

Meeting Minutes
South Dakota Council of Juvenile Services
March 25, 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, Susan Randall, Ella Rae Stone, Doug Herrmann, Gib Sudbeck, Grant Walker, Karen Jeffries, JC Chambers.

Council of Juvenile Services Members Absent: Virgena Wieseler, Liz Heidelberger, Kaylee DeNeui, Jo Vitek, Tanner Starr, Jason Goette, Vic Erlacher

Others Present: Kevin McLain, Jodi Kirschenman, and Joy Erlenbusch from DOC.

1. WELCOME, INTRODUCTIONS and REVIEW of AGENDA

Chair Twedt called the meeting to order at 10:06 AM on March 25, 2010. Chair Twedt welcomed everyone to the meeting and introductions were made. Staff requested the agenda item "Budget Status Report" be moved up to take place prior to the "11:00 NAP Update".

2. APPROVAL of JANUARY 2010 MEETING MINUTES

Mike Leidholt moved to approve the January 2010 meeting minutes, seconded by Janine Kern. Motion carried.

3. FY' 10 JABG GRANT APPLICATION RATIFICATION

Jodi Kirschenman summarized the FFY2010 Juvenile Accountability Block Grant (JABG) application. The actual amount of South Dakota's FFY'10 award has not been received yet, so we have been directed to use our FFY'09 funding amounts when budgeting and applying for the grant. Based on last year's JABG amounts, South Dakota's JABG award should be approximately \$333,100.

Kirschenman explained how the JABG grant funding is broken down into three budget categories, with eligible units of local government amounts predetermined by OJJDP. Funding will be used for grant administration, reentry services and funding of current teen court/diversion programs. Interest money earned will be set aside for JDAI interventions.

Members discussed the units of local government's JABG amounts and application deadlines. Aaron McGowan updated the council on Minnehaha County's plans for the current application. The Council also discussed the future possibility of changing the scope of the budget category "spend on behalf of units of local government" to use this money for JDAI purposes.

The FFY2010 JABG application deadline was February 25th; therefore, the CJS Executive Committee approved the application February 24th. *Mike Leidholt moved to ratify the Executive Committee's approval of the FY2010 JABG application; seconded by Doug Herrmann. Motion carried.*

4. FY' 10 TITLE V GRANT APPLICATION APPROVAL

The FFY2010 Title V application deadline is March 31st. Jodi Kirschenman indicated that we have not received the actual amount of our award, so have been directed to use our FFY'09 funding amounts when budgeting and applying for the grant. Based on last year's Title V amount, South Dakota's award should be approximately \$33,486 in federal funds. SD does not retain any Title V funds for administration or programming - 100% is subgranted out to local communities.

We applied to use FFY10 Title V funds to continue supporting three local prevention programs in their final 3-year prevention plan (Codington, Charles Mix, and Brookings). The CJS made a three-year funding commitment to these entities and we will need to utilize this award to fulfill that commitment. Title V requires a 50% match, which is provided by the subgrantees when matching funds for their programs. *Susan Randall moved to approve the FFY2010 Title V grant application for submission to OJJDP; Ella Rae Stone seconded. Motion carried.*

5. 3RD YEAR TITLE V SUBGRANT APPLICATION APPROVALS

Charles Mix, Codington, and Brookings Counties have applied for their third and final year of Title V funding, requesting \$35,000 each in federal funds and providing the required 50% match. The subgrant projects haven't changed. Brookings is funding an early intervention program, Charles Mix is funding a delinquency prevention

initiative, and Codington is funding a prevention project. Discussion ensued. Members commended the project directors for their presentations last summer and the great work they do with kids.

The budget period for the third year subgrants will be April 1, 2010 – March 31, 2011. Before we award final year Title V subgrants, staff will ensure that they are each certified to be in compliance with JR, Separation, and DSO. ***Karen Jeffries moved to allow DOC staff to make 3rd/final year subgrant awards to the three current Title V subgrantees once they are certified as in compliance with JR, Separation and DSO; seconded by Aaron McGowan. Motion carried.***

6. BUDGET STATUS REPORT

The FFY07 Formula Grant budget was summarized by Kevin McLain. The admin budget and compliance budget will be fully expended by the end of April 2010, DMC will be expended by the end of March 2010, and SAG money will be fully expended by the end of May 2010. JR/DSO/S&S budget category has been spent in full so we are currently coding to the FFY08 allocation. NAP funding will be fully expended by the end of July 2010 if reimbursement requests are made in a timely manner, and system improvement funding will be fully expended by the end of July 2010 if JDAI site visits occur by then. No action required for the FFY07 award at this time.

The FFY08 award could be expended by the end of calendar year 2010. No action required for the FFY08 award at this time.

