SOUTH DAKOTA
DEPARTMENT OF CORRECTIONS

Title II - Formula Grants Program
2015 - 2017
3-Year Plan

June 2015

DRAFT

Prepared by: South Dakota Department of Corrections and the
Council of Juvenile Services
3200 E. Hwy 34 Suite 8
Pierre, SD 57501

Prepared for: Office of Juvenile Justice and Delinquency Prevention
Office of Justice Programs
810 Seventh Street NW.
Washington, DC 20531

Table of Contents

PROGRAM ABSTRACT **3**

PROGRAM NARRATIVE
A. STRUCTURE AND FUNCTION OF JUVENILE JUSTICE SYSTEM **4**
LAW ENFORCEMENT 4
JUVENILE DETENTION AND OTHER PRETRIAL PROGRAMS 4
COURTS SYSTEM 4
DEPARTMENT OF CORRECTIONS 5
COMMUNITY-BASED SERVICES 5
B. ANALYSIS OF JUVENILE CRIME PROBLEMS **6**
ARREST 6
JUVENILE COURT REFERRALS 8
UNIFIED JUDICIAL SYSTEM 8
DIVERSION PROGRAMS 10
JUVENILE OFFENDERS IN DETENTION AND JAILS 12
JUVENILE DETENTION CENTERS 12
ADULT JAILS AND LOCKUPS 14
OTHER INFORMATION RELEVANT TO DELINQUENCY PREVENTION PROGRAMMING 14
C. STATE PRIORITY JUVENILE JUSTICE NEEDS/PROBLEM STATEMENTS **30**
VALUE STATEMENTS 30
PROBLEM STATEMENTS 31
D. COORDINATION OF STATE EFFORTS **33**
OVERVIEW OF STATE EFFORTS 33
STATE AGENCY PARTNERSHIPS 36
CHALLENGES AND PLANS TO IMPROVE COORDINATION AND JOINT DECISION MAKING 36
E. GOALS, OBJECTIVES, AND IMPLEMENTATION (ACTIVITIES AND SERVICES) **37**
DELINQUENCY PREVENTION 37
COMPLIANCE MONITORING 38
DEINSTITUTIONALIZATION OF STATUS OFFENDERS (DSO) 39
DISPROPORTIONATE MINORITY CONTACT 40
INDIAN TRIBE PROGRAMS 41
JAIL REMOVAL 42
JUVENILE JUSTICE SYSTEM IMPROVEMENT 43
SEPARATION 45
STATE ADVISORY GROUP ALLOCATION 46
F. SAG MEMBERSHIP **47**
G. STAFF OF THE JJDP FORMULA GRANTS PROGRAM **49**
ORGANIZATIONAL CHART 49
STAFFING PLAN 50
STAFF DUTIES 50
H. COLLECTING AND SHARING JUVENILE JUSTICE INFORMATION **52**
EFFORTS FOR STATEWIDE INFORMATION SHARING 52
BARRIERS TO INFORMATION SHARING 53
I. BUDGET WORKSHEET **54**

APPENDIX A **57**
TEMPORARY CUSTODY **57**
PETITION, ADJUDICATION, AND DISPOSITION **58**

DRAFT

Program Abstract

The State of South Dakota will utilize FY2015 Title II Formula Grant funds consist with federal requirements. The budget is based on the FY2014 allocation of $400,000. The designated state agency, the South Dakota Department of Corrections, will ensure that subgrantees use funds consistent with Title II requirements and program purpose areas.

South Dakota will allocate funds consistent with program purpose areas: 06 Delinquency Prevention, 19 Compliance Monitoring, 20 Deinstitutionalization of Status Offenders, 21 Disproportionate Minority Contact (DMC), 24 Indian Tribe Programs, 26 Jail Removal, 27 Juvenile Justice System Improvement, 28 Planning and Administration, 31 Separation of Juveniles from Adult Inmates, and 32 State Advisory Group.

Activities that will be implemented to achieve the project goals and objectives include:

- maintaining compliance with the core requirements of the JJDP Act by assisting counties in funding alternatives to secure detention and jail;
- monitoring compliance with core requirements by inspecting facilities and collecting and verifying juvenile admission data;
- supporting DMC intervention efforts including local DMC planning and early intervention and diversion programs;
- funding Native American Tribal juvenile justice programs;
- supporting juvenile delinquency prevention projects;
- assisting with the implementation of South Dakota's juvenile justice reform, the Juvenile Justice Reinvestment Initiative (JJRI) ; and
- supporting the Council of Juvenile Services (State Supervisory Group for Title II program).

