

***Meeting Minutes***  
***South Dakota Council of Juvenile Services***

***December 07, 2011***

***Cedar Shore, Oacoma, SD***

Wednesday, December 7, 2011 – Breakwater Banquet Room, Cedar Shore

**Council of Juvenile Services Members Present:** Carol Twedt, Mike Leidholt, Nancy Allard, JC Chambers, Victor Erlacher, Liz Heidelberger, Doug Herrmann, Karen Jeffries, Beth O’Toole, Susan Randall, Joanna Vitek, and Grant Walker.

**Council of Juvenile Services Members Absent:** Shawna Fullerton, Janine Kern, Kelsey Lambert, Aaron McGowan, Tanner Starr, Ella Rae Stone, Virgena Wieseler, and Michael Zellmer.

**Others Present:** Joy Ellefson and Bridget Henderson, DOC. CJS Guests, Stephanie Vetter, Annie E. Casey Foundation Technical Assistance Team Leader and Erin Srstka, JDAI coordinator for Minnehaha County.

1. WELCOME

Chair Carol Twedt called the meeting to order at 10:04 AM on Wednesday, December 7, 2011. Chair Twedt welcomed everyone to the meeting and extended her welcome to guests present.

2. APPROVAL OF SEPTEMBER 2011 MEETING MINUTES

***Dr. Susan Randall moved to approve the September 2011 meeting minutes, Beth O’Toole seconded. Motion carried.***

3. BUDGET STATUS REPORT

Bridget Henderson explained that the FFY 2008 Formula Grant budget adjustment was approved by OJJDP and that the grant is in the process of being closed out.

Henderson provided an overview of the requested FFY 2009 Formula Grant amendment to cover funds for Alternatives to Detention and Native American Programs. Joy Ellefson noted that the requested amendment may change slightly based on upcoming claims from the county reimbursement program.

***Judge Karen Jefferies moved to approve the FFY 09 Budget Amendment, Beth O’Toole seconded. Motion carried.***

4. TITLE V

Henderson provided an overview of the proposed Title V finance plan to fund two communities at \$23,000 per community for three years. Henderson explained that it is unlikely that a Title V Allocation will be awarded this year and that there is currently not enough Title V funds to cover two of the three years. Henderson recommended using Formula funding to cover \$45,575.22 of the needed \$46,000.00 for year three. Sheriff Leidholt expressed his concern with promising Formula money for an award three years away. Discussion ensued concerning using Formula funds for the third year of funding.

***Victor Erlacher moved to approve the Title V finance plan, JC Chambers seconded. Dr. Susan Randall made a substitute motion to approve the first and second years of funding with the third year would be funded subject to continuation of Federal Title V funding and should it not continue, CJS will reevaluate funding options, Sheriff Mike Leidholt seconded. Motion carried.***

Henderson walked through the requested planning grant to cover travel to trainings and staff time for planning and data collection. Henderson explained that the planning grant would be for no more than five communities and the grant would be for \$5,000 per community and the funding would come from JABG funds.

***Sheriff Mike Leidholt moved to approve the planning grant, Nancy Allard seconded. Motion carried.***

Henderson informed the Council that twenty communities were chosen to be invited to participate for the next Title V funding including all nine Tribes. The communities would be invited along with their counties except for Brandon as Minnehaha County is receiving JDAI funding along with Pennington County. Joy Ellefson noted that in order to receive funding, the communities would have to be in compliance and that every county listed is in compliance along with the three Tribes receiving Native American Program funding. Tribes not already found in compliance would need to be found in compliance in order to be eligible for funding.

***Dr. Susan Randall moved to approve the list of communities to be invited, Chief Joanna Vitek seconded. Motion carried.***

Henderson provided an overview of the Title V timeline starting December 2011 and projected through June 2015 assuming that all three years of the grant are funded.

***Chief Joanna Vitek moved to approve the Title V timeline, Judge Karen Jefferies seconded. Motion carried.***

#### 5. DMC INTERVENTIONS UPDATE

Ellefson provided an overview of the status of DMC projects and the reimbursement for services to date. Ellefson discussed that there is still \$54,000.00 that has not been awarded in Pennington County. All budget information provided estimates that this allocation will be unspent and that the money will be reallocated to help support JDAI initiatives.

