

*Meeting Minutes*  
**South Dakota Council of Juvenile Services**  
*March 19, 2009*  
*Holiday Inn Express – Ft. Pierre, SD*

**Thursday, March 19, 2009**

**Council of Juvenile Services Members Present:** Carol Twedt, J.C. Chambers, Doug Herrmann, Susan Randall, Grant Walker, Nancy Allard, Mike Leidholt, Janine Kern, Kaylee DeNeui, Jo Vitek, Beth O'Toole, Virgena Wieseler, Victor Erlacher, Karen Jeffries, Jason Goette, Ella Rae Stone, and Tanner Starr.

**Council of Juvenile Services Members Absent:** Aaron McGowan, Gib Sudbeck, and Liz Heidelberger.

**Others Present:** Kevin McLain and Jodi Kirschenman from DOC.

1. WELCOME, INTRODUCTIONS, and REVIEW of AGENDA

Chair Carol Twedt called the meeting to order at 10:00 AM, CDT. Introductions were made, and the Council welcomed new member Tanner Starr. The topic "CJJ Dues" was added to the old business agenda item, and Janine Kern asked to discuss "CHINS" under the new business agenda item.

2. APPROVAL of DECEMBER 2008 MEETING MINUTES

*Mike Leidholt moved to approve the December 2008 meeting minutes, seconded by J.C. Chambers. Motion carried.*

3. FY09 JABG GRANT APPLICATION - RATIFY EXECUTIVE APPROVAL

Jodi Kirschenman reported that the FY09 JABG application has been completed. The FY09 award amounts have not been established by OJJDP yet, so the application was completed based on FY08 award amounts which was \$293,200 for SD. A 10% match is required for JABG funds, which totals \$32,577 for a grand total of \$325,777 for the FY09 JABG award. Kirschenman reviewed the various funding categories of the grant, the predetermined units of local government and their award amounts, and anticipated uses of the FY09 JABG funding.

Since the application was due to OJJDP by March 3<sup>rd</sup>, the executive committee approved the application in order to meet the submission deadline. *Jodi Kirschenman asked the full Council to ratify the executive committee's approval. Victor Erlacher moved to do so; Karen Jeffries seconded. Motion carried.*

4. TITLE V GRANT APPLICATION and SUBGRANT APPLICATIONS APPROVAL

Jodi Kirschenman said the FY09 Title V application, in the amount of \$48,360.00 has been completed. The Title V grant requires a 50% match, which totals \$24,180 for a grand total of \$72,540. The application outlines the use of the full FY09 Title V award to continue supporting three local prevention programs that were awarded utilizing FY05 money- Watertown, Brookings, and Charles Mix County/Wagner. Due to the amount of the subgrants (\$35,000 per year for 3 years), the Council will need to utilize funding from FY05 through FY09 in order to ensure these entities receive three years worth of start up funding, as previously obligated by the state. *Janine Kern moved to approve the FY09 Title V application; Karen Jeffries seconded. Motion carried.*

Kirschenman summarized second year Title V subgrant applications that were submitted by Brookings, Charles Mix County/Wagner, and Watertown. All three entities applied for \$35,000 each and are meeting or exceeding the required fifty-percent match. *Mike Leidholt moved to approve second year Title V subgrant applications for Brookings, Charles Mix County/Wagner, and Watertown for \$35,000 each; Ella Rae Stone seconded. Motion carried.*

5. TITLE II GRANT APPLICATION INPUT AND APPROVAL

Kevin McLain reviewed the draft Title II Grant application for \$600,000, which is due March 31, 2009. The application contains current activities that the CJS identified. One major addition to the 2009 application is including the problem of South Dakota's high juvenile incarceration rate, which the Council identified in the past as a major concern. This issue has been included in the application in order to address it through a project or projects. McLain suggested requesting technical assistance on curriculum development to educate the respective groups who can help address the issue, and then go to the Sheriff Association, to the Police, the State's Attorneys, etc. to get buy-in. Janine Kern indicated that the court has court improvement funds for training and suggested the Council join efforts with them.

McLain then reviewed the budget categories, amounts and planned uses. Discussion ensued regarding the county juvenile reimbursement program. Janine Kern suggested sending an emissary to Davison County to encourage looking at other options for holding/detaining their youth. McLain offered to bring different options to the next meeting for the Council to discuss and consider. Such options would include having a cap per county and cap per dollar amount for each of the various services available under the juvenile reimbursement program. Carol Twedt offered to talk with Ken McFarland and they will do some more work with Davison County and report back at the next meeting.

McLain continued reviewing the sections of the application. Kern requested a CHINS reference and ICWA interplay in section one. In reviewing the crime problems in section two, the data does not include all arrests, and there are other problems with the DCI data as well. Discussion ensued. McLain will visit with Jo Vitek and Mike Leidholt through conference call to discuss this issue further. McLain will then contact the director of DCI to see if the DCI is willing to address the problem.