Progress toward goals and objectives will be measured through quarterly performance measure reporting. Staff of the Department of Corrections will submit required annual performance measure reports to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) through the Data Collection and Technical Assistance Tool (DCTAT) and the Grant Management System (GMS).

DRAFT

A. Structure and Function of Juvenile Justice System

Law Enforcement

South Dakota law enforcement consists of 71 Municipal Police Departments, 66 County Sheriff's Offices, State Law Enforcement (South Dakota Highway Patrol and the Division of Criminal Investigation), and Tribal and Federal Law Enforcement. Generally, the responsibilities of law enforcement in the juvenile justice system include investigating alleged acts committed by juveniles which may constitute delinquent or child in need of supervision (CHINS) violations, taking juveniles into temporary custody with or without court involvement, transporting juveniles to court hearings if they have been held in temporary custody pending court action, and responding to child protection issues including investigations of abuse or neglect and enforcing protection orders.

DRAFT

Juvenile Detention and Other Pretrial Programs

Counties are authorized by state law to operate juvenile detention centers, enter into compacts with other counties for detention operation, and contract for detention or shelter care services. There are two regional detention centers in South Dakota: the Minnehaha County Juvenile Detention Center (Sioux Falls) and the Western South Dakota Juvenile Services Center (Rapid City). There are seven additional county operated detention centers in South Dakota located in Brown, Beadle, Codington, Day, Hughes, Roberts, and Walworth Counties. Licensed group care and residential treatment centers provide non-secure custody services for counties on a fee for service basis.

Courts System

Prosecution- The State's Attorney is responsible for representing the state in all abuse and neglect, CHINS, or delinquency proceedings and are responsible for conducting preliminary juvenile investigations, determining whether a petition shall be filed, and representing the state in all juvenile proceedings. The federal government has concurrent jurisdiction with tribal courts for felony prosecutions of crimes, committed by Native Americans, on the nine Native American reservations in South Dakota.

Judiciary **-** The circuit courts are the general trial courts of the Unified Judicial System (UJS). These courts have original jurisdiction in all civil and criminal cases. They are the

only courts that can try and determine criminal felony cases, civil cases that involve more than ten thousand dollars in damages, and appeals from magistrate court decisions. (Source: UJS website) The circuit courts of South Dakota have exclusive civil jurisdiction over juvenile proceedings. The 66 counties in South Dakota form seven judicial circuits with forty-one circuit judges.

Court Services Officers **-** Court Service Officers conduct pre-dispositional reports, pre-sentence investigations, and recommend to the sentencing judge plans for dealing with juvenile and adult offenders who may be placed on probation. The officers also provide in-state probation supervision, interstate compact supervision, counseling, and/or community referral services to those placed on probation.

DRAFT

Department of Corrections

The Department of Corrections, or DOC, provides out-of-home placement and aftercare services for CHINS and delinquents committed to their care. Once juveniles complete their program and are recommended for release, they are placed under the aftercare supervision of a Juvenile Corrections Agent. The child, the child's parent or custodian, and the child's Juvenile Corrections Agent sign an aftercare contract. Revocation of the child's aftercare may take place through an administrative due process procedure that is utilized to determine if the child violated the conditions of the aftercare contract.

Community-based Services

The Department of Social Services, Division of Behavioral Health consists of prevention services, community based outpatient services, inpatient chemical dependency, psychiatric hospitalization and services for offenders incarcerated in state correctional facilities to best support and strengthen children and adults with behavioral health needs. In order to highlight the importance of prevention and early intervention, a separate prevention program was also created.

A flow chart of the Juvenile Justice System along with South Dakota's Juvenile Code can be found in Appendix A.

B. Analysis of Juvenile Crime Problems

Arrest

Arrest data is published by the Statistical Analysis Center of the Attorney General's Office. The *2013 Crime in South Dakota Report* includes adult and juvenile arrests reported by 116 law enforcement agencies which is a participation rate of 95%.

