

**Council of Juvenile Services
October 12-13, 2005
Cedar Shore Resort – Oacoma, SD
Meeting Minutes**

Wednesday, October 12, 2005

Council of Juvenile Services Members Present: Mike Leidholt, Carol Twedt, Gib Sudbeck, Doug Herrmann, Sharon Sonnenschein, Susan Randall, Grant Walker, Judge Janine Kern, Keith Bonenberger, Beth O’Toole, JC Chambers, Vic Erlacher, Ella Rae Stone

Council of Juvenile Services Members Absent:, Sean Gilmore, Jason Kittles, Lindsay Ambur, Dave Nelson, Doug Thrash, Judge Karen Jeffries, Joseph Verhulst

Others Present: Kevin McLain, Jodi Kirschenman, and Joy Erlenbusch from the Department of Corrections, Judge Sherman Marshall -TAG Representative

1. WELCOME, INTRODUCTIONS, and REVIEW OF AGENDA

CJS Vice-Chair Mike Leidholt will be chairing the days meeting due to Chairperson Carol Twedt’s recent surgery and recovery. Introductions were made and new CJS member, Ella Rae Stone, gave her background and was welcomed by the committee. Review of agenda. Any additional business can be discussed during “Old/New Business” agenda item. Kevin McLain discussed items for deliberation and discussion, which included – FACJJ recommendations and the Annual report. He also asked for a Symposium Update.

2. APPROVAL OF CJS MEETING MINUTES FROM 6-23-05

Gib Sudbeck moved to approve June meeting minutes, Doug Herrmann seconded. Motion carried.

3. SYMPOSIUM UPDATE

Susan Randall provided an update on the plans for the Juvenile Justice Symposium. 211 people are registered so far and the planning committee has done a lot of work with a great agenda to include national presenters. They plan to have a vendor video tape the national speakers which will cost over \$1,000 to edit and produce this tape. Randall said they hope to pay this using the registration fees, and Terry Dosch is looking into Federal Grant funds. Another option, said Randall, would be to for CJS to approve expending another \$1,000 for this if it is needed. McLain added that approving this wouldn’t adversely impact the CJS budget. Janine Kern asked about dubbing tapes and usage. Randall will be looking into the cost of dubbing, but understands that if the national speakers are taped, then we can only use the dubbed tapes locally. Members decided to discuss funding of this project after the budget review later in the meeting.

4. FEDERAL ADVISORY COMMITTEE REAPPOINTMENTS

McLain indicated that the Governor received a letter from J. Robert Flores, OJJDP Administrator, asking for reappointments to the FAC. FAC advises OJJDP on juvenile justice matters. Each state has a member and an alternate. Currently Judge Janine Kern is South Dakota’s primary representative and Doug Herrmann is our alternate. Both of these individuals have agreed to be reappointed. Kern briefed the CJS on the FACJJ meetings held to date, and mentioned that she received the 2005 FACJJ Report to Congress and asked staff to make copies and send to CJS members.

McLain added that he feels Kern has done an excellent job as South Dakota’s representative. *Keith Bonenberger moved for Kern to serve on the FAC and Doug Herrmann serve as the alternate, Beth O’Toole seconded. Carol Twedt added commendations. Motion carried.*

5. FEDERAL ADVISORY COMMITTEE REQUEST FOR INFORMATION FOR 2006 REPORTS TO CONGRESS, THE PRESIDENT, and THE OFFICE OF JUVENILE JUSTICE & DELINQUENCY PREVENTION

Kern reviewed the letter that was sent to FACJJ members, SAG Chairs and JJ Specialists requesting information for the 2006 report. A copy of this letter and a list of questions to be answered were included in the CJS meeting mailing. The CJS spent the remainder of the morning reviewing and discussing this document. Randall shared value principles that the SDVC's SAG developed and approved for 2002-2004. CJS compared these with OJJDP's given principles and fit it in where appropriate before developing new principles to add. Eight Core Values were drafted. ***Carol Twedt moved to accept the eight values as CJS's value statements, Susan Randall seconded. Motion carried.***

