

**Council of Juvenile Services**  
**August 25-26, 2003**  
**Meeting minutes**

**Monday, August 25, 2003**

**Council of Juvenile Services Members Present:** Doug Herrmann, Dennis Daugaard, Dallas Johnson, Dave Nelson, Carol Twedt, Sheriff Mike Leidholt, Joseph Verhulst, Doug Thrash, Laura Dillon, Judge Janine Kern, Mike Dacy, Susan Randall, Richard Bird, Sean Gilmore, Sharon Sonnenschein.

**Council of Juvenile Services Members Absent:** JC Chambers, Gib Sudbeck, and Lindsay Ambur

**Others Present:** Secretary Tim Reisch, Kevin McLain, Jodi Heath, and Joy Erlenbusch from the Department of Corrections; Dennis Mondoro, Office of Juvenile Justice and Delinquency Prevention (OJJDP); Linda Hayes, North Carolina Crime Commission

1. Welcome and Introductions by Mr. Tim Reisch, Secretary of Corrections
  - Mr. Reisch touched on recent developments in DOC including prison expansions, the 40-member adult corrections task force, the Legislative Committee reviewing DOC, the development of the Council of Juvenile Services (CJS), and Senate Bill 08 and 202.
  - Introductions were made.
  - Mr. Reisch asked Carol Twedt to serve as the interim Chairperson until a Chairperson is selected.
2. Kevin McLain reviewed the Agenda items.
3. Kevin McLain presented on Council of Juvenile Services (CJS) responsibilities as set in South Dakota Codified Law (SDCL). The statutes in SDCL that pertain to CJS responsibilities are 1-15-27; 1-15-28; 1-15-29; and 1-15-30. The CJS responsibilities are listed in SDCL 1-15-30. Items one through five and nine and ten are from preexisting law and items six through eight are new responsibilities from SB08.
4. Kevin McLain presented the SD Juvenile Justice Flow chart.
  - Information reviewed included statues relating to Abused/Neglected Youth; CHINS; Delinquents; Transfers to adult court; Temporary custody flowchart; and Adjudication/Disposition. A map of juvenile sites is included as Page 15 in the material contained in the meeting handouts.
  - McLain indicated that if further training is needed on juvenile justice issues or process, this need could be addressed through additional training or technical assistance (TA).
5. Dennis Mondoro-OJJDP and Linda Hayes-N.C. Crime Commission presented State Advisory Group (SAG) Training. The formula grant requires that each grant recipient have a SAG to oversee the grant. Mr. Mondoro discussed the following topics:
  - Overview of the Juvenile Justice and Delinquency Prevention Act (JJDP A) of 1974, and the Reauthorization of the Act (October 2002).
  - Formula Grant core requirements consist of De-institutionalization of Status Offenders (DSO), Sight and Sound Separation, Jail Removal, and Disproportionate Minority Contact (DMC).
  - In October 2003, a variety of changes will take place, but the basic principles of the formula grant stay the same overall.
  - The Delinquency Prevention Block Grants will encompass several other grants and will be available to those who participate in the Formula Grant.
  - Earmarks consume Title V so no allocation for FY03; once we start with the Formula grant Funds, we can apply for FY'03 Challenge grant funds.
  - Responsibilities of the SAG were reviewed.
6. Linda Hayes discussed the role of the SAG on a state and national level. Ms. Hayes also discussed the Council on Juvenile Justice and the opportunity for the CJS to join this organization. Ms. Hayes presented materials on juvenile justice funding levels of various bills in Congress.

**Tuesday, August 26, 2003**

7. South Dakota's compliance status – Kevin McLain and Joy Erlenbusch
  - Data was provided and reviewed on the History of Juvenile Jailings in SD (see pink sheets in manual). Not all jailings are violations. "Violations" means those juveniles that were jailed without meeting the requirements of the Act.
  - Ms. Erlenbusch presented the data received from the four county operated detention centers.
  - A draft compliance monitoring report will be completed by October for CJS approval. Report will include calendar year 2002 compliance monitoring data. Report will identify the number of violations in the following areas: 1) status offenders housed in juvenile detention greater than 24 hours; 2) delinquent offenders were jailed more than 6 hours; 3) youth who were jailed outside the sight and sound separation requirement.
  - Lt. Governor Daugaard discussed the cooperation the State has received from counties on getting the compliance legislation passed.
  - McLain noted that there has been no resistance on data collection from the counties.
  
8. SD Coalition for Children, Non-participating State (NPS) Program update from Dr. Susan Randall
  - In April of 2002 a stakeholders planning session was held and the group identified the following issues:
    1. The need for a continuum of services for juveniles in each circuit to address the range of needs from diversion to post adjudication to transition back into the community;
    2. Under the leadership of UJS, the need to develop a uniform electronic data system to collect data about juveniles statewide; and
    3. The need for a realistic case management system that emphasizes best-practices standards; and
    4. The need to support and expand holdover sites.
  - Ten regional planning meetings were held July 2002-November 2002 with local law enforcement, judges, court services, legislators, school personnel, county commissioners, and caseworkers. The groups identified the following top priorities for the next five years:
    1. Comply with the JJDP Act;
    2. More early intervention;
    3. Effective parenting;
    4. A coordinated system and a continuum of services; and
    5. More of ... (additional services and resources at all stages of the juvenile justice system)
  - SDCC SAG developed 'operating guidelines' and 'conflict of interest statement' that they are willing to share with the CJS.
  - Juvenile Services supported by the NPS grant are as follows:
    1. Centralized Risk assessment/intake/data collection system;
    2. Establish and fund holdover sites;
    3. Transportation, detention, shelter care and electronic monitoring subsidies;
    4. Hughes County Teen Court;
    5. JJ System Guidebook;
    6. JJ Symposium October 8-10 in Huron;
    7. Funds to support counties/state meeting SB 2002; and
    8. Native American Pass Through.
  - VOA has been selected as the statewide trainer for the holdover sites. Currently those sites being used as holdovers are: Charles Mix, Hughes Co., Beadle Co., Brookings Co., Perkins Co., and Winner Police Dept.
  