Under the current reporting practices there are two categories of arrests. Both incidents and arrests are reported for Group A offenses. Only arrests are reported for Group B offenses. In 2013, 41,798 Group A Offenses were reported by local law enforcement agencies which is a decrease of 0.36% from the 41,949 Group A Offenses in 2012. Group B Offenses for 2013 totaled 21,534 which is a 4.79% increase from the 20,550 Group Be Offenses reported in 2012.

DRAFT

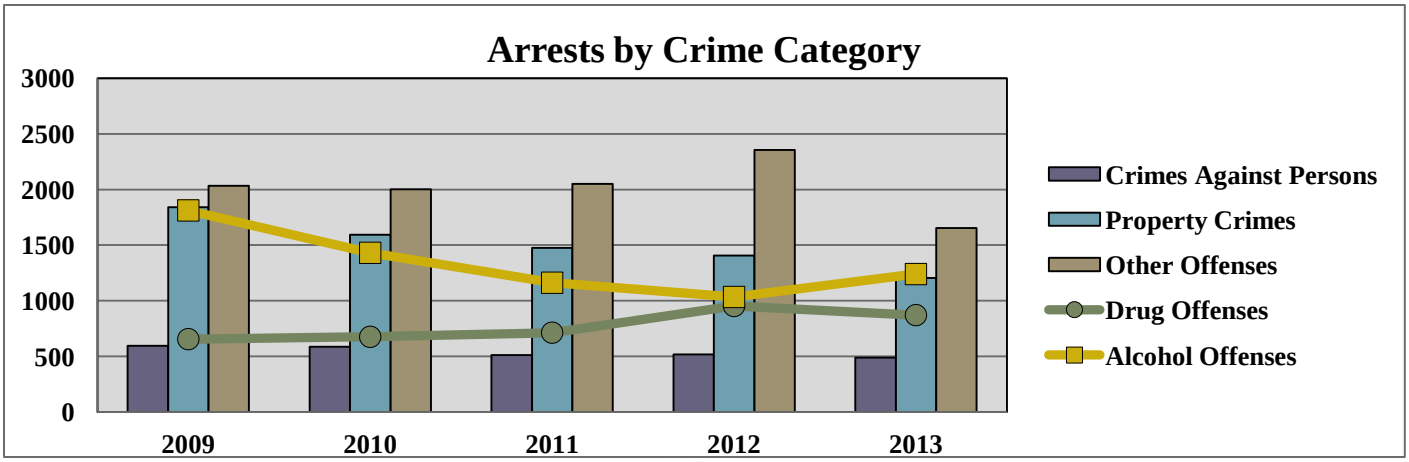
In 2013, there were 6,265 Group A offenses committed by juveniles. The most common Group A offenses for juveniles were drug/narcotic violations, larceny, simple assault, shoplifting, and destruction/damage/vandalism of property. There were 2,848 Group B juvenile arrests in 2013. The most common Group B offenses that juveniles were arrested for were liquor law violations.

The following table outlines 2013 juvenile arrests based on one offense per incident.

NOTE: Data associated with years 2009 – 2012 has been updated from previous submissions of South Dakota's 3-Year Plan and Plan Updates in an effort to be consistent with other arrest publications.

Summary of Arrest Information											
	2009		2010		2011		2012		2013		2009-2013
Law Enforcement Participation	95%		95%		95%		95%		95%		—
	#	%	#	%	#	%	#	%	#	%	% Change
Crime Category	6936		6291		5916		6265		5458		-21%
Crimes Against Persons	594	9%	587	9%	513	9%	518	8%	490	9%	-18%
Property Crimes	1842	27%	1594	25%	1476	25%	1405	22%	1204	22%	-35%
Drug Offenses	655	9%	676	11%	713	12%	953	15%	871	16%	33%
Alcohol Offenses	1812	26%	1431	23%	1162	20%	1034	17%	1240	23%	-32%
Other Offenses	2033	29%	2003	32%	2052	35%	2355	38%	1653	30%	-19%
Crime Type	6936		6291		5916		6265		5458		-21%
Status Offenses	859	12%	963	15%	925	16%	894	14%	500	9%	-42%
Delinquent Offenses	6077	88%	5328	85%	4991	84%	5371	86%	4958	91%	-18%
Sex	6936		6291		5916		6265		5458		-21%
Male	4198	61%	3852	61%	3636	61%	3899	62%	3353	61%	-20%
Female	2738	39%	2439	39%	2280	39%	2366	38%	2105	39%	-23%
Race	6936		6291		5916		6265		5458		-21%
White	4005	58%	3402	54%	3216	54%	3301	53%	2825	52%	-29%
Native American	2013	29%	1928	31%	1883	32%	1957	31%	1772	32%	-12%
Asian	59	1%	46	1%	41	1%	62	1%	51	1%	-14%
Black	274	4%	364	6%	334	6%	483	8%	367	7%	34%
Hispanic	264	4%	254	4%	264	4%	272	4%	343	6%	30%
Other	321	5%	297	5%	178	3%	190	3%	100	2%	-69%
Sources: 2009-2013 SD Crime in SD Report and SD Division of Criminal Investigation											