The topic of "Current critical and emerging juvenile justice issues faced by the state of South Dakota" was discussed next and a list was developed. Members voted on those eight that were selected as only those to be put on the list versus keeping all 13 issues listed. Eleven members voted to only list the eight priority issues that were developed in today's meeting. Two members opposed. Discussion ensued. ***Janine Kern made a motion to accept the list of 13 issues as our priority issues, Carol Twedt seconded. Motion carried.***

Lastly, members listed the top three problems identified by the state in our most recent 3-year plan. A final version of the core values, issues, problems, recommendations for the report to the President and Congress, and recommendations to OJJDP's Administrator that was discussed in today's meeting will be compiled into one document and sent to CJS members before it is submitted to the FACJJ.

6. BUDGET REVIEW

McLain provided an overview of the grant budget categories. The budget will be amended to ensure that all costs incurred are covered under the appropriate budget category. Funds expire September 30, 2006 and include a one-year extension. If the Council funds the cost of the Symposium video, then the cost would fall under the System Improvement budget category. ***Carol Twedt moved to spend up to \$1,500 for dubbing tapes, Janine Kern seconded. Motion carried.***

7. JUVENILE REIMBURSEMENT PROGRAM UPDATE

Handout was provided that itemized the reimbursements to local law enforcement and counties that are reimbursable under the Juvenile Reimbursement Program. Twedt questioned why we reimburse Vermillion if this is a 'county' reimbursement program. Leidholt explained the Attorney General's rule and that it says it's the arresting agency's responsibility to transport to JDC, not just the county's responsibility. Twedt asked if we could change the wording to express this. McLain suggested changing the wording to say "Counties and Arresting Entities".

Discussion ensued regarding the amount of funding left and if it will be utilized prior to the budget period expiring. ***Janine Kern moved to request an extension, Susan Randall seconded. Motion carried.***

8. ATTENDANCE AT NATIONAL CONFERENCES

Kern recommended that CJS revisit joining CJJ since we couldn't afford it the first time. This item will be added to 'new business' later in the meeting.

CJS decided to conclude for the evening, and resume again tomorrow at 8:00 a.m.

ADJOURNED AT 8:45 P.M.

Thursday, October 13, 2005

Council of Juvenile Services Members Present: Keith Bonenberger, Susan Randall, Vic Erlacher, JC Chambers, Grant Walker, Doug Herrmann, Beth O'Toole, Mike Leidholt, Carol Twedt, Gib Sudbeck, Ella Rae Stone, Judge Janine Kern.

Council of Juvenile Services Members Absent: Sean Gilmore, Jason Kittles, Lindsay Ambur, Dave Nelson, Doug Thrash, Judge Karen Jeffries, Sharon Sonnenschein, Joe Verhulst.

Others Present: Tim Reisch, Kevin McLain, Jodi Kirschenman, and Joy Erlenbusch from the Department of Corrections, Judge Sherman Marshall -TAG Representative, Kristi Bietz

Meeting called to order at 8:15AM.

9. NATIVE AMERICAN PASS-THROUGH UPDATE

Jodi Kirschenman provided an update on the NAP subgrant and the Tribes that are actively submitting reimbursement requests. Two Tribes, Oglala and Standing Rock, have not submitted an application for funding even though staff have made numerous attempts to work with them on an application.

The current budget for NAP is \$274,000, which is six times the minimum amount due to receiving several years worth of Formula grant funding at one time. And three-fourths of this (\$235,000) must be expended by September 30, 2006. Next year's budget is \$39,000. Kern suggested OST & SRS get another chance to apply. McLain explained that another brief RFP will have to go to the Tribes in order for them to access the remainder of their \$30,000. It may also be feasible to ask for a supplemental budget from the Tribes "if more funds become available". The goal is to have proposals from all nine Tribes by the end of January 2006. If those two don't apply, there will be more deliberations in reallocating their money. *Janine Kern moved that every Tribe that has applied for NAP funds be eligible to apply for their remaining balance of \$30,000 and also be given the opportunity to submit a supplemental proposal if funds become available, Vic Erlacher seconded. Motion carried.*

10. TRIBAL ADVISORY GROUP UPDATE

Judge Sherman Marshall provided an update on the TAG. Marshall explained that most tribes have secured a tribal prototype resolution (see handout). Susan Randall also provided the Council with an updated directory. Kern asked Randall to share the directory with Tom Barnette, Ex-director of the SD BAR Association.

