

Meeting Minutes -DRAFT
South Dakota Council of Juvenile Services
June 19, 2018

Mitchell Technical Institute, Mitchell, SD

Tuesday, June 19, 2018

Council of Juvenile Services Members Present: Beth O'Toole, Chair and Professor at the University of Sioux Falls; Sara McGregor-Okroi, Vice-Chair and Director of Aliive-Roberts County; Taniah Apple, Youth Member; Keegan Binegar, Youth Member; Keith Bonenberger, Community Member; Kristi Bunkers, Director of Juvenile Services; Kim Cournoyer, Service Provider; Chuck Frieberg, Director of Court Services; Alexis Kohler, Youth Member; Betty Oldenkamp, CEO of Lutheran Social Services; Lyndon Overweg, Mitchell Chief of Public Safety; Miskoo Petite, Rosebud Sioux Tribe Juvenile Facility Administrator; and Carol Twedt, Former Minnehaha County Commissioner.

Council of Juvenile Services Members Absent: Dadra Avery, School Counselor at Sturgis Brown High School; Judge Tami Bern, First Judicial Circuit Judge; Renee Gallagher, Youth Member; Mike Leidholt, Hughes County Sheriff; Aaron McGowan, Minnehaha County States Attorney; Vanessa Merhib, Executive Director of Boys & Girls Club of Brookings, Moody, and Yankton Counties; and Virgena Wieseler, Director of Division of Child Protection Services.

Others Present: Bridget Coppersmith, Heather Van Hunnik, and Harlie Petrak, South Dakota Department of Corrections (DOC); Rachel Adair, Chaperone of Taniah Apple; and Ellen Bardash, Mitchell Daily Republic.

1. WELCOME, INTRODUCTIONS AND AGENDA REVIEW

Chair Beth O'Toole welcomed everyone to the meeting at 11:07 AM on June 19, 2018 and introductions were made.

2. DISCLOSURE OF CONFLICTS OF INTEREST

Bridget Coppersmith explained that the funding decisions coming before the Council at the meeting were regarding the Andes Central School District, Dell Rapids School District, American Horse School, Sisseton-Wahpeton Oyate Court, and Pennington County Disproportionate Minority Contact services through Lutheran Social Services.

Coppersmith asked if any Council Members had conflicts of interest with the proposed agenda to disclose. Betty Oldenkamp and Carol Twedt disclosed they had conflicts of interest with the Disproportionate Minority Contact decision and they would abstain from all discussion and action regarding the agenda item.

3. PERIOD FOR PUBLIC COMMENT

Chair O'Toole explained that House Bill 1172 amended South Dakota Codified Law 1-25-1 by adding the following text: The chair of the public body shall reserve at every official meeting by a public body a period for public comment, limited at the chair's discretion, but not so limited as to provide for no public comment.

Chair O'Toole asked if there were any public comments to be brought before the Council at the meeting. After confirmation from the public present that they had no comments to share, Chair O'Toole proceeded with the meeting agenda and ended the period for public comment.

4. APPROVAL OF MARCH 2018 CJS MEETING MINUTES

Lyndon Overweg moved to approve the March, 14 2018 Meeting Minutes, Chuck Frieberg seconded. Motion carried unanimously.

5. BUDGET STATUS REPORT AND SUBGRANT UPDATES

Coppersmith provided an overview of the Federal Fiscal Year (FFY) 2013 award that was currently being expended. Coppersmith explained that as of June 6, 2018, \$169,625.75 was remaining of the \$797,616 award. Coppersmith stated that ten percent of the award can be moved between approved budget categories without an amendment to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in order to close the award out by the end date of September 30, 2018. Coppersmith explained that spend down projections warranted a change in scope grant adjustment notice (GAN) to allow South Dakota to move more than ten percent of the award between categories and add additional funds to the program area of Planning and Administration which requires a fifty percent match from the state.