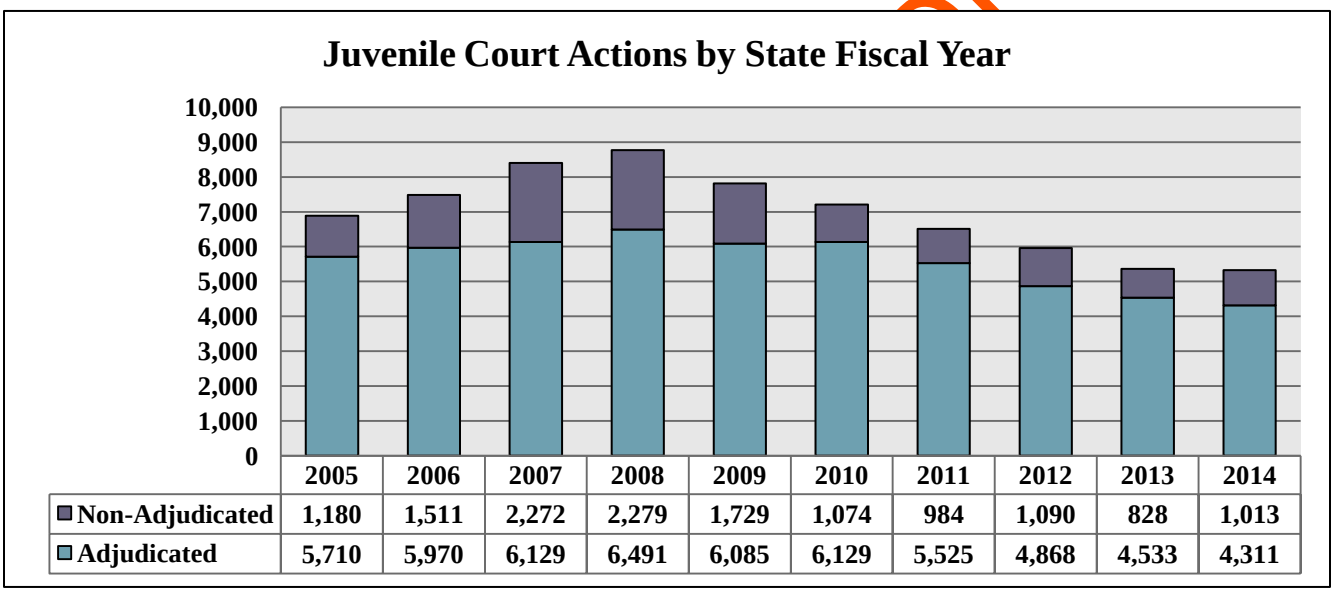
The following chart shows an overall decrease in arrests, specifically under the other offenses and property crime categories. Since 2009, arrests for crimes against persons decreased the least with a decrease of 18%. Drug offenses have increased 33% since 2009 but have decreased 9% since 2012. Alcohol ofenses have decreased 32% since 2009 but increased 20% since 2012.



Juvenile Court Referrals

The number of juvenile referrals represents the number of youth less than eighteen years of age referred to the Unified Judicial System (UJS) by the state's attorney. Based on information obtained from the *S.D. Kids Count Factbook*, statewide adjudicatory actions decreased 33.58% since a peak of 6,491 actions in state fiscal year (SFY) 2008 and there was a 55.55% decrease in non-adjudicatory actions during that same time period. The overall activity decreased by 39.29% between SFY 2008 and SFY 2014. It should be noted that non-adjudicatory actions are actually higher than indicated in the table as some diversion programs operated by states attorneys are not included in the non-adjudicatory actions below.