McLain reminded the Council that the contract with SDVC expires at the end of the year and suggested discussing the issue of renewing the contract. *Susan proposed the council support the TAG in calendar year 2006. Staff would receive \$2,000 per meeting and expenses of \$4,000 per meeting for a total of \$24,000. Plus a supplement of \$500 per tribe for Compliance Monitoring and Juvenile Justice data processing for a total of \$28,500 for the next calendar year for TAG. This is an increase of \$4,000 based on experience.* McLain said funds are definitely available through September, but that starting in October areas may be lean. *Carol Twedt moved to allocate \$28,500 for calendar year 2006 for TAG, Gib Sudbeck seconded. Motion passed. Susan Randall abstained from the vote.*

11. DMC COMMITTEE REPORT UPDATE

Randall provided an update on recommendations from the DMC Pilot sites:

1. Sioux Falls – recommends some money be utilized for a cultural translator to family and court. This translator would be knowledgeable on how the legal system works and the norms of the culture. Also recommended some money be used for parenting skills (refer to handout), and culture-specific outreach for existing programs.
2. Rapid City – recommends money be utilized for Middle School Prevention Specialist positions.
3. Sisseton – recommends money go towards a Minority Liaison, School Resource Officer, and expansion of temporary custody options.

Susan then reviewed the DMC Committee Recommendations. Kern wants to see #5 of the committee's recommendations included in DMC data for DSS referred youth, Child Abuse and Neglect youth, and Delinquent youths broken out by counties, or at least by pilot site. Kern also had concern with the press release issue and

releasing statistics. McLain recommended the Council identify two reporters geographically to get the data and information out.

McLain then informed the council that the Sisseton group was concerned that the second-year funding of \$24,000 is not enough money. Discussion ensued. ***Kern moved to take Sisseton's request of increasing the second year funding for Sisseton under advisement, Keith Bonenberger seconded. Motion passed.***

Discussion continued regarding concerns with how the media perceives DMC data. The council continued to review the blue handout outlining the DMC Committee Recommendations. McLain indicated that the recommendations outlined in the sheet are critical to the DMC plan. In addition, number seven, which deals with the support of the local DMC workgroups, is a concern due to staff resources. Workgroups need to become local workgroups and not depend on DOC staff. Other states have used a local DMC coordinator. The Council needs to develop a strategy to keep them operating effectively. ***Susan Randall moved to accept the DMC recommendations as the CJS Plan, Doug Hermann seconded. Motion passed.***

12. SYSTEMS IMPROVEMENT, MENTAL HEALTH, & UJS SUBGRANT UPDATE

Jodi Kirschenman indicated that the site visits for the Systems Improvement Subgrant had been completed, as well as the site visit for the Mental Health Subgrant. All entities are expending their funds, submitting reimbursements, and are reporting on performance measures. The site visit for the UJS Subgrant will be scheduled at a later date, but Keith Bonenberger provided the council with a brief update. The UJS Help Desk design work is two weeks from completion, and two months out from all program work being completed. They have been doing onsite visits and expect Phase I to be completed and ready for production in January 2006.

13. TITLE V GRANT UPDATE

Jodi Kirschenman provided an update on the status of the Title V program. Both communities (Pierre and Yankton Sioux Tribe) that are working on receiving Title V funds have completed the first mandatory training held in Chamberlain, and will be attending the second mandatory training in November. After the trainings are completed, they will receive their RFP announcement and be required to submit their proposals by the end of January 2006. Each entity will be applying for \$50,000.

