



## **HOLDOVER PROGRAM**

**Administered by the South Dakota Department of Corrections**

**Funding provided through the U.S. Department of Justice  
Formula Grant Funds**

### **A. Definition**

A holdover site is defined as a place where a trained attendant provides constant supervision of juveniles in a non-physically secure setting. For the purposes of reimbursement, these holdover sites can be operated directly by any county, Tribe, or by any private agency authorized by the county or Tribe and the responsible juvenile court.

### **B. Description of Setting**

Holdover sites will typically be a room or rooms located in a non-secure public facility, or in a non-secure area of a public facility. Potential facilities include a police station, law enforcement center, sheriff's office, health center, other local or state public agency, a private social service facility, or interested private business.

Each holdover site must provide:

1. A minimum of eighty square feet of floor space for the first juvenile and an additional fifty square feet for each additional juvenile supervised.
2. Access to bathroom facilities that include a sink, toilet, and shower.
3. Chairs and/or couches sufficient to allow all juveniles and attendants a place to sit down and to allow a juvenile to lie down for rest.
4. Access to telephone or other communications for contact of backup or emergency personnel.
5. The capability to prepare meals or have meals delivered.
6. Adequate lighting to allow visual supervision of juveniles at all times.

Additionally, the site (including furnishings) must comply with all federal, state, and local fire, sanitation, safety, and health codes. The site must also comply with any applicable zoning requirements for such facilities.

### **C. Youth Eligible for Holdover Site Placement**

Juveniles who are apprehended and cannot be immediately returned home, or who are currently under law enforcement or court jurisdiction and/or agency custody, may be held

in a non-secure holdover site, providing the intake officer has ordered the youth to be placed at the site.

In general, holdover site care is designed for those juveniles who are awaiting a temporary custody hearing, other court appearance or release to parent or legal guardian. Again, the intake officer will order placement of the juvenile in the holdover site.

#### **D. Length of Placement**

In general, holdover site care placements will average less than 24 hours while the youth waits for a temporary custody hearing or release to a parent or guardian. Due to weekends and holidays, placement may be extended for up to 72 hours. In most cases, if placement will exceed 72 hours, other placement alternatives may be more appropriate.

#### **E. Funding Support**

Reimbursement for holdover services is available through the South Dakota Department of Corrections Formula Grant Funds.

To be eligible for financial support under the South Dakota Department of Correction's / U.S. Department of Justice Formula Grant Funds, the local jurisdiction or private provider must obtain approval from the Department of Corrections (DOC) for any holdover site program.

All jurisdictions requesting reimbursement are to designate an individual who is authorized to approve the use of, coordinate and direct the use of the Holdover Site services. It is anticipated that this will often be the County Sheriff or his designee.

Reimbursement for a holdover site placement will be allowed for up to 72 hours of care in the pre-dispositional phase.

Reimbursement for attendant care and attendant training is available upon approval of the holdover site by the DOC. The reimbursement amounts are provided on the attached Reimbursement Schedule.

Reimbursement for furnishings and equipment is also available on a case-by-case basis, with a cap of \$2,000 per site. This may include such basic items as a couch, chairs, reading lamps, a table, a radio, a television, a VCR, or appliances such as a refrigerator. As some areas have experienced community interest and support for holdover sites, the possibility of donations for these items to increase community involvement should be considered before requesting reimbursement.

The provider will be responsible for such on-going expenses as telephone bills, heating, water, sewer, and electricity.

## **F. Recruitment/Qualifications of Attendants**

The qualifications established by the DOC for attendants shall include:

1. 20 years of age or older.
2. Completion of training approved by the Department of Corrections, which must include at a minimum: role of holdover attendant, adolescent development, communicating with juveniles, verbal de-escalation techniques, and an overview of the Juvenile Justice System.
3. Attendants are required to be CPR and first aid certified prior to supervision of juveniles, and a minimum of 4 hours annually thereafter. If a facility has 24 hour access to onsite personnel that is CPR and first aid certified, holdover attendants are not required to become certified.
4. Successful completion of a criminal background check and child abuse registry check.
5. A sincere interest and willingness to work with youth.
6. Present written proof of a negative TB test.

The local jurisdiction or private agency contracting to provide the service may establish additional requirements as determined appropriate at the local level. Consideration should be given to the individual's emotional maturity, judgment, and temperament.

It shall be the sole responsibility of the local jurisdiction, or the agency contracted with that jurisdiction, to direct the recruitment process, identify potential attendants, initiate the background checks, and supply the names and addresses of potential attendants approved for training to the training coordinator. Upon completion of training, it shall also be the responsibility of the local jurisdiction (or agency) to determine which potential attendants are qualified for the position.

## **G. Status of Holdover Attendants**

Holdover attendants are to be locally recruited. As indicated in the Reimbursement Schedule, the DOC will make reimbursement of the stipends and expenses for attendants to the local jurisdiction or private agency. The local jurisdiction or private agency will be responsible for payments directly to the holdover attendants.

The interpretation of attendants as "employees" with respect to social security, unemployment compensation, and workers compensation must be made individually by the local jurisdiction or private agency upon the advice of the state's attorney or legal counsel.

## **H. Attendant Training**

DOC has established a training program to provide training of attendants. Attendants must also be CPR and first aid certified if there is not 24 hour onsite personnel that is certified. If the attendant is not already CPR and first aid certified, then reimbursement will be provided for the cost of this additional training. This additional training shall be arranged by each individual attendant prior to beginning attendant care.

To request training, the local jurisdiction or private agency must contact the Department of Correction to schedule a time for the training. Training will be provided on an as needed basis. At the completion of the training, the Department of Corrections will supply the agency with a list of names of those people successfully completing the training.

The local jurisdiction or private agency will be responsible for ensuring that attendants are trained in all local operating procedures and policies, and are familiarized with the holdover site, prior to working with youth.

The local jurisdiction or its contracted provider shall reserve the right to decline to hire any attendant whom they believe is incapable of carrying out the duties of a holdover attendant.

### **I. Holdover Operating Procedures**

The local jurisdiction or private agency operating the holdover site must develop Holdover Site operating policies and procedures. These policies and procedures should address the topics listed on the attached Exhibit A and may also include other policies and procedures determined appropriate or necessary by the local jurisdiction or private agency. The local jurisdiction or private agency must provide a copy of the operating policies and procedures to the South Dakota Department of Corrections to be eligible for funding support.