DRAFT



	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Non-Adjudicated	1,180	1,511	2,272	2,279	1,729	1,074	984	1,090	828	1,013
Adjudicated	5,710	5,970	6,129	6,491	6,085	6,129	5,525	4,868	4,533	4,311

Unified Judicial System

The following table reflects the Court Service activities from SFY 2010 to SFY 2014. It should be noted that diversion numbers indicated in the table do not include some diversions made directly by states attorneys. These diversions have increased because of the availability of Juvenile Accountability Block Grant (JABG) funds that are frequently used to operate Teen Courts and other diversion programs.

Court Service Activities						
Juvenile Service Categories	**FY'10**	**FY'11**	**FY'12**	**FY'13**	**FY'14**	**%Change FY'10-'14**
Juvenile Pre-hearing Social Case Study	652	588	453	371	422	-35.3%
Placed in 90 Day Diversion	719	648	735	803	479	-33.4%
Placed on Probation	2,915	2,800	2,296	2,297	2,117	-27.4%
On Probation End of FY	1,995	2,173	1,914	1,728	1,621	-18.7%
Placed in Case Monitoring	561	454	324	222	222	-60.4%
Active Case Monitoring End of FY	336	361	311	202	162	-51.8%
Placed on Intensive Probation	216	193	183	158	158	-26.9%
On Intensive Probation End of FY	134	119	116	114	120	-10.4%
Added During FY	5,063	4,683	3,991	3,851	3,398	-32.9%
Active End of FY	2,676	2,653	2,341	2,044	1,903	-28.9%
Source: UJS Fiscal Year Report						

The following table provides Court Services activity information for SFY2014 by Circuit Court. The majority of probationary activities occur within the Second and Seventh Circuits. South Dakota's two largest cities and the only metropolitan statistical areas, Sioux Falls (Minnehaha County) and Rapid City (Pennington County), are located in the Second and Seventh Circuits, respectively. Once again, the diversion services numbers appear to be under reported due to some diversion programs operating outside of the formal juvenile court system.

Court Services Activities - FY 2014								
Service Categories	**First Circuit**	**Second Circuit**	**Third Circuit**	**Fourth Circuit**	**Fifth Circuit**	**Sixth Circuit**	**Seventh Circuit**	**State**
Juvenile Service:								
Prehearing Social Case Study	65	134	25	45	16	73	64	422
Informal Diversions Added	58	231	62	11	24	29	64	479
Placed on Probation	336	677	268	94	168	139	435	2,117
On Probation at End of FY	289	567	162	104	149	145	205	1,621
Restitution Received	$27,878	$48,282	$39,154	$7,955	$17,209	$11,999	$28,629	$181,106
Case Service Monitoring:								
Placed in Program During FY	0	176	45	0	1	0	0	222
Active Cases at End of FY	0	157	5	0	0	0	0	162
Interstate Compact Cases - In	4	2	0	2	2	1	2	13
Interstate Compact Cases - Out	17	18	0	7	4	0	0	46
Source: *Unified Judicial System*								

DRAFT

Diversion Programs

In addition to court initiated diversion, the state's attorney can also initiate diversions and operate diversion programs. These programs operate in order to reduce the number of first time offenders exposed to the juvenile court system, assess and provide services to meet the needs of these offenders and their families, and hold juveniles accountable for their actions. Options available for diversion include:

- Community Service hours
- Essays and reports
- Restrictions (curfew, contact with peers, driver's license, etc.)
- Educational classes
- Restitution

The following is a summary of diversion and teen court programs. Please note that the data may not include all diversion programs utilized by state's attorneys in the listed locations.

