

Meeting Minutes
South Dakota Council of Juvenile Services

Wednesday, June 23, 2010
Cedar Shore Resort, Chamberlain, SD

Council of Juvenile Services Members Present: Carol Twedt, Mike Leidholt, Aaron McGowan, Nancy Allard, Janine Kern, Beth O'Toole, Doug Herrmann, Gib Sudbeck, Grant Walker, Karen Jeffries, JC Chambers, Kaylee DeNeui, Jo Vitek, Tanner Starr, Vic Erlacher.

Council of Juvenile Services Members Absent: Susan Randall, Ella Rae Stone, Virgena Wieseler, Liz Heidelberger, Jason Goette.

Others Present: Kevin McLain (by phone), Jodi Kirschenman, Joy Erlenbusch, and Michael Zellmer (intern) from DOC.

1. WELCOME, INTRODUCTIONS, and REVIEW of AGENDA

Chair Carol Twedt called the meeting to order at 10:03 AM on June 23, 2010. Chair Twedt welcomed everyone to the meeting and introductions were made. Staff request the agenda item "CJJ National DMC Conference" be added under "New Business".

2. APPROVAL of MARCH 2010 MEETING MINUTES

Janine Kern moved to approve the March 2010 meeting minutes, seconded by Grant Walker. Motion carried.

3. U.S. ATTORNEY BRENDEN JOHNSON PRESENTATION

Aaron McGowan introduced US Attorney Brenden Johnson. Johnson gave an overview of the US Attorney's Office as well as the role, future goals, and priorities of the US Attorney's Office. He expressed the importance of "hope" and his strategy to work with the Tribes. Johnson also talked about South Dakota's first ever statewide Tribal leader listening session, the Community Prosecution Program, the Council of Elders, Tribal Youth Summits, and the increase in the Department of Justice's funding for Tribes. Discussion ensued regarding the inadequate funding for Tribal juvenile probation officer positions and federal funding.

Johnson presented Chair Twedt with a Department of Justice token for her unwavering work for youth. He then took time for questions and answers.

4. BUDGET STATUS REPORT

Kevin McLain gave a budget status report on the Title II Formula Grant. The FFY07 award has almost been expended in full and we are currently drawing down on FFY08 with a goal of expending this award by the end of December 2010. FFY09 and FFY10 will be expended over a period of eighteen months and money will be freed up for the JDAI project. Staff requests no action at this time.

5. COUNTY REIMBURSEMENT PROGRAM CHANGES

As discussed and approved at a previous meeting, Chair Twedt appointed a county reimbursement subcommittee consisting of herself, Jo Vitek, Grant Walker, and Mike Leidholt. This subcommittee participated in a conference call to review survey information and proposed changes to the program. Kevin McLain reviewed the JJDP funding, award dates, and projected allocations and indicated that we are actively spending the money. He explained that we can afford to continue funding the county reimbursement program, but that modifications are needed. McLain reviewed the county survey results and the proposed recommendations. The recommendations would free up approximately \$150,000 over two fiscal years. Proposed changes effective January 1, 2011 include: Remove the active electronic monitoring program from the reimbursement program and add it to the juvenile detention alternatives initiative; no reimbursement for status offenders, even those in violation of valid court order, in detention; limit funding accessed by any one county to \$20,000/year; allow staff to work with the courts on the probation support program to provide passive electronic monitoring utilizing JABG grant dollars. If approved, staff will send notice to the effected counties immediately. In December, revised reimbursement program descriptions and claim forms will be distributed and posted on the DOC's web page. *Gib Sudbeck moved to approve these changes, Jo Vitek seconded. Motion carried.*

6. NAP SUBGRANT APPLICATION APPROVALS

Jodi Kirschenman reviewed the status of the five active Tribe's current NAP grants which will be ending June 30th. Applications for SFY2011 were sent to the Tribes this spring, with four of the five Tribes applying for funding.

