Message from the Chairperson:

The Council of Juvenile Services (Council) oversees the State's participation in the Juvenile Justice and Delinquency Prevention Act (JJDPA) of 1974, as amended, Formula Grants Program. The Council is required to make an annual report to the Governor and Legislature on the State's progress in meeting the requirements of the JJDPA and is also responsible, pursuant to SDCL 1-15-30(8), for making an annual report to the Governor, Chief Justice, and the Legislature on the status of Children in Need of Supervision (CHINS). This report serves to meet both of these reporting requirements.

The Council has worked diligently over the past fourteen years to enhance juvenile justice services in the state. The following pages of the Annual Report are a condensed summary of the accomplishments over the past year. I believe you will be proud of the critical and relevant work that has been done in our state since South Dakota came into compliance with the JJDPA in 2003. Furthermore, Federal Fiscal Year 2017 Formula Grant Application was submitted and approved by the Office of Juvenile Justice and Delinquency Prevention. This grant will provide $400,478 for juvenile justice planning and projects in South Dakota in the next few years. If you find you would like more information regarding the Council's achievements over the past years or regarding the Formula Grants Program, please review the comprehensive Three-Year Plan located electronically on the Department of Corrections webpage: doc.sd.gov.

I thank you for your support and I look forward to working with you on behalf of South Dakota's children.

Very Best Regards,

Betty Oldenkamp, Chairperson
Children In Need of Supervision (CHINS) are low risk and high needs youth who historically were often placed in secure detention or committed to the DOC due to lack of appropriate alternatives. There is a concern whether commitment to the DOC is the appropriate manner in which to provide residential services to CHINS.

The chart above page was obtained from DOC and identifies CHINS commitments to the DOC during SFY2011 through SFY2017. The chart shows that there has been a significant decrease in the commitment of CHINS following efforts to bring the state into compliance with the JJDPA and through the implementation of statewide juvenile justice reform.
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The Council reviews juvenile justice policy, advises and advocates on juvenile justice issues, and strives to keep South Dakota in compliance with the requirements of the Formula Grant Program authorized by the JJDPA. State fiscal year (SFY) 2017 represents the fourteenth year of the State’s renewed participation in the Formula Grants Program.

In SFY 2017, the Council met four times and approved the Formula Grant State Three-Year Plan Application for federal fiscal year (FFY) 2017. South Dakota’s Three-Year Plan can be found on the DOC grant webpage at doc.sd.gov/about/council.

South Dakota’s juvenile justice system impacts thousands of youths and their families annually. The table below provides a summary of juvenile justice, child protection activities, and alcohol and drug services as referenced in the 2013-2017 South Dakota Kids Count Factbook Publications and provided by the DOC.

<table>
<thead>
<tr>
<th></th>
<th>SFY 2013</th>
<th>SFY 2014</th>
<th>SFY 2015</th>
<th>SFY 2016</th>
<th>SFY 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjudicated Action</td>
<td>4,533</td>
<td>4,311</td>
<td>4,090</td>
<td>4,220</td>
<td>5,475</td>
</tr>
<tr>
<td>Non-Adjudicated Action</td>
<td>828</td>
<td>1,013</td>
<td>705</td>
<td>727</td>
<td>602</td>
</tr>
<tr>
<td>New DOC Commitments*</td>
<td>276</td>
<td>240</td>
<td>205</td>
<td>118</td>
<td>103</td>
</tr>
<tr>
<td>Child Abuse &amp; Neglect Initial Assessments (Children)</td>
<td>4,499</td>
<td>4,736</td>
<td>4,764</td>
<td>4,394</td>
<td>4,631</td>
</tr>
<tr>
<td>Children Requiring a Safety Response</td>
<td>1,541</td>
<td>1,458</td>
<td>1,362</td>
<td>1,210</td>
<td>1,726</td>
</tr>
<tr>
<td>Alcohol and Drug (juvenile admission to treatment)</td>
<td>1,083</td>
<td>1,069</td>
<td>924</td>
<td>862</td>
<td>864</td>
</tr>
</tbody>
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* DOC commitment data is provided by the DOC. Data only accounts for the number of new juveniles who receive a disposition of commitment to DOC. These numbers do not include youths already under the jurisdiction of the DOC who are remanded following a new adjudication.