9. CJS Organizational Issues. Lots were drawn for 1, 2, and 3-year terms of appointment to the CJS. Lots were also drawn for absent members.
  - One year terms: Dennis Daugaard, JC Chambers, Laura Dillon, Richard Bird, and the two members yet to be appointed.
  - Two-year terms: Dave Nelson, Carol Twedt, Joseph Verhulst, Gib Sudbeck, Mike Dacy, and Lindsay Ambur
  - Three-year terms: Dallas Johnson, Sheriff Mike Leidholt, Sharon Sonnenschein, Doug Thrash, Judge Janine Kern, Susan Randall, Doug Herrmann, and Sean Gilmore.
  - Selection of Chairperson: Judge Kern nominated Carol Twedt. Dave Nelson seconded the motion. Susan Randall moved that nominations cease and that a unanimous ballot be cast for Carol Twedt as Chairperson. Sheriff Leidholt seconded. All in favor.
  - Vice Chair: Susan Randall nominated Sheriff Leidholt. Dennis Daugaard seconded the motion. Dallas Johnson moved to cease nominations, Judge Kern seconded. All in favor.
  - Expense reimbursement was explained.

10. Council Responsibilities, timelines and work methods presented by Chairperson Carol Twedt, and Kevin McLain
  - 3-year plan and plan updates
    - ❖ A listing of the State's Priority Juvenile Justice Needs/Problem Statements is a component of the 3-year plan. It was suggested that every issue the CJS wants to address be in the plan so we won't restrict ourselves.
    - ❖ Lt. Governor suggested we focus on DSO in the 3-year plan so that we don't lose funding as well as focus on funding those areas/regions in SD that aren't in compliance.
    - ❖ Judge Kern recommended the development of subcommittees to work issues for 3-year plan.
    - ❖ Concerns expressed with the cuts in funding. It was decided that McLain would draft letters for Governor Rounds' office advising him of the situation, and let him decide how to address (through senators, through OJJDP, etc.). Lt. Governor Daugaard will take the letters to the Governors Office. Motion made by Judge Kern, seconded by Sheriff Leidholdt; motion carried.
    - ❖ Susan Randall and Judge Kern volunteered to be on an AdHoc committee to bounce ideas off for the 3-year plan. A draft of the 3-year plan will be sent to them a week before the Sept. 17<sup>th</sup> meetings. They will also help determine the agenda for that meeting.
  - Compliance monitoring
    - ❖ It is a requirement that CJS members are involved in Compliance Monitoring. This is normally accomplished through site visits, discussions with JDC and jail administrators and follow-up on compliance problems.
    - ❖ Sheriff Leidholdt recommended training of Sheriffs, Judges, and State's Attorneys on SB08, SB202, and compliance monitoring. This will be workable with the State's Attorney Assoc., which meets in the Spring.
    - ❖ Judge Kern recommended more site visits as needed
  - DMC
    - ❖ Matrix's – counties were chosen based on their size, court activity, existence of a JDC, and number of minorities present. Phase 1 Matrix will be part of the 3-year plan.
    - ❖ Need to identify if DMC exists. Date will have to be verified. CJS will need to fund projects to address DMC. A researcher should also be involved (such as Dr. Leonardson). A review of his data estimation will be addressed at the next CJS meeting.
  - JAIBG
    - ❖ Staff at the September 17 meeting will seek approval of the application by the CJS.
    - ❖ An error was found in the JAIBG application - funds will not be allocated to Purpose Area 2 as indicated. This will be corrected for the next CJS meeting.
  - Senate Bill 08 Responsibilities
    - ❖ By June 2004, CJS will issue a report to address these responsibilities as well as the required report on the formula grant program.
    - ❖ Carol Twedt suggested a subcommittee to be of value here.
    - ❖ Responsibilities should be outlined in 3-year plan. CJS members will strategize at next meeting on how to address these.
  - Contact and seek regular input from juveniles currently under the jurisdiction of the JJ system.
    - ❖ Judge Kern requested budget information on Mental Health, Chemical Dependency, DOC, UJS, etc. to give an idea of the kids going through each of the systems.
11. Next meeting was scheduled for Wednesday September 17<sup>th</sup> in Pierre from 10am – 5pm in LCR 1 & 2. SDCC will cover reimbursements.
12. Motion made by Susan Randall to adjourn. Seconded by Dallas Johnson. All in Favor. Meeting adjourned at 12:15pm.

**APPROVED AS OFFICIAL MINUTES ON SEPTEMBER 17, 2003**