Coppersmith noted that the DOC requested to move a total \$80,000 between program areas by adding funds to the program areas of Planning and Administration, Disproportionate Minority Contact (DMC), Deinstitutionalization of Status Offenders (DSO), Jail Removal, Separation of Youth from Adult Inmates, and Compliance due to anticipated deficits in each program area and to remove funding from the program areas of Delinquency Prevention, Indian Tribal Programs, and the State Advisory Group. Coppersmith explained that the program areas of Delinquency Prevention and Indian Tribal Programs are projected to have excess funds at the end of September due to fewer subgrants being awarded during the performance period than budgeted for and that leftover funds are projected with the State Advisory Group allocation due to one overnight meeting being switched to a one-day meeting and meetings during the performance period being held in locations that required minimum travel expenses from a majority of the State Advisory Group Members.

Coppersmith and Heather Van Hunnik explained how each program area was being expended and the DOC's projection of how each area would continue to be spent down under the amendment submitted to OJJDP through the change in scope GAN. Coppersmith noted that OJJDP had approved the change in scope GAN on June 18th and that the DOC would continue to monitor the budget as it is spend down prior to the end date of September 30, 2018.

6. COMPLIANCE UPDATE

Van Hunnik presented a compliance data summary for the period of October 1, 2017 – March 31, 2018. Van Hunnik stated that a total of 863 records were submitted for the time frame and all records had been reviewed except for 64 records. At the time of the meeting, the 64 records required additional information from the detention facilities in order to provide a final determination of compliance for the detention admissions. Van Hunnik added that three detention records had been flagged as potential violations and that she was looking into each record with the facility it was reported from to ensure she had all of the information tied to the detention stay to make a final determination.

Van Hunnik explained that OJJDP was planning to conduct a compliance audit in South Dakota the week of August 20th. Van Hunnik added that the DOC will be hosting a training-for-trainers program in collaboration with the National Partnerships for Juvenile Services (NPJS) in Pierre the week of July 23rd. The training was identified for juvenile detention staff to assist with the training topics of adolescent development, behavior management, building healthy relationships, positive youth development, suicide prevention, and trauma responsive custody.

7. DAVISON COUNTY PROGRAMS PRESENTATION

Davison County State's Attorney Jim Miskimins presented an overview of juvenile programs in Davison County. Miskimins explained that following the implementation of Senate Bill 73, Davison County decided to start implementing the Annie E. Casey model of Juvenile Detention Alternatives Initiative (JDAI) and a program to target truancy called School Attendance Matters. Miskimins noted that the county's approach of minimizing crime associated with truancy and alcohol and marijuana use will revolve around having more communication among law enforcement, schools, and the juvenile justice system.

Miskimins also noted that Davison County's approach to minimizing juvenile crime is similar to a program developed in Ramsey County in Minnesota which focused on mediation and diversion. Miskimins noted that he believes this is an effective tool because juvenile's brains have not yet fully developed. Miskimins noted that Davison County law enforcement and Mitchell schools are working to make punishments more consistent and immediate. Miskimins noted that it is important that each juvenile receives their punishment as soon as possible and that all juvenile repercussions are similar for similar offenses.

8. DOC RECOMMENDATIONS FOR FUNDING DELINQUENCY PREVENTION APPLICATIONS

Coppersmith explained that applications for a second year of delinquency prevention programming were submitted from the Andes Central and Dell Rapids School Districts. Coppersmith provided an overview of each of the applications and explained the accomplishments each site experienced in their first year of implementing delinquency prevention services. The Andes Central School District applied for \$50,000 to implement Positive Action curriculum in grades six through nine and Positive Behavior Interventions and Supports (PBIS) in grades six through twelve. Coppersmith noted that their budget included personnel services, PBIS consultant assistance, and operating expenses for after school tutoring, family nights, and supplies. The Dell Rapids School District applied for \$34,621.28 to implement Positive Action curriculum in their elementary school for pre-kindergarten through fourth grade students. Coppersmith added that the budget included personnel services, supplies, and an on-site training from Positive Action.

Chuck Frieberg moved to approve both the Andes Central and Dell Rapids School Districts applications, Miskoo Petite seconded. Motion carried unanimously.