Adjudicated Action—Action that occurs as the result of the filing of a CHINS or delinquent petition in formal court. These actions include petition sustained, petition not sustained, petition dismissed, suspended imposition of adjudication, transfer to adult court, and interstate compact to South Dakota.

Non-Adjudicated Action—Action that is referred to another agency or handled by court services as an informal diversion as an alternative to adjudication. The non-adjudicatory actions do not include those diversions initiated by State’s Attorneys.

Meeting, Budget, and Annual Reports on SD Boards and Commissions Website: http://boardsandcommissions.sd.gov/Meetings.aspx?BoardID=59

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Council of Juvenile Services Value Statements

The Council of Juvenile Services values that all children shall:

- Receive developmentally and culturally appropriate services.
- Have the same access to needed services regardless of family income, geography, gender, race, disability, or jurisdiction.
- Have the right to be safe in the community in which they live.
- Receive evidence-based services consistent with the needs of the child in the least restrictive community-based environment available.
- Demonstrate accountability in the development and provision of services for the youth along with parents, communities, and the juvenile justice system.
- Receive early intervention services that are evidence-based.
- Receive services that are family-based and family-centered.
- Receive culturally appropriate justice which is essential to effectively address Disproportionate Minority Contact.
- Have access to early and effective legal representation, including an assessment of competence and a timely and just legal process.

2015 Census of Juveniles in Residential Placement

- The Census of Juveniles in Residential Placement was first administered by the Bureau of the Census for the Office of Juvenile Justice and Delinquency Prevention in 1997 to facilitate independent analysis of national data on the characteristics of youth held in residential placement facilities.
- The chart to the right shows that historically, South Dakota’s rate has been as high as 660 and at times double the national average.
- In 2015, South Dakota’s rate decreased to 254 and placed South Dakota at the 5th highest rate in the country which is an improvement from being in the top three since 1997.

Information regarding juvenile justice initiatives impacting the decreasing rate for South Dakota can be found at the following sites:


https://www.ojjdp.gov/ojstatbb/ezacjrp/
The JJDPA, as amended, establishes four core requirements with which participating states and territories must comply in order to receive juvenile justice funding under the JJDPA.

- **Deinstitutionalization of Status Offenders (DSO)**
  The removal of status offenders and non–offenders from secure juvenile detention and correctional facilities, jails, and lockups for adult offenders.

- **Sight and Sound Separation**
  Providing separation between adults and juveniles in secure settings.

- **Jail Removal**
  The removal of juveniles from adult jails and lockups.

- **Disproportionate Minority Contact (DMC)**
  The reduction of minority over-representation where it exists within the juvenile justice system.
The table below outlines the amount of FFY2012 and FFY2013 Formula Grant Funds spent during SFY2017 and a description of how the funds were utilized.

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<tr>
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</tr>
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<td></td>
</tr>
</tbody>
</table>

To comply with DMC requirements, states are responsible for ongoing monitoring of the juvenile justice system for overrepresentation of minority youths for any group that comprise at least 1% of the juvenile population.

In addition to monitoring for DMC, the Council supported two $35,000 projects. DMC efforts in Minnehaha and Pennington Counties were focused on providing case management services for pre-adjudicatory youth under Lutheran Social Services of South Dakota in SFY2017. While the focus was on pre-adjudicatory youth, any minority youth needing the assistance of the case manager received services. The case manager assisted youth and their families in understanding the importance of attending hearings, complying with diversion recommendations, overcoming barriers, and connecting them with community supports and services.

**Disproportionate Minority Contact (DMC)**

- **South Dakota DMC Reduction Activities**
  - DOC employs a state-level staff designated as a part-time DMC Coordinator.
  - DMC Coordinator and Formula Grant Staff:
    - Collect race data for all nine contact points in the juvenile justice system;
    - Update data annually in South Dakota’s Formula Grant Application;
    - Monitor relative rate index trends over time; and
    - Monitor DMC subrecipient performance measures on a quarterly basis
  - The Council has invested in two targeted local DMC

- **Ongoing DMC Reduction Site Activities**
  - DMC Case Manager in Pennington and Minnehaha Counties
  - Juvenile Detention Alternatives Initiative (JDAI) implementation in Minnehaha and Pennington Counties with local JDAI DMC Workgroups
  - County-level DMC Coordinator in Minnehaha County
  - Minnehaha County was selected to participate in the Reducing Racial and Ethnic Disparities Certificate Program through the Center for Justice Reform and Georgetown University in November 2017 at Georgetown University in Washington, DC.
Delinquency Prevention

Starting in SFY2014, the Council turned its focus to prevention and early intervention programs. Subgrants in the City of Watertown and Meade County were awarded for a third year of services during SFY2017 to implement the evidence based programs “Project SUCCESS” and “Positive Action” in their original sites and to expand to supplemental sites in their regions. $170,000 was awarded between the two subgrants and 147 new youth were served in SFY2017 in addition to 77 youth carried over from the previous year.