7. NATIVE AMERICAN PROGRAMS UPDATE

Jodi Kirschenman review NAP budget summary. The current NAP subgrants will end June 30th, so the next round of applications will need to go out at the end of April. Staff requests direction for the subgrants that would begin July 1, 2010. We have enough money budgeted for five \$25,000 subgrants. Discussion ensued on best subgrant options. Gib Sudbeck recommended continue funding the current NAP Tribes and their existing projects since these Tribes have staff trained and their projects underway with NAP funding, so it would be a shame to take it away by making the award process competitive. Karen Jeffries and Ella Rae Stone agreed. Discussion ensued. ***Gib Sudbeck moved to make five NAP continuation grants available for application for the current NAP Tribes with the funding beginning July 1, 2010; Nancy Allard seconded. Motion carried.***

8. COUNTY REIMBURSEMENT PROGRAM

A total of \$238,400.84 was reimbursed to 20 counties in CY09, serving 1,176 juveniles. The greatest use of funding was for Active Electronic Monitoring, and the second largest reimbursements were for Detention costs. Hughes County's reimbursements will probably drop significantly once they get their facility up and running.

Mike Leidholt suggested making smaller changes to the program to allow more money for JDAI, as opposed to cutting the program completely. Program changes and their possible effects on maintaining compliance were discussed as well as the phase out of the valid court order exception and using electronic monitoring as a diversion and as a disposition. DOC Secretary Tim Reisch commended the CJS for thinking forward with the JDAI project.

Aaron McGowan moved sending a letter to counties currently receiving program money requesting their recommendations on program changes and cuts, and asking their justification for the current money they are receiving. This letter will also serve as notice that this money is not guaranteed in years to come. CJS Chair Twedt will assign a subcommittee to review the responses and make recommendations to the CJS by their June meeting; Doug Herrmann seconded. Motion carried.

9. DMC UPDATE

Joy Erlenbusch reviewed a handout which summarized the DMC projects followed by summarizing the DMC performance measures. Discussion ensued on the DMC projects, service providers, and barriers they face with particular discussion regarding a Rapid City provider. Janine Kern and Doug Herrmann will meet with the Rapid City provider to discuss concerns, target population, program expectations, etc. Next round of applications will be sent to the current subgrantees later this month. Staff will bring the applications to the next CJS meeting for approval.

10. FY'10 TITLE II GRANT APPLICATION INPUT AND APPROVAL

Staff will submit CY2009 compliance monitoring data to OJJDP in June and Joy Erlenbusch will bring this information to the June CJS meeting. Kevin McLain reviewed the FFY2010 Title II grant application. At the earliest, we would begin spending the FY'10 funding in October 2011 but we are allowed to make budget amendments if need be. Discussion ensued on various changes, additions, and deletions to the grant application. McLain requested that any additional changes or suggestions be sent to staff to compile. Janine Kern volunteered to review the final draft of the application before the March 31st submission deadline. ***Mike Leidholt moved to***

approve the FY2010 Title II grant application with changes discussed, for submission to OJJDP; seconded by Nancy Allard. Motion carried.

Discussion regarding data and Tribal data ensued. Susan Randall suggested a workgroup to discuss the data and figure out what it means. She also suggested drafting a letter to Representative Herseth, Senator Johnson, and Senator Thune containing Tribal information as outlined in the application to request money for Tribes to be on the forefront. Aaron McGowan offered to visit with US Attorney Johnson about needed Tribal data and the emerging emphasis on Tribal juvenile justice for all nine Tribes in South Dakota. McGowan will check with Johnson on his availability to do a brief presentation at a CJS meeting to discuss criminal justice issues on Tribal reservations.

Susan Randall moved that the Chair on behalf of the CJS submit a letter to our congressional delegation calling their attention to the need for court service and probation officers in the juvenile courts of the nine tribes of SD; Karen Jeffries seconded. Motion carried.

11. JUVENILE DETENTION ALTERNATIVES INITIATIVE PROGRESS & NEXT STEPS

Nancy Allard and other CJS members met with the presiding judges in Minnehaha County and Pennington County during the month of February. Allard said the meetings with Judge Caldwell and Judge Davis were productive, well received, and open to the project moving forward.

Aaron McGowan informed the Council that Minnehaha County has met as a partnership committee, which contains knowledgeable and experienced service providers. The committee created a formal agreement with Judge Caldwell and Ken McFarland serving as co-chairs.

Janine Kern said Pennington County's meeting went well and they are open to the concepts of the project and open to moving forward with the JDAI. Pennington County's partnership meeting is scheduled for April 13th.