Diversion Programs CY2013																
	Sioux Empire Teen Court		Pennington County State's Attorney's Office		Brown County Teen Court		Lawrence County Teen Court		Brookings County Teen Court		Central South Dakota Teen Court		Codington County Teen Court		Total	
Sex	105		1382		47		38		18		79		15		1684	
Female	63	60.0%	633	45.8%	23	48.9%	18	47.4%	10	55.6%	40	50.6%	3	20.0%	790	47.1%
Male	42	40.0%	749	54.2%	24	51.1%	20	52.6%	8	44.4%	39	49.4%	12	80.0%	894	53.3%
Race	105		1382		47		38		18		79		15		1684	
White	84	80.0%	509	36.8%	41	87.2%	36	94.7%	16	88.9%	51	64.6%	14	93.3%	751	44.9%
Black	4	3.8%	31	2.2%	1	2.1%	0	0.0%	0	0.0%	1	1.3%	0	0.0%	37	2.2%
Asian	0	0.0%	9	0.7%	0	0.0%	0	0.0%	1	5.6%	1	1.3%	0	0.0%	11	0.7%
Native American	4	3.8%	752	54.4%	4	8.5%	1	2.6%	1	5.6%	24	30.4%	0	0.0%	786	46.7%
Hispanic	13	12.4%	32	2.3%	1	2.1%	1	2.6%	0	0.0%	2	2.5%	1	6.7%	50	3.0%
Other/Missing	0	0.0%	49	3.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	49	2.9%
Offense Type	105		1382		47		38		18		79		15		1684	
Status	0	0.0%	1097	79.4%	25	53.2%	18	47.4%	14	77.8%	35	44.3%	1	6.7%	1190	70.7%
Delinquent	105	0.0%	285	20.6%	22	46.8%	20	52.6%	4	22.2%	44	55.7%	14	93.3%	494	29.3%
Completed Cases	105		369		47		38		18		79		15		671	
Successful	103	98.1%	302	81.8%	40	85.1%	32	84.2%	18	100.0%	63	79.7%	9	60.0%	567	85.4%
Unsuccessful	2	1.9%	67	18.2%	7	14.9%	6	15.8%	0	0.0%	16	20.3%	6	40.0%	104	15.7%
Information was obtained from individual programs. *Pennington County Completed Cases excludes 1013 truancy referrals.																

In 2013 there were 1,684 diversion cases documented, 894 males (53.3%) and 790 females (47.1%). Native American participants were the largest number of participants with 786 juveniles making up 46.7% of those served. Status offenses account for 70.7% of offenses while delinquent offences account for 29.3%. For those programs that successful completions are reported, South Dakota's diversion programs have a successful completion rate (juvenile complete the program requirements) of 85.4%.

Juvenile Offenders in Detention and Jails

A significant amount of progress has been made in meeting the Formula Grant Program compliance requirements since compliance legislation went into effect on July 1, 2003. The following information represents the changes from 2002 to 2013.

Summary of Compliance Monitoring Violation History					
Compliance Monitoring Reporting Year	Deinstitutionalization of Status Offenders		Jail Removal		Separation
	Violations	Rate**	Violations	Rate**	Violations
2002	115	56.75	291	143.60	9
2003*	16	8.18	34	17.38	0
2004	9	4.60	5	2.56	1
2005	11	5.62	16	8.18	1
2006	7	3.72	6	3.19	1
2007	11	5.65	20	10.27	2
2008	6	3.05	4	2.03	0
2009	3	1.52	0	0.00	0
2010	0	0.00	0	0.00	0
2011	3	1.52	0	0.00	0
2012	9	4.44	0	0.00	0
2013	6	2.96	0	0.00	0

* Data Projected from July through December 2003 admission.
** Rates per 100,000 population under 18. Population determined by OJJDP

