as a small group to be educated and become more knowledgeable on JDAI, the best strategies to approach other stakeholders for buy-in, and the steps involved in making such an initiative work for our state. *Mike Leidholt moved to approve staff to submit a request for Planning Technical Assistance for the CJS and the Statewide DMC Committee, with the focus to address SD's incarceration rate, the DMC issue as it relates to detention and out of home placement, and CHINS. Staff has the discretion to find an appropriate TA provider, with the anticipated TA taking place this fall. Aaron McGowan seconded. Motion carried.*

5. TITLE V DELINQUENCY PREVENTION SUBGRANTEE PRESENTATIONS

Jodi Kirschenman introduced the three current Title V Subgrantee Project Managers prior to their presentations. Kelli Rumpza gave an overview of Watertown's Title V funded projects with the main focus on the Family Resource Coordinator; Dan Mielke presented on the Love and Logic project that Brookings is utilizing through Title V; and Bob Smith shared the successes of the Project Learn program that Wagner/Charles Mix County is implementing.

6. TRIBAL ADVISORY GROUP UPDATE

Karen Jeffries provided the TAG update from their April 2009 meeting where the major focus was finalizing action steps and process measures to address the six goals in the TAG's strategic plan. In addition, the TAG outlined three specific items to call to the Council's attention. The first item was a motion by the TAG to consider ways to approach state agencies that affect tribal youth in juvenile justice systems and encourage them to increase native representation in providing services. The second item is regarding the current status of funding for tribal juvenile probation officers, the need for stable funding of probation officers, and the need to update tribal codes. The final item was an invitation from the TAG to CJS representatives to join a workgroup that would look at the six TAG Strategic Plan Goals and identify steps toward state-tribal collaboration. Discussion ensued.

The Council asked staff to email Susan Randall and copy the CJS Executive Committee. The purpose of the email is to ask Randall for more specifics on this third item and what is expected of the Council to address this.

7. NATIVE AMERICAN PROGRAM SUBGRANT APPLICATION APPROVALS

Jodi Kirschenman reviewed a summary of the NAP applications that were received by the DOC. Five completed applications were received from Cheyenne River, Flandreau, Rosebud, Sisseton, and Standing Rock. All five applications included budgets for \$25,000 to fund probation officers, juvenile court service officers, or juvenile diversion officers. ***Gib Sudbeck moved to approve the five completed NAP applications, allowing staff to work with these five Tribes to correct any deficiencies in their applications; Mike Leidholt seconded. Motion carried.***

A NAP application was also received from Crow Creek, but it was incomplete. Discussion ensued. ***Gib Sudbeck moved to allow Crow Creek until close of business on June 18th to submit their application; Karen Jeffries seconded. Motion carried.*** The Council requested staff notify Crow Creek of this extension.

8. DMC COMMITTEE REPORT

The DMC Committee met earlier in the week. The majority of the meeting was spent reviewing the most recent DMC data in detail, as well as reviewing the DMC proposals that were submitted as possible local intervention sites. During the meeting, representatives from local advisory groups were in attendance to present an overview of their proposal and provide follow-up to questions identified by the committee members.

9. DMC LOCAL INTERVENTION SUBGRANTS

Joy Erlenbusch reviewed the DMC applications that were submitted. Two allocations for \$60,000 with recipients in SD's two metropolitan statistical areas and a third proposal was open for competitive applications to decrease DMC and incorporate Tribal collaboration as components. Applications were received from Minnehaha County, Pennington County, and Sisseton. Erlenbusch explained the contents of the proposals received. Minnehaha County's proposal included DMC Advisory Group Coordination (through SDVC), Native American Outreach Specialist (LSS), and Positive Indian Parenting (Great Plains Psychological Services). Pennington County's proposal was for DMC Advisory Group coordination and Youth Success Plan, with both being provided through Society for the Advancement of Native Interest-Today. Sisseton's proposal was for Truancy Intervention Advocacy, Mentoring Program, and DMC Advisory Group Coordination all through the Sisseton Public School. Discussion ensued. ***Gib Sudbeck moved to approve local intervention subgrant applications, allowing staff to work out the non-supplanting issue with SANI-T as recommended by the DMC Committee; Nancy Allard seconded. Motion carried.***

10. DMC CULTURAL TRAINING UPDATE

The training workgroup has met two times, with members including representation from court services, Minnehaha County, Pennington County, Detention Center staff, DOC, and possible trainers. Training content and implementation process details were discussed, with the workgroup deciding on conducting a survey of the training content. The researcher is reviewing a draft survey and it will soon be reviewed with the workgroup. Next steps include distribution and collection of the survey, analysis of the Training Content survey, reviewing the survey results, assigning training sessions, and then review the final training content and implementation planning. Discussion ensued on the training and the attitudes. The goal of the workgroup is to train in small segments, then assess and evaluate the training, tweak it, and move on to the next group.