14. COMPLIANCE MONITORING UPDATE

Joy Erlenbusch reviewed the compliance violation history for 2002 through 2004 and gave update on the Compliance Monitoring Plan activities, site visits, and data collection for calendar year 2005. She will be requesting downloads in January, 2006 from Sioux Falls and Pennington County JDC's. Also, collocated training was held and all the collocated sites were represented. See salmon-colored sheet for most recent statistics on CM violations.

15. OJJDP SITE VISIT – SET FOR SEPT. 12TH-16TH

Jodi Kirschenman indicated that the OJJDP site visit that was originally scheduled for September 12th-16th with State Representative Larry Fiedler has been cancelled. OJJDP is going through some restructuring, so the site visit will be rescheduled for sometime in 2006 when South Dakota's new state representative has been assigned.

16. DETENTION FACILITY STANDARDS/HOLDOVER STANDARDS UPDATE

An update has been given to Governor's Office for consideration as a policy issue that South Dakota should adopt. Next Friday is the due date that DOC must submit their action issues for legislation and this will be submitted to the Governor's office as part of DOC's potential legislation packet for 2006. As a reminder, this would involve DOC setting and enforcing standards of care for the juvenile detention centers, county- operated shelter care and holdover sites.

17. CHILD WELFARE RECORDS COMMITTEE UPDATE and TA

The Child Welfare Records (CWR) committee has met four to five times by teleconference last month due to a new requirement of the Formula Grant in which states must consider making child welfare records, including child protection records available to the court when CHINS or delinquents come before the court. The CWR Committee has met and decided that this new requirement is feasible and needs to be done. The committee is looking at drafting legislation that would authorize DSS to make these records available to the court, Court Services, and the State's Attorney. And they added a provision that deals with the respondent and the child. Technical assistance from OJJDP to implement this provision has been discussed at each meeting. TA is needed to assist with the

legislation as well as the policy and practices that are developed so that the records can be shared as needed and yet keep information confidential. **Janine Kern moved to seek Technical Assistance, JC seconded. Motion carried.**

At this time of the meeting, OJJDP Administrator, Bob Flores, joined us briefly to meet South Dakota's SAG. Introductions were given.

18. CJS LEGISLATIVE ROLE UPDATE

McLain indicated that this issue is still pending. No word from the Governor's Office received to date.

19. NEW BUSINESS/MISCELLANEOUS

- Bob Flores talked about OJJDP National Conference and history of Coordination Council of JJDP. Janine Kern, JC Chambers, and Doug Herrmann would like to try to attend the conference in Washington, DC in January. Jodi Kirschenman will follow up with them to assist with travel and registration details.
- CJJ membership discussion – Members decided to continue this discussion after we know how our funding looks. This item will be put on the agenda for January.

20. OLD BUSINESS

21. SCHEDULE NEXT MEETING

Members requested staff look at the DDN option for sites in Pierre, Rapid City, Sioux Falls, Selby, Yankton, or Lake Andes to meet on Thursday, January 19, 2006.

22. REVIEW, EDIT AND APPROVE COUNCIL OF JUVENILE SERVICES ANNUAL REPORT

Due to time constraints, the Council appointed a couple members to assist DOC staff with reviewing and editing the annual report, and then have the Executive Committee approve it. Staff will send out the information in a week and schedule a conference call with Susan Randall, Kevin McLain, Carol Twedt, and Doug Herrmann.

McLain indicated that one other item for the Council to address at some point is the number of committee members on the System Improvement Committee. He suggests that the Council look at a more manageable number to consist of CJS members and non-CJS members with expertise. Janine Kern indicated she is still willing to chair this committee if still revitalizing. Carol Twedt will reaffirm her appointment and will be appointing other members.

23. WRAP-UP and ADJOURN

Keith Bonenberger moved to adjourn, Doug Herrmann seconded. Motion carried.

Recorded by Jodi Kirschenman, JJ Specialist