During the September 2011 meeting, the Council requested that Pennington County submit a proposal which would outline a program that focuses on drug and alcohol prevention in Pennington County as an effort to reduce DMC. At the meeting, it was determined that this proposal would be reviewed by the CJS Executive Committee and any action would be ratified during this meeting. Ellefson and Heidelberger provided clarification on this proposal and why the proposal was not brought before the group for a funding decision.

Discussion ensued about the need for DMC funding if there were not active efforts to spend DMC money. Ellefson noted that a finding of compliance is dependent on all four core requirements. Heidelberger identified that as part of the JDAI plan, DMC efforts would begin in January.

#### 6. NATIVE AMERICAN PROGRAMS UPDATE

Henderson provided an overview of the status of Native American Programs reimbursements to date for the Cheyenne River Sioux Tribe, Sisseton Wahpeton Oyate Tribe, and Standing Rock Sioux Tribe. Henderson explained that all three Tribes are funding a probation officer and that they are all on track to complete their spending by June 2012.

##### Tribal Holdover:

Ellefson discussed that at the last CJS Meeting that there was a discussion concerning the need for Tribes to be in compliance to receive funding and the discussion was brought to the Tribal Advisory Group following the meeting. Ellefson explained that since then she was contacted by the Cheyenne River Sioux Tribe concerning the availability of holdover funds for tribes. Ellefson stated that in the past, Tribes were encouraged to use their Native American Program funding for holdover expenses. With changes in how tribes will need to prove compliance with the JJDPA CJS is being asked to revisit additional sources of funding to help them fund holdover sites. Discussion ensued concerning how many Tribes would access the funds, if there would be enough funds to cover adding the Tribes, and the need for holdover funding for Tribes to come into compliance.

***Dr. Susan Randall moved to approve that support staff and the CJS Executive Committee explore funding for tribal holdover to present at next CJS Meeting, JC Chambers seconded. Motion carried.***

#### 7. TRIBAL ADVISORY GROUP UPDATE

Dr. Susan Randall discussed the minutes from the TAG meeting on September 27, 2011. Dr. Randall highlighted the presence of Kim Malsam-Rysdon, Secretary of the Department of Social Services (DSS), Amy Iverson-Pollerisz, Deputy Secretary of DSS, Virgena Wieseler, Division Director of the Division of Child Protection Services, and Randy Seiler, the First Assistant US Attorney and Tribal Liaison, who spoke on behalf of US Attorney Brendan Johnson. Dr. Randall also noted that all nine Tribes were represented and discussed the main topics of tribal or state-certified tribal AOD counselor assessments and/or treatment reports and the Federal Tribal Joint Juvenile Diversion Program. Discussion ensued over the South Dakota Court's System

accepting tribal assessments, the magnitude of the issue, and the need for more information before action can be taken regarding this issue.

Dr. Randall provided an overview of the CY2012 TAG proposal. Dr. Randall discussed the request for TAG to meet twice a year and that each meeting will cost \$4,000 to cover TAG participant's mileage, per diem, and lodging and for meeting arrangements, coordination, facilitation, and follow-up as indicated with the total proposed budget for CY2012 for TAG being \$8,000 from State Advisory Group funding. TAG members agreed to only 2 meetings per year rather than the 3 that was discussed in the last meeting...

***Sheriff Mike Leidholt moved to approve the 2012 TAG budget, Beth O'Toole seconded. Dr. Susan Randall abstained herself from voting. Motion carried.***

## 8. ANNUAL REPORT

Henderson distributed draft copies of the SFY2011 CJS Annual Report and provided an overview of the draft. Henderson discussed that the draft was reviewed by Dr. Susan Randall and Judge Janine Kern and that Judge Kern's changes were not in the presented draft but changes would be implemented prior to publication. Henderson noted that seventy-five copies would be printed at \$5.27 per copy and that electronic copies would be sent out to statewide entities through the assistance of several Council Members at the close of the month.

***Chief Joanna Vitek moved to approve the SFY 2011 Annual Report with the understanding that it will be updated to contain amendments to the draft prior to publication, Judge Karen Jefferies seconded. Motion carried.***

## 9. CJJ MEMBERSHIP

Henderson provided a Coalition for Juvenile Justice (CJJ) information sheet containing a summary of their new strategic plan for 2011-2014 and mentioned that renewal of membership dues will be due in January. Henderson discussed that the membership dues are expected to be \$5,000 which is consistent with prior years and that being a member provides cheaper rates to CJJ Conferences. Discussion ensued regarding renewal of membership with CJJ and the importance of the Coalition and their conferences.