11. 2008 COMPLIANCE MONITORING REPORT

The 2008 compliance monitoring report will be submitted at the end of June 2009. Joy Erlenbusch summarized the reports and reviewed the violation specifics, which indicate that violations are down for 2008 compared to previous years. In 2007 South Dakota had 11 DSO violations compared to six in 2008, 21 Jail Removal violations in 2007 compared to 4 for 2008, and we had 2 Separation violations in 2007 compared to zero in 2008. Joy reviewed specific violations and the circumstances surrounding each. The Council requested Joy research state and federal law and follow-up with any avenues to pursue approval for additional exceptions by OJJDP for some of the violations identified.

Discussion ensued. The Council requests drafting a letter for the Governor to sign which will go out to counties commending them on their efforts and success, as well as request a press release. Chair Twedt asked Doug Herrmann and Joy Erlenbusch to work on this with DOC Secretary Reisch and the Governor's Office.

12. FY2009 CJS ANNUAL REPORT

Jodi Kirschenman reminded the Council that the FY2009 CJS Annual Report will be drafted this summer, and she asked the Council for their input on the contents of the report. Discussion ensued. It was requested that the report highlight the improvements on South Dakota's compliance violations and to compare 2002 with 2008 numbers. Other suggestions include the need to address the Centralized Intake Closure, using a graph and delineate what is being done to assess CHINS, and insert new DMC numbers. Joy Erlenbusch indicated that DMC numbers in the report are based on calendar year, and so the next report will contain calendar year data for 2002 through 2007. Commendations regarding the report were given.

Janine Kern and Carol Twedt volunteered to review a draft report prior to the fall CJS meeting. The goal is to have the report finalized, printed, and distributed prior to the start of the next legislative session.

13. OLD BUSINESS

◆ CJJ NATIONAL CONFERENCE SUMMARY

Karen Jeffries gave a summary of the Coalition for Juvenile Justice National Conference held in Arlington, VA in April. Jeffries indicated this was a conference she would highly recommend. She met the CJJ chair and vice chair, and indicated that 48 states and Puerto Rico were represented at the conference. Jeffries gave an overview of the sessions she attended.

◆ HOLDOVER FUNDING FOR TRIBES

Crow Creek approached Jodi Kirschenman at the last TAG meeting about whether or not they could access holdover funding. Based on past CJS discussions regarding Tribal holdover, the CJS approved funding one holdover per reservation with reimbursement not to exceed \$100,000 per year for all nine Tribes. Furthermore, the money would have to be shifted and come out of NAP funding because we can not use compliance dollars for anything other than projects that keep the state in compliance with the Act. To date, no Tribe has accessed money for holdover. If the council chooses to continue to make this funding available for holdover for Tribes, staff needs to know which budget category this money should come from.

In past correspondence with Crow Creek, staff asked them to submit a formal written request for holdover funding, but nothing has ever been received. Janine Kern discussed the need for holdover in Crow Creek. Discussion ensued. Janine Kern proposed staff contact Crow Creek to let them know that there aren't any funds available at this time. If Crow Creek is interested in pursuing, then they must submit a detailed proposal that has their Tribal Chairman's approval, by September 1, 2009 in order for this request to be considered at the fall CJS meeting. The Council agreed with this proposal.

14. NEW BUSINESS

◆ STATE STATUTES UPDATES

During the last legislative session, the alcohol and drug statute was changed to allow tribal programs with 638 contracts with Indian Health Services. This will allow Tribes to be fully accredited by the Division of Alcohol and Drug by submitting paperwork that the Tribes have already completed with IHS in regards to their accreditation. In turn, they agree to submit data to the Division of Alcohol and Drug related to client information. Gib Sudbeck explained the process, issues, and the mechanisms in place. Discussion ensued.

◆ CJJ UPDATES BY CONFERENCE CALL

Via conference call CJJ Executive Director, Nancy Gannon Hornberger, welcomed South Dakota as one of 48 members of CJJ. Ms. Hornberger provided an overview of CJJ, gave updates on what is taking place on Capitol Hill, explained some of the changes in Administration, and shared updates on the Juvenile Justice and Delinquency Prevention Act as it moves through Congress. In addition, Ms. Hornberger shared policy and transition activities that are taking place, including the reauthorization of the Act in the form of Bill 678.

15. SCHEDULE NEXT MEETING

The Council's next meeting will be October 7-8, 2009. Staff will check into accommodations at Sylvan Lake as well as other possible locations near Rapid City or Chamberlain.

16. ADJOURN

Kaylee DeNeui moved to adjourn; seconded by Gib Sudbeck. Motion carried. Meeting adjourned at 3:40 PM, CDT.