In the future, a JDAI status meeting will be held with Nancy Allard, the Chief Justice, the State Court Administrator and JDAI Consultant Stephanie Vetter. In addition, Stephanie Vetter will be conducting a ninety-minute JDAI presentation at the June judges meeting.

Next steps for JDAI include applying for a grant application through the Annie E. Casey Foundation, convene the partnership meetings, begin data collection, and appoint and convene a risk instrument committee.

12. DMC CULTURAL TRAINING PROJECT UPDATE

Kevin McLain informed the Council that the training group met to review the initial curriculum. The training needs to cover awareness, knowledge and skills as well as cultural competence continuum. The goals of this training are to help participants understand DMC and intervention efforts, identify personal biases, and not lose sight of diversity and culture when moving forward with initiatives. The pilot training curriculum will be tested with Juvenile Corrections Agents, Court Services Officers and detention center personnel in Sioux Falls and Rapid City this summer. Trainers include Roland Loundenburg, Jennifer Wagner, Dr. Graig Howe, Kim Cournoyer-Baum, and Chad Nielsen.

Following a review of the evaluation of the training and modification of the curriculum as needed, an attempt will be made to provide access to this training to the rest of the Juvenile Corrections Agents, Court Services Officers and detention center personnel by the end of the calendar year. The next challenge will be to identify who to train next and how to modify the training for judges, police departments, etc. Staff will provide a training update at the June meeting.

13. TAG MEETING SUMMARY

Ella Rae Stone, TAG Chair, gave an update on the Tribal Advisory Group. The TAG met in Pierre in March although weather hindered the attendance. LuAnn Werdel, state director of Indian Education discussed with the TAG issues and initiatives associated with Indian education in South Dakota including educational barriers facing Tribal youth. Werdel also reviewed some of the state funded programs and is bringing back the Indian Education Advisory Council.

Stone informed the Council that the TAG approved submitting a letter to Senator Bradford suggesting a summer study on addressing the juvenile justice needs and outcomes of Native youth in South Dakota. A copy of the letter dated March 12, 2010 was attached to the TAG handout.

Stone also reported that three out of nine Tribes have received recognition for their alcohol and drug programs so these Tribes can now do third party billings which assists with sustainability of funding.

The TAG is interested in receiving grant writing training. DOC staff will work with Stone on submitting a technical assistance grant writing request. The TAG's next meeting is September 28, 2010 at Cedar Shore Resort.

14. OLD BUSINESS

- CJS REAPPOINTMENTS

Several CJS members' appointments will be expiring June 30th. Staff will be contacting them individually to ask if they are willing to serve another term, so that we can communicate accordingly with the Governor's office to get the reappointments made in a timely manner.

- 2010 CJJ MEMBERSHIP DUES

The CJS' annual membership to the Coalition for Juvenile Justice is expiring this month and we received a bill for \$5,000 to renew the membership for 2010. Jodi Kirschenman asked the Council to guide staff with a motion to either pay the \$5,000 CJJ membership dues or discontinue membership. ***Janine Kern moved to renew South Dakota's membership to CJJ; Karen Jeffries seconded. Motion carried.***

- SDVC JUVENILE JUSTICE PUBLICATION

Past minutes reflect the Council approved up to \$10,000 for the SDVC Juvenile Justice Publication. Therefore, a contract is not needed so Susan Randall said they would just submit an invoice for payment. 10,000 copies of the guidebooks were printed in the past and there are eighty left. SDVC plans to have this project completed in 2010.

15. NEW BUSINESS

- CJJ NATIONAL CONFERENCE

CJJ National Conference titled Ensuring School Engagement and Success for Youth at Risk is scheduled for Saturday April 10-13 in Washington, DC. A draft agenda was provided to the Council. Sunday, April 11th from 8:00 A.M. - 12:00 P.M. is the Council of SAG's meeting, which is comprised of SAG members or SAG Chairs/Chair designees. Discussion ensued. Members will look at their calendars and contact staff if they are able to go to the conference.

- OTHER ITEMS IDENTIFIED BY CJS MEMBERS

Mike Leidholt shared a compliance issue he is facing with his new facility. Hughes County intended to design a collocated facility that met the Act requirements, but there may be issues with a locked door that would consider the facility as being noncompliant with the Act. He is trying to work through the issue in order to classify the facility as collocated. Discussion ensued.

16. SCHEDULE NEXT MEETING

The next meeting is scheduled for Wednesday, June 23, 2010 at Chamberlain from approximately 10:00 AM – 4:00 PM, CDT.

17. WRAP-UP AND ADJOURN

Karen Jeffries moved to adjourn; seconded by Aaron McGowan. Meeting adjourned at 3:20 PM.

Recorded by Jodi Kirschenman, Juvenile Justice Specialist