Kern requested the descriptions of the teen court and diversion programs be put back into the application and she requested Nancy Allards' input on lower CHINS new commits. Kern suggested an outside assessment or technical assistance to address our high juvenile incarceration rate.

The Council suggested other changes to the application and agreed on taking time at their next meeting for planning on strategy and approaches. ***J.C. Chambers moved to approve the application with the changes discussed today; Jo Vitek seconded. Motion carried.***

6. BUDGET STATUS REPORT

Kevin McLain provided a budget status report for the Council, explaining that we are spending three federal fiscal year's worth of funding - FFY06, FFY07, and FFY08. It is projected that this money will be spent by June 30, 2010. McLain reviewed the budget categories and costs incurred under each. ***Mike Leidholt moved to allow DOC the authority to transfer FY06 funds between line items and to seek budget amendments as needed in order to expend funds consistently with this budget, with no changes to the County Reimbursement Program until July 1, 2010; JC Chambers seconded. Motion Carried.***

7. DISCUSSION OF JUVENILE JUSTICE SYMPOSIUM

Susan Randall said a contract has not been agreed upon yet. Also, the Council needs to determine if it will be worthwhile to hold it this fall due to the economy constraints and travel restrictions that possible attendees are faced with. The goal is to have 200 attendees, but can people come, when can they meet, and when can they hold the symposium. VOA just received a \$25,000 grant to hold a one-day statewide dropout prevention summit in October. Randall reviewed options of possibly having a dual-focused summit-symposium of DMC and Detention Reform or a one-day symposium. Randall added that she won't consider cutting back the coordination dollars in the budget unless they cut the symposium down to one day. The workgroup has not convened yet. Discussion ensued. It was suggested that staff look into technical assistance in order to have a presenter at the fall CJS meeting and then invite the TAG and other key personnel such as law enforcement to participate in the training. Members suggested planning for a full day with a speaker and then the CJS could meet later over a working dinner. ***Mike Leidholt moved to defer the symposium and to seek a technical assistance provider for a fall meeting for DMC and Detention Reform; Janine Kern seconded. Motion carried.***

#### 8. NATIVE AMERICAN PROGRAMS UPDATE

Jodi Kirschenman gave an overview of the NAP site visits that were conducted this year, reviewed the status of the current NAP subgrants and the budget balances, and reviewed data reported by each of the Tribes. Current active Tribes that have NAP projects underway include Cheyenne River, Flandreau, Rosebud, and Sisseton. Kirschenman explained that Crow Creek's project has concluded without their full award being expended and Yankton Sioux Tribe also applied but they have not expended any funds. The next round of NAP applications, which will be competitive, will go out mid-Spring to keep the NAP subgrants on a state fiscal year basis.

Kirschenman also explained that Tolly Estes and Donita Loudner from Crow Creek are currently managing two new grants for Crow Creek. These individuals are interested in using the funds that are remaining from Crow Creek's award for a diversion officer if the Council would extend the budget period to go through September 30<sup>th</sup>. Discussion ensued. ***Susan Randall moved that all NAP subgrants end June 30, 2009 and award up to six new subgrants at \$25,000 each beginning July 1, 2009; Karen Jeffries seconded. Motion carried.***

#### 9. DMC CULTURAL TRAINING PROJECT

Kevin McLain updated the Council on the two meetings that have been held regarding DMC cultural training. Dr. Martin Brokenleg facilitated the first meeting and the second meeting consisted of the workgroup meeting on their own. Dr. Brokenleg will come back again prior to implementation to do training of the trainers. The workgroup also wants to do a survey of the past training recipients, so staff will work with Roland Loudenberg to develop a survey and get JC Chambers and Dr. Craig Howe to review it and approve it before it's used. Survey results would not be ready until this fall.

The Council discussed how to best get the DMC data out to the public, who to disseminate it to, and how to make it easily understandable.

#### 10. STIMULUS FUNDING

Kevin McLain provided information on stimulus funding and reviewed the handout information covering this topic. McLain explained that the information changes frequently regarding what money is available. As of today, South Dakota is eligible for five million. Three million of this will go to the Attorney General's Office with forty percent of the AG's allocation for the Executive Branch projects, and the remaining for AG activity. The money must focus on job development and must be new projects - they can't supplant state money. Discussion ensued.

#### 11. STATE TRANSPORT SYSTEM

Doug Herrmann gave an overview of how the issue of the state transport system has been addressed to date, including the response letter from Governor Rounds outlining recommendations. The steps taking place to further address this issue include a DOC policy that has been written and signed by the Department Secretary to address staff training and awareness, and reporting procedures for complaints and incidents. This policy and practices are in place. Herrmann is now working on updating an operating agreement that the department has with counties and he is working with two Sheriff's on updating the agreement and making sure that everyone is consistent with the new policy.

Modifications to the transport vehicles are being researched. Herrmann provided diagrams that could be considered as options for modifying the vehicles and asked if the Council is interested in funding a van modification. Basic insert runs \$5,000-\$10,000, and can cost up to \$35,000 depending on more upgrades such as cameras, audio equipment, etc. Herrmann also explained how all legs of the transport system work and operate with separating juveniles from adults. Discussion ensued, with Herrmann excusing himself from the room.