***Dr. Susan Randall moved to approve renewing CJJ membership for 2012 at the expected cost of \$5,000, Chief Joanna Vitek seconded. Motion carried.***

## 10. COUNCIL VALUES AND PROBLEM STATEMENTS

### Council Values

Henderson reviewed the current Council Values and discussion ensued over possible changes to the Council Values. The only change made was adding community to the Value "Accountability – of the child, parents, community, and the juvenile justice system.

***Sheriff Mike Leidholt moved to approve the Council Values as modified, Beth O'Toole seconded. Motion carried.***

### Council Problem Statements

Henderson reviewed the current Council Problem Statements and discussion ensued over possible changes to the Council Problem Statements. Changes made consist of amendment of "one of the highest incarceration rates" to "a high incarceration rate" in the Statement "Because South Dakota has a high incarceration rate of detention per capita, there is a need to develop alternatives to detention, commitment to the Department of Corrections, or out-of-home placement for: Youth Offenders; CHINS; Special Needs Offenders; and Low-risk Delinquent Offenders". The remaining changes occurred under the Statement "There is a need for significant expansion of community-based prevention and early intervention programs and services to include: Prevention; Effective Early Intervention; Children and Family Services – Child Abuse and Neglect; Mental Health Services; Services for Children in Need of Supervision; Prevalence of Substance Abuse among Youth in the Juvenile Justice System; Education; and Fetal Alcohol Syndrome Disorder" with the change from "Prevention" to "Effective Prevention Awareness and Training" and the addition of "Awareness and Training" to Effective Early Intervention.

***Judge Karen Jefferies moved to approve the Council Problem Statements as amended, Chief Joanna Vitek seconded. Motion carried.***

#### 11. JDAI UPDATE AND REVIEW OF LOCAL PROPOSALS

Stephanie Vetter commended South Dakota for its successes in Minnehaha and Pennington Counties and stated that in the eyes of the Annie E Casey Foundation that SD is doing very well compared to others on a national level.

Joy Ellefson presented an overview of the first Results Reports from each County, discussed the evaluative process that will be in place to measure the results of JDAI, and presented an overview of the timeline for the initial stages of implementation for the first part of 2012.

Liz Heidelberger presented an overview of the history of JDAI in Pennington County and the requested budget proposal for funding from CJS for \$50,000 for a Reception Center and \$50,000 for an Evening Reporting Center equaling a projected budget of \$100,000.00. Heidelberger also discussed the next steps for JDAI in Pennington County for successful implementation of JDAI in the county starting in early January 2012.

Erin Srstka presented an overview of the history of JDAI in Minnehaha County and the requested budget proposal for funding from CJS for \$95,060 for a Reception Center and \$4,920 for an Evening Reporting Center equaling a projected budget of \$99,980.00. Srstka also presented the next steps for JDAI in Minnehaha County for successful implementation starting in late January 2012.

***Sheriff Mike Leidholt moved to approve both subgrant proposals for the requested amounts with the understanding that an evaluation process will be in place, Doug Herrmann seconded. Liz Heidelberger abstained herself from voting. Motion carried.***

#### 12. OLD BUSINESS

Dr. Susan Randall discussed that the South Dakota Juvenile Justice System Guidebook for Youth and Parents books were available along with order forms.

#### 13. NEW BUSINESS

##### Changes in Federal Meals and Beverages

Henderson provided an overview of the new federal meals and beverages policy which restricts food and beverage costs to costs that are program specific and critical to the program service delivery model for the targeted youth population that are not related to meetings, trainings, or conferences. Henderson explained that notice was provided to all subgrantees regarding the changes and that the CJS Meeting was in agreement with the new regulations.

##### Temporary Custody Legislation

Ellefson provided an overview of a request made by Judge Hoffman, State Court System, Second Judicial Circuit, regarding the organization of a workgroup to start looking at legislation to present to the DOC to be presented to the Governor's Office in fall 2012. The changes in legislation would include changing some statutes to allow for JDAI and for the purposes of compliance.

#### 14. NEXT MEETING LOCATION AND DATES

The next CJS meeting is scheduled for March 14, 2012 in Oacoma, SD with a tentative schedule of 10AM to 4PM.

#### 15. WRAP-UP AND ADJOURN

***At 1:47 PM, Chief Joanna Vitek moved to adjourn, Judge Karen Jefferies seconded. Motion carried.***

*Recorded by Bridget Henderson, Juvenile Justice Specialist*