Applications were received from Cheyenne River, Standing Rock, Flandreau, and Sisseton-Wahpeton. Rosebud did not apply for their funding, so staff suggests putting Rosebud's NAP allocation back into the budget and discuss best uses for this funding at a future CJS meeting. **Janine Kern moved to allow DOC staff to make subgrant awards to the four NAP subgrantees that applied for funding once their compliance data is approved by staff; Grant Walker seconded. Motion carried.**

7. JDAI UPDATE

Joy Erlenbusch and Jodi Kirschenman updated the CJS on Pennington and Minnehaha County's progress with the pilot JDAI projects including a review of the JDAI progress charts. Erlenbusch reviewed a proposal submitted by Pennington County in which they are requesting funding for JDAI staff support. Pennington County also applied to use their JABG funding for staff support of the JDAI project. Discussion ensued.

Kirschenman informed the CJS that staff is recommending \$30,000 per site for 2 years for a total of \$120,000 – \$104,000 of this comes from interest earned from JABG allocations. Remaining \$16,000 would come from Formula grant funds. This money would help cover staff time and/or expenses of local steering committees. There are insufficient Formula Grant staff resources to support the two JDAI pilot projects on an ongoing basis and there is a strong need for a JDAI coordinator in each of the pilot sites. Discussion ensued. The CJS requests that the proposals come to the CJS outlining staff time, salary, goals and objectives of the position and the JDAI coordinator must provide updates to the CJS regularly. **Mike Leidholt moved to approve up to \$30,000 per site for 2 years for a total of \$120,000 for staff support and to use as needed and the JDAI staff support must report back to the CJS; Karen Jeffries seconded. Motion carried.**

Janine Kern requested to discuss media coverage and requests from the media regarding the pilot sites. The JDAI chairs could be the point of contact on such requests and evaluate the requests to determine if they are premature, if it will benefit the local community, etc. Discussion ensued. **Mike Leidholt moved that the CJS requests all media access requests be handled by the chairs of the local JDAI committees; Nancy Allard seconded. Motion carried.**

8. JABG GRANT UPDATE

Jodi Kirschenman updated the CJS on the status of the various JABG subgrantees. With the exception of Rosebud Sioux Tribe, all subgrantees are on track with their budgets and expenses to date. Gib Sudbeck requested an update on teen court data at a future meeting.

Kirschenman then summarized the two JABG applications received from Sioux Falls/Minnehaha Coalition for \$61,212 and Rapid City/Pennington Coalition for \$46,548. The CJS was reminded that OJJDP predetermines the award amounts for the JABG grant program.

9. COMPLIANCE UPDATE

Joy Erlenbusch reviewed South Dakota's compliance data. In 2009, South Dakota had three violations of DSO although the state has demonstrated full compliance with de minimis exceptions. South Dakota did not have any jail removal or separation violations in 2009; therefore, we demonstrated full compliance as well. Erlenbusch indicated that the Compliance Monitoring Report will be submitted to OJJDP at the end of this month.

10. DMC UPDATE & SUBGRANT APPLICATION APPROVALS

Joy Erlenbusch updated the CJS on the status of the various DMC subgrantees. Doug Herrmann, Janine Kern, and Erlenbusch met with the subgrantee SANI-T, who outlined their plan for additional referrals, explained the barriers/issues faced and their plan to address some of these barriers, and their plan to seek a new population.

Erlenbusch then summarized the three DMC subgrant applications received from Roberts County for \$30,000 (three projects), Minnehaha County for \$60,000 (four projects), and Pennington County for \$59,151 (three projects). **Beth O'Toole moved to allow DOC staff to make the DMC subgrant awards as presented; Jo Vitek seconded. Motion carried.**

11. DMC CULTURAL TRAINING PROJECT UPDATE

Joy Erlenbusch report that the first day of a two-day DMC Cultural Training was held in Minnehaha County last week and the second day of the training will be held tomorrow. The first day touched on knowledge, Native American history and culture. Day two will instruct on the learning of skills, communication, and values. The surveys have not been tallied yet, but a positive response has been received so far. The next set of training will be in Pennington County this fall.