The Council determined they want to see the van before deciding if they will pay for any modifications. ***Susan Randall moved that the Council express appreciation to Doug Herrmann and the DOC for exploring alternatives to transporting juveniles, that the Council declare their support of transporting juveniles separate from adults, and urge moving in that direction as money becomes available; Beth O'Toole seconded. Two members opposed, motion carried.***

Doug Herrmann returned to the meeting and was informed of the Council's decision.

## 12. CENTRALIZED INTAKE CLOSURE

Nancy Allard provided a final update on the steps involved with closing the centralized intake project, and the preservation of the data and information. Mike Leidholt shared that as of January 2010, Hughes County will have a new collocated facility with eight secure beds and eight non-secure beds. He added that they would entertain the idea of being a central call center if this idea would ever come back on the table. Discussion ensued.

## 13. FY08 CJS ANNUAL REPORT DISTRIBUTION

Jodi Kirschenman reported on the final costs and distribution of the Council's FY08 Annual Report. Sixty reports were printed at a cost of \$7.929 per copy and a link to the report was also put on the DOC website. Hard copies of the report were sent to the following: Governor, Chief Justice, CJS, Corrections Commission, LRC, State Library, and OJJDP.

Legislators, Supreme Court Justices, Circuit Court Judges, and Chief CSO's were emailed an adobe version of the report along with the links to the DOC website.

Kirschenman enlisted help of CJS members with distributing the report to others. Sheriff Leidholt emailed the report to South Dakota Sheriff's, Susan Randall emailed the report to TAG members, and Aaron McGowan emailed the report to State's Attorneys.

## 14. 2008 FEDERAL ADVISORY COMMITTEE ON JUVENILE JUSTICE ANNUAL REPORT and ANNUAL REQUEST FOR INFORMATION.

Doug Herrmann handed out and reviewed the 2008 FACJJ report. Herrmann encouraged members to read the report, and summarized the core values, the executive summary, and the recommendations developed including those to the President regarding the four core protections. Herrmann indicated that the committee has approved the 2009 FACJJ report, which focuses a great deal on leadership for juvenile justice. Although the 2009 report is not ready to be shared or distributed yet, it will be available this summer.

Jodi Kirschenman explained the 2009 FACJJ Annual Request for Information (ARI) form, which is due May 15th. In past years, the ARI form was completed using the previous year's information, three-year plan information, and CJS recommendations. The Council reviewed the ARI questions and provided input for completing the request for information. ***Janine Kern moved that detention reform, DMC, Tribal issues, lack of primary prevention services, and quality of and/or lack of judicial training be marked as the five most important issues our state faces; Grant Walker seconded. Motion carried.***

Members discussed recommendations to the President, Congress, and to the OJJDP Administrator, as well as DMC, promising practices in our state, and technical assistance needs.

## 15. OLD BUSINESS

### ✧ CJJ DUES

The annual membership dues to the Coalition for Juvenile Justice are up for renewal for \$5,000 for the year. Discussion ensued regarding the benefits of being CJJ members. ***Susan Randall moved to renew membership to CJJ and ask them to reduce future membership dues for rural states with limited Formula Grant dollars; Janine Kern seconded. Two members opposed, motion carried.***

## 16. NEW BUSINESS

### ✧ CJJ NATIONAL CONFERENCE

The CJJ National Conference will be May 2-5, 2009 in Arlington, VA. The title is "Unlocking the Future of Juvenile Justice", with regional meetings, committee meetings, Hill Day training and SAG training. Kevin McLain added that even though there are travel restrictions, we should be able to get approval to send a council member to this training because there are funds in the Formula Grant budget for a council member to attend. Jodi

Kirschenman will assist with the conference registration and arranging travel accommodations if anyone is interested in attending.

✧ CHINS

Since it's one of our mandates, Janine Kern felt that it would be helpful to ask the legislature to look at the status of CHINS and the progress we are making with CHINS. Kern would like them to review the numbers being adjudicated, the numbers being remanded to the DOC, and promising strategies being used. She would like to revisit the CHINS issue at our next meeting.

✧ ANNOUNCEMENTS

Susan Randall informed the Council that a website has been created for parents regarding kids' mental health as an online directory. The website address is [sdkidsmentalhealth.org](http://sdkidsmentalhealth.org). There is also a DVD of the mental health handbook. Randall provided information regarding an upcoming training on infant and early childhood mental health.

17. SCHEDULE NEXT MEETING

The Council's next meeting will be Thursday, June 11, 2009 from ten o'clock AM until four o'clock PM, CDT in either Chamberlain or Pierre, depending on where staff can make feasible meeting arrangements.

18. WRAP-UP & ADJOURN

***Karen Jeffries moved to adjourn; seconded by Jason Goette. Motion carried.*** Meeting adjourned at 4:05 PM, CDT.

*Recorded by Jodi Kirschenman  
Juvenile Justice Specialist*