9. DOC RECOMMENDATIONS FOR NATIVE AMERICAN PROGRAMS APPLICATIONS

Coppersmith explained that the American Horse School submitted a letter to the DOC which outlined circumstances that prevented them from having an application submitted by the due date of June 1, 2018 and asked for a one month extension. Coppersmith noted that she conducted an on-site visit with the school in May during which the school expressed their interest in continuing to provide delinquency prevention services in their school and at the Tribal Detention Center. Coppersmith added that their application was not a competitive application as it was for a second year of previously approved services. Coppersmith asked the Council to consider authorizing the DOC to act on the American Horse School's year two application based on the receipt of a complete and justified application to the DOC by July 1, 2018.

Miskoo Petite moved to authorize DOC staff to award a second year of funding to the American Horse School if an application is submitted by July 1, 2018 which is in line with the program purpose and parameters, Keegan Binegar seconded. Motion carried unanimously with Kim Cournoyer abstaining from all discussion and action.

Coppersmith provided an overview of the Native American Program application submitted from Sisseton-Wahpeton Oyate Court. Coppersmith explained that Sisseton Wahpeton Oyate had previously

been awarded subgrants under the program area and that their last expended award was in State Fiscal Year (SFY) 2014. Coppersmith explained that their SFY2018 application was for \$50,000 to hire a Juvenile Probation/Diversion Officer. Coppersmith noted that the court currently does not have a Juvenile Probation Officer and has been relying upon the Adult Probation officers to supervise and council juveniles.

Discussion ensued regarding additional details and information that the Council would need prior to making a funding determination including a more detailed description of the job requirements and duties of the position, credentials, accreditation, or licensing requirements for the proposed staff, and a more detailed implementation plan with time tables tied to expenditures.

Betty Oldenkamp moved to authorize DOC staff to award a Native American Programs subgrant to the Sisseton-Wahpeton Oyate Court contingent on receiving additional information and justification regarding the implementation of the requested position by July 1' 2018, Kim Cournoyer seconded. Motion carried unanimously.

10. DOC RECOMMENDATION FOR DISPROPORTIONATE MINORITY CONTACT SUPPLEMENTAL FUNDING

Van Hunnik explained that Pennington County requested an additional \$10,000 for their Federal Fiscal Year (FFY) 2018 DMC Award which has an end date of September 30, 2018. Van Hunnik stated that Pennington County is under a budget shortfall due to serving more youth than in the past and is projected to fully expend their \$35,000 award before the end of June 2018. In the two quarters of their FFY 2017 award, Pennington County served 119 youth under the program. In the first two quarters of their FFY 2018 award, Pennington County served 472 youth under the program. Van Hunnik explained the additional \$10,000 would be allocated for salary associated with 470 hours of additional case management time through September 30, 2018 to meet increased community needs.

Lyndon Overweg moved to approve the addition of \$10,000 to the Pennington County FFY2018 DMC Award, Kristi Bunkers seconded. Motion carried unanimously with Betty Oldenkamp and Carol Twedt abstaining from all discussion and action.

11. JUVENILE JUSTICE UPDATES

Betty Oldenkamp announced there was an internal promotion within Lutheran Social Services as Amy Witt was hired as the new Vice President of Children and Youth Services following the departure of Sheila Weber. Staci Jonson was hired back to Lutheran Social Services to fill Amy's position. Oldenkamp added the residential capacity of group care services at Canyon Hills has expanded by two beds.

Coppersmith announced that she will be attending the Collation of Juvenile Justice (CJJ) Annual Conference on June 28th and 29th in Washington DC.

12. NEXT MEETING LOCATION AND DATES

Coppersmith explained that the next meeting is planned for September 11th and 12th and is anticipated to take place in Brandon, SD.

13. WRAP-UP AND ADJOURN

At 2:05 PM, Keith Bonenberger moved to adjourn the June 2018 Council of Juvenile Services Meeting, Keegan Binegar seconded. Motion carried unanimously.

Recorded by Bridget Coppersmith, Juvenile Justice Specialist