12. STATE-TRIBAL RELATIONS COMMITTEE PRESENTATION

The Tribal Advisory Group (TAG) sent a letter to Senator Bradford suggesting that a summer study by the State-Tribal Relations Committee, which is a legislative committee, be conducted to address the juvenile justice needs and outcomes of Native American youth in South Dakota. This raised concerns with DOC Secretary Reisch. DMC is a responsibility of the CJS under the Formula Grants Program. DOC is okay with a CJS member doing a presentation on the work of the CJS, compliance, DMC, etc, and using the CJS Annual Report as a guide to present to the committee. **Mike**

Leidholt moved to approve a CJS briefing to the State-Tribal Relations Committee; seconded by Doug Herrmann. Motion carried.

The TAG's role and protocols to follow will be discussed at the next CJS meeting. **Mike Leidholt moved to add to the agenda for the next meeting to develop roles and responsibilities of the CJS committees and subcommittees; JC Chambers seconded. Motion carried.**

13. TRUANCY COURT DATA

The Pennington County Truancy Court was originally a System Improvement project held at Central High School and one middle school. The Truancy Court is informal and available to any youth who would benefit from truancy prevention to develop an educational work ethic and achieve success without Juvenile Court intervention. Janine Kern summarized the strong points of the program the data for the 2009-2010 school year. Kern was very commendable of the program.

14. APRIL 2010 CJJ MEETING UPDATE

Janine Kern attended the CJJ annual spring conference held in Washington, D.C. in April with the focus on assuring school engagement and success for youth at risk. There was excellent attendance and representation, and the level of presenters was superior. CJJ addressed important issues and made recommendations to OJJDP and Congress, including many recommendations that deal with restoring adequate funding to states for juvenile justice.

CJJ will be holding a regional training in July in Chicago, which Kern believes would be beneficial to have someone attend.

15. MAY 2010 FACJJ MEETING UPDATE

Doug Herrmann attended the FACJJ meeting in Washington, D.C. in May. The future role of the FACJJ is in question as it will not be a federal advisory committee as it is now. The FACJJ met with the interim OJJDP Director and were informed of possible forthcoming changes. OJJDP signed an agreement with the AECF specific to Juvenile Detention Alternatives Initiative. This project (JDAI) will become a major priority for OJJDP. The director also went into detail on the role of the coordinating council with great emphasis on funding and grant money. The coordinating council has identified four priorities for juvenile issues: education for at risk youth, tribal youth and juvenile justice, juvenile reentry and transitions to adulthood, and racial and ethnic disparities in the juvenile justice and related systems. These will be the four priorities and they are now reaching out to states to obtain more information and develop their strategies. Discussion ensued on Tribal youth and juvenile justice issues. **Janine Kern moved to have the Aberdeen BIA representative come to a CJS meeting and present regarding their plan for South Dakota Tribal youth, what resources are available and what the BIA is doing, Karen Jeffries seconded. Motion carried.** Chair Twedt thanked Kern and Herrmann for attending these federal meetings and bringing back valuable information for the CJS.

16. OLD BUSINESS

At the last meeting, it was recommended that a letter go to our Congressional Delegation signed off by CJS Chair Carol Twedt. A draft copy of the letter was provided. Janine Kern asked if there would be an issue or if it would be considered lobbying if we send this letter. Kevin McLain said he would review the wording again as the intent is to make it educational and not lobbying or advocating for federal funding. Staff will revise the letter and then send it to our OJJDP State Representative, Scott Pestrige, for his input and suggestion. The CJS agreed with these steps and sending the letter after our state rep reviewed it.

17. NEW BUSINESS

The CJJ National DMC Conference will be held in October in Jersey City, New Jersey. The agenda is not established yet, but Susan Randall has expressed an interest in attending. If there is anyone else interested in attending, they are asked to notify staff to assist with travel arrangements and meeting registration.

Gib Sudbeck asked about the CJS appointments during the transition of a new Governor beginning January 1st. Kevin McLain will look into this but believes CJS members would continue to serve out their appointment until the time comes if/when they would be replaced.

18. SCHEDULE NEXT MEETING

The next meeting is scheduled for Wednesday, September 22 – Thursday, September 23rd, 2010 in the Rapid City area. Staff will work on the location and let members know.

19. WRAP UP and ADJOURN

Janine Kern moved to adjourn, Karen Jeffries seconded. Motion carried.

Recorded by Jodi Kirschenman, Juvenile Justice Specialist