



COUNCIL OF JUVENILE SERVICES

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FOR IMMEDIATE RELEASE: January 19, 2007
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State addressing minority over-representation in juvenile justice system

Pierre, S.D. - Ensuring equal treatment for youth in the juvenile justice system is a complex challenge and not easily resolved, but progress is being made in addressing the issue here in South Dakota.

When South Dakota passed legislation in 2003 to bring the state back into compliance with the federal Juvenile Justice and Delinquency Prevention Act (JJDP), the state began to develop and implement strategies to address the requirements of the act, including reducing the over-representation of minorities in the juvenile justice system.

"Of all the requirements of the JJDP, none is more important or more challenging than addressing the fact that minority youth are involved in the juvenile justice system at a much higher rate than the population would suggest," said Carole Twedt, Chair of the Council of Juvenile Services.

The Council of Juvenile Services, a 20-member group appointed by the Governor that oversees the state's compliance with JJDP, created a Disproportionate Minority Contact (DMC) committee to monitor, research and make recommendations to address the issue. Local workgroups were formed in Sioux Falls, Rapid City and Sisseton to assist the DMC committee in:

- identifying the existence and extent of disproportionality through racial comparisons within jurisdictions and at specific decision points in the justice system;
- assessing data to target specific studies to identify intervention needs and resource allocation;
- assist the Council in determining which jurisdictions should receive increased attention and intervention;
- evaluate how DMC responds to policy initiatives and system interventions; and
- monitor trends in DMC within and across jurisdictions.

The South Dakota Department of Corrections (DOC) collected data to determine if a disproportionate number of minority youth were represented throughout the juvenile justice system. That initial data collection showed both African American and Native American youth were disproportionately represented at many stages throughout the justice system, with the largest overrepresentation at the arrest stage. In 2004, the arrest rate for Black youth was 2.32 times higher than the arrest rate for white youth. The arrest rate for Native American youth was 2.39 higher than the rate for white youth.

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For the assessment phase of the process, DOC contracted with researchers from Mountain Plains Research to conduct a quantitative and qualitative analysis to assist the Council in identifying what factors impact minority over-representation and what interventions could reduce the occurrence of DMC.

As part of the assessment effort, the researchers organized twelve focus groups in four different South Dakota communities to gather pertinent information. The focus groups included youth in the juvenile justice system, parents and services providers and juvenile justice practitioners. These focus groups identified a number of factors that they believed to be impacting DMC in South Dakota, to include the following:

- Prejudice/biased treatment of minorities
- Different laws, mores, and cultural values between reservation and non-reservation areas
- Inconsistent family life/structure
- Truancy and dropout rates
- Substance Abuse
- Environment - loss of culture/identity
- Poverty/poor economics/jobs

"What the researchers found in South Dakota is comparable to what has been found in other states - DMC results from a variety of factors and no one factor can fully explain the reason for this problem," said Kevin McLain Director of Grants and Research for the DOC.

The DMC Committee reviewed the information and assessment results to determine what strategies should be implemented to address this problem. Based on the recommendations from the DMC Committee, the Council of Juvenile Services has adopted and has taken steps to begin implementation of the following DMC intervention strategies:

- (1) Implement data improvement projects in order to improve quantity and quality of the data currently available for the study of DMC.
- (2) Disseminate information about DMC.
- (3) Decrease the overrepresentation of Native American youth in South Dakota's juvenile justice system by developing and implementing effective Native American culture awareness training and agency cultural assessment training for juvenile justice practitioners and service providers.
- (4) Research the impact on raising the compulsory school attendance age from 16 years to 18 years.
- (5) Increase collaboration with Native American Tribes and the state juvenile justice system in order to access services operated by tribal entities including temporary custody, diversion, and treatment services instead of relying solely on existing state operated or contracted programs.
- (6) Create a legal education program to be implemented for juveniles and their families. The focus of the program would be on the rights and responsibilities, navigating the justice system, and parenting a juvenile that is involved with the juvenile justice system.
- (7) Implement intervention locations in Sioux Falls, Rapid City, and Sisseton and continue to support the three local DMC workgroups financially as well as through staff support.

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The Council has continued to work on all of the statewide intervention strategies and has funded the following specific interventions to address the over-representation of minority youth:

DMC Intervention Strategy Update			
Location	Provider	Description	Allocation
Sioux Falls			\$80,000.00
	Lutheran Social Services	Cultural Translator	\$50,000.00
	Great Plains Psychological Services	Parenting Skills Classes	\$10,000.00
	American Indian Services	Parenting Training/Outreach	\$20,000.00
Rapid City			\$80,000.00
	Rapid City Area Schools	Prevention Specialist Positions	\$67,750.00
	Rapid City Area Schools	Elder/Mentor Program	\$7,480.00
	Rapid City Area Schools	School Incentives Program	\$4,770.00
Sisseton			\$40,000.00
	Lutheran Social Services	Violence Reduction Program	\$6,050.00
	Glacial Lakes Boys and Girls Club	Smart Kids Program	\$3,950.00
	City of Sisseton	School Resource Officer	\$30,000.00
Statewide			
	Project Solutions	Cultural Training	\$39,955.00

The projects funded reflect the emphasis that while this is a statewide problem, the solutions are largely community-based. According to Twedt, “Having local DMC workgroups in the three target communities develop and implement local DMC interventions provides an opportunity to address local factors that adversely impact the status of minority youth.”

All funds allocated to address DMC, come from the Juvenile Justice Formula Grants Program, which is authorized under the JJDP.

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