

Meeting Minutes
South Dakota Council of Juvenile Services
March 12, 2013
Dakota Digital Network (DDN) Video Locations
(Bismarck, Pierre, Rapid City, and Sioux Falls)

Tuesday, March 12, 2013

Council of Juvenile Services Members Present: Carol Twedt, Chair; Mike Leidholt, Vice-Chair and Hughes County Sheriff; Nancy Allard, Director of Trial Court Services; JC Chambers, Service Provider; Judge Jeff Davis, Seventh Circuit Court Judge and Pennington County JDAI Co-Chair; Victor Erlacher, Former School Principal and Superintendent, Foster Parent, and CASA Volunteer; Liz Heidelberger, Youth Member and Pennington County JDAI Coordinator; Doug Herrmann, Director of Juvenile Services; Judge Karen Jeffries, Cheyenne River Sioux Tribe Judge; Beth O'Toole, Professor at the University of Sioux Falls; Betty Oldenkamp, CEO of Lutheran Social Services; Lyndon Overweg, Mitchell Chief of Public Safety; Ella Rae Stone, Yankton Sioux Tribe Correctional Facility Project Manager; Grant Walker, Standing Rock Sioux Tribe Chief Prosecutor; Michael Zellmer, Youth Member.

Council of Juvenile Services Members Absent: Becca Bedard, Youth Member; Arlene Ham Burr, Former State Senator; Jacob Kabrud, Youth Member; Aaron McGowan, Minnehaha County States Attorney; Virgena Wieseler, Director of Division of Child Protection Services.

Others Present: Bridget Coppersmith and Joy Ellefson, South Dakota Department of Corrections

1. WELCOME

Chair Carol Twedt called the meeting to order at 10:13 AM on Tuesday, March 12, 2013.

2. APPROVAL OF DECEMBER 2012 MEETING MINUTES

Betty Oldenkamp moved to approve the December 2012 meeting minutes, Lyndon Overweg seconded. Motion carried unanimously.

3. REVIEW AND RATIFICATION OF EXECUTIVE COMMITTEE DECISIONS

Bridget Coppersmith provided an overview of the Executive Committee Call on January 24, 2013. Coppersmith explained that the call was convened to approve one time, supplemental alternative to detention subgrants to Minnehaha and Pennington Counties to expand Juvenile Detention Alternative Initiative (JDAI) in their regions as was discussed at the December Council Meeting. Coppersmith noted that Minnehaha County will use the funding to expand their site to the First Circuit, Lincoln, Lake, and Brookings Counties and Pennington County will use the funding to expand to the Fourth and Seventh Circuits. Expansion will take place through regional trainings, site visits, and participation at the JDAI National Conference. Coppersmith added that Minnehaha County is planning on using \$5,000 of their funding for a contract with Lincoln County for Home Detention with Electronic Monitoring services.

Discussion ensued concerning the decision made at the December Council Meeting to make these funds available by reducing the funding allocated toward the reimbursement program.

Judge Karen Jefferies moved to ratify the Executive Committee decision to approve Alternative to Detention Supplemental Applications, Nancy Allard seconded. Motion carried unanimously with Judge Jeff Davis and Liz Heidelberger abstaining.

Coppersmith provided an overview of the Executive Committee Call on February 27, 2013 to approve submission of the FFY2013 Juvenile Accountability Block Grant Application. Coppersmith explained that the Council of Juvenile Services does not oversee how the allocation is spent, but does need to approve the application for submission to the Office of Juvenile Justice and Delinquency Prevention. Coppersmith described that the state allocations have not been set for the application and that the budget of \$152,029 is based on the FYF2012 allocation.

Betty Oldenkamp moved to ratify the Executive Committee decision to approve submission of the FFY2013 JABG Application, Dr. J.C. Chambers seconded. Motion carried unanimously.

4. TITLE V AND FORMULA SUBGRANT UPDATES

Coppersmith provided an overview and update of the two Title V projects in Roberts and Yankton Counties. Coppersmith explained that both counties are continuing to implement their programs and will be invited to present their year two proposals at the June Council Meeting.

Coppersmith provided an update from the Native American Programs subgrants of Lower Brule Sioux Tribe, Cheyenne River Sioux Tribe, Sisseton Wahpeton Oyate, and Standing Rock Sioux Tribe. Coppersmith explained that Lower Brule Sioux Tribe is planning cultural field trips this quarter with visits to Bear Butte and the Creation Site of Lower Brule. Coppersmith added that Sisseton Wahpeton Oyate and Standing Rock are continuing to fund a juvenile probation officer and that Cheyenne River Sioux Tribe had the position vacant for a few months but is looking to hire soon which may require a small budget amendment.

Joy Ellefson explained that funding for Disproportionate Minority Contact (DMC) was awarded to Minnehaha and Pennington Counties in September, 2012 as part of the JDAI process. Ellefson noted that both counties are looking to have the Burns Institute come to their counties in April to complete their assessment piece and are working to finalize their voucher system for preadjudication services.