• Upon completion of the program, 60 new participants took the student satisfaction survey during SFY2017.
• Over 88% of program participants reported that the program was “Good” or “Excellent”.
• Two questions from the pre and post tests are displayed to the left.
• There were substantial changes in reporting of the ability of youth to both make good decisions and make positive changes in their lives.
• Summary data provided by Mountain Plains Evaluation, LLC.

Youth Served During SFY2017

<table>
<thead>
<tr>
<th>Program</th>
<th>Youth Served</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disproportionate Minority Contact</td>
<td>439</td>
</tr>
<tr>
<td>Delinquency Prevention</td>
<td>224</td>
</tr>
<tr>
<td>Native American Programs</td>
<td>72</td>
</tr>
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<td>248</td>
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983 Total Youth Served
Since 2005, a reimbursement system has been in place to provide financial support to counties and arresting entities that lack appropriate temporary custody options for youth. It has been the goal of the Council to work to eventually decrease dependence on the reimbursement programs and to help counties and arresting entities develop alternatives to detention and alternative funding sources.

- The chart to the left shows how the 248 youth served during SFY2017 were reimbursed by program category.
- 66% of the youth claimed by counties and arresting entities for reimbursement were from transporting the youth to and from approved juvenile facilities outside of their jurisdiction.
- Shelter care reimbursement was used slightly more than detention with 14% of the reimbursements being for shelter care youth.
- The table to the right shows the youth served and amount reimbursed by arresting entity.

More information regarding the program can be located at: [http://doc.sd.gov/about/grants/compliance.aspx](http://doc.sd.gov/about/grants/compliance.aspx)

The Formula Grants Program requires participating states to pass through a specified portion of their funds to Native American Tribes. The amount South Dakota was required to pass with their FFY2012 Formula Grant award was $32,184 and $32,954 under their FFY2013 Formula Grant award.

Under the FFY2012 award, $38,377.67 was passed through to Native American Tribes through local projects. Through SFY2017, $20,000 had been passed through of the required $32,945 for the FFY2013 award. The reminder of the requirement will be passed through in SFY 2018 as the federal award does not end until September 30, 2018.

In SFY2017, the Council approved one award to the Cheyenne River Sioux Tribe for a Juvenile Probation Officer who supervised 72 youth.
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**Compliance Monitoring**

- States participating in the JJDPA Formula Grants Program must provide for an adequate system of monitoring jails, detention facilities, correctional facilities, and non-secure facilities to ensure that the core requirements are met at each step within the juvenile justice system.
- The South Dakota Compliance Monitoring System is set up in order to ensure that the juveniles of the state are being held in appropriate placement according to state and federal law and can be found in South Dakota’s Compliance Manual at: [http://doc.sd.gov/documents/about/grants/ComplianceMonitoringManualMarch2009.pdf](http://doc.sd.gov/documents/about/grants/ComplianceMonitoringManualMarch2009.pdf)

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**SFY2017 Detention Admissions**

- **Minnehaha Regional Detention Center**
- **Western SD Juvenile Services Center**
- **Statewide Collocated Facilities**  

**Compliance Violations:** For the FFY2016 reporting period, South Dakota was found in full compliance with the Separation requirement and in de minimis compliance with the Deinstitutionalization of Status Offenders (rate of 15.14 violations per 100,000 population under 18) and Jail Removal (rate of 14.20 violations per 100,000 population under 18) requirements. While the rates of violations for the FFY2016 reporting period exceeded prior years, the rates did not place South Dakota in a state of non-compliance and the facility responsible for the bulk of the violations implemented policy change to prevent future violations.
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South Dakota

Council of Juvenile Services

State Fiscal Year 2017 Annual Report

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