Ellefson announced that another site in South Dakota has agreed to move forward with implementing JDAI and alternatives to detention in South Dakota. Ellefson explained that Hughes and Stanley Counties are interested in taking the initial steps toward becoming a JDAI site. Coppersmith added that Brown County was also identified as a potential site following their interest in the fall Alternatives to Detention Conference but has decided not to move forward with JDAI in their county at this time.

Coppersmith explained that the Annie E. Casey Foundation's JDAI Inter-Site Conference is April 16-18, 2013 in Atlanta, GA. Coppersmith stated that South Dakota has seventeen slots to send delegates and that they will be filled by Nancy Allard, Judge Davis, Doug Herrmann, and Liz Heidelberger from the Council, four additional delegates from Pennington County, six delegates from Minnehaha County, two from Hughes County, and herself. Coppersmith added that at the December Council Meeting, the Council approved for the submission of an application for funding from the Annie E. Casey Foundation for a state model site visit. Coppersmith explained that due to the expansion occurring in Pennington and Minnehaha Counties and Hughes County taking initial steps toward becoming a site, the application, will be submitted at a later date.

Discussion ensued regarding the decision made by Hughes, Stanley, and Brown Counties, DMC projects in Minnehaha and Pennington Counties, and the JDAI Inter-Site Conference and state site visit.

5. APPROVAL OF FFY2013 FORMULA GRANT APPLICATION

Coppersmith and Ellefson provided an overview of the FFY2013 Formula Grant Application (3-Year Plan). Coppersmith explained that the FFY2013 plan is an update to the full plan done for FFY2012. Coppersmith added that state allocations have not been announced; therefore the plan is based off of the FFY2012 amount of \$400,000. Coppersmith explained that the Council is currently spending their FFY2010 allocation and that the main program areas associated with the plan are DMC, Jail Removal, Separation, Deinstitutionalization of Status Offenders, Compliance Monitoring, Native American Programs, Alternatives to Detention, State Advisory Group, and Planning and Administration. Coppersmith added that the plan presented to the Council is a draft and that the final plan is due by April 1st to the Office of Juvenile Justice and Delinquency Prevention.

Coppersmith and Ellefson provided an overview of the data component of the plan highlighting that juvenile arrests decreased by 11% between 2009 and 2010, overall activity of juvenile courts decreased

by 32.1% between 2008 and 2012, status offenders admitted to detention decreased by 90% since South Dakota renewed participation with the JJDP in 2004, new juvenile commits decreased by 24.3% between 2008 and 2012, and that according to a 2010 census of juveniles in residential placement, South Dakota's incarceration rate was the highest in the nation.

Ellefson explained that the value and problem statements were approved at the December Council Meeting and that the problem statements need to be supported by data and reflected throughout the plan to guide how the allocation is spent. Discussion ensued regarding the problem statement regarding DMC which looks primarily at Native American youth and whether the statement should be broadened.

Coppersmith explained that the plan for compliance with the first three core requirements of deinstitutionalization of status offenders, separation, and jail removal has the reimbursement program as the main project the funds would be allocated toward. Coppersmith explained that the program is being analyzed and that staff is looking at options to have the program be consistent with the Council's goal of alternatives to detention while being applicable to the counties currently using the program.

Ellefson provided an overview of the DMC component of the plan. Ellefson explained that the data is from 2010 and is broken down by statewide, Minnehaha County, and Pennington County data for stages of the juvenile justice system. Ellefson stated that the data is not meant to be predicative but is rather a snapshot to see the activity in a specific year. Ellefson highlighted that the statewide minority arrest rate was 2.49 times higher than the rate for white youth and the rate for American Indian youth was 2.61 times higher than white youth. Statewide, minority youth had a commitment rate to DOC that was 1.45 times higher than the rate for white youth and the rate for American Indian youth was 1.42 times higher than white youth. In Minnehaha County, the arrest rate for American Indian youth was 7.85 times higher than the rate for white youth and in Pennington County the arrest rate for American Indian youth was 7.55 times higher than the rate for white youth.

Discussion ensued regarding South Dakota's high incarceration rate, the budget as it relates to previous years, and the large amount of work the plan requires.

Judge Jeff Davis moved to approve the submission of the FFY2013 Formula Grant Application with changes made as appropriate by DOC Staff, Judge Karen Jefferies seconded. Motion carried unanimously.

6. JUEVNIE JUSTICE UPDATES

Chair Twedt complimented DOC staff on the FY2012 Annual Report.

7. NEXT MEETING LOCATION AND DATES

Coppersmith explained that the next meeting will be June 11-12, 2013 in Huron, SD. Coppersmith noted that the meeting will be subgrant based and have a variety of presenters.

8. WRAP-UP AND ADJOURN

At 11:32 AM, Betty Oldenkamp moved to adjourn, Beth O'Toole seconded. Motion carried unanimously.

Recorded by Bridget Coppersmith, Juvenile Justice Specialist