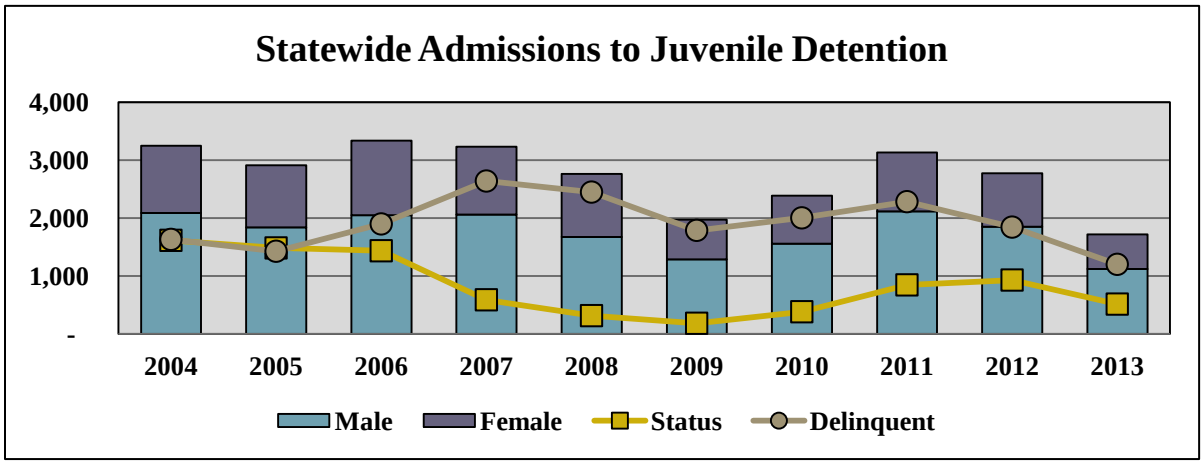
Between 2002 and 2004, there was a 92.2% decrease in Deinstitutionalization of Status Offenders (DSO) violations, a 98.3% decrease in Jail Removal violations, and an 88.9% decrease in Sight and Sound Separation violations. Since South Dakota began working towards compliance, a few incidences of violations have occurred which are typically addressed through advocacy, education of staff, and ensuring that cases have appropriate screenings completed prior to admission.

Juvenile Detention Centers

The following table summarizes the admissions to juvenile detention centers within South Dakota for 2011 through 2013 by race, sex, and offense type.

Statewide Admissions to Juvenile Detention Facilities														
	Asian		Black		Hispanic		Native American		White		Other		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
2011	**16**	**1%**	**172**	**5%**	**25**	**1%**	**1295**	**41%**	**1509**	**48%**	**113**	**4%**	**3130**	
Male	12	0%	113	4%	16	1%	795	25%	1087	35%	95	3%	2118	68%
Status	0	0%	14	0%	3	0%	250	8%	236	8%	13	0%	516	16%
Delinquent	12	0%	99	3%	13	0%	545	17%	851	27%	82	3%	1602	51%
Female	4	0%	59	2%	9	0%	500	16%	422	13%	18	1%	1012	32%
Status	1	0%	10	0%	2	0%	193	6%	122	4%	3	0%	331	11%
Delinquent	3	0%	49	2%	7	0%	307	10%	300	10%	15	0%	681	22%
2012	**24**	**1%**	**151**	**5%**	**43**	**2%**	**1242**	**45%**	**1255**	**45%**	**60**	**2%**	**2775**	
Male	21	1%	88	3%	31	1%	767	28%	902	33%	45	2%	1854	67%
Status	9	0%	11	0%	10	0%	220	8%	293	11%	11	0%	554	20%
Delinquent	12	0%	77	3%	21	1%	547	20%	609	22%	34	1%	1300	47%
Female	3	0%	63	2%	12	0%	475	17%	353	13%	15	1%	921	33%
Status	0	0%	11	0%	6	0%	205	7%	148	5%	7	0%	377	14%
Delinquent	3	0%	52	2%	6	0%	270	10%	205	7%	8	0%	544	20%
2013	**18**	**1%**	**151**	**9%**	**73**	**4%**	**659**	**38%**	**793**	**46%**	**24**	**1%**	**1718**	
Male	9	1%	94	8%	61	5%	364	32%	576	51%	18	2%	1122	65%
Status	1	0%	13	4%	13	4%	87	29%	182	61%	0	0%	296	17%
Delinquent	8	1%	81	10%	48	6%	277	34%	394	48%	18	2%	826	48%
Female	9	2%	57	10%	12	2%	295	49%	217	36%	6	1%	596	35%
Status	3	1%	15	7%	4	2%	116	53%	82	37%	0	0%	220	13%
Delinquent	6	2%	42	11%	8	2%	179	48%	135	36%	6	2%	376	22%

The following chart displays the significant decrease in detention numbers of both male and female youth and delinquent and status offenders since the beginning of implementing the Annie E. Casey Foundation's Juvenile Alternatives to Detention Initiative (JDAI) in 2011.



The graph also shows that status and females offenders have consistently been placed in detention at a lower rate than male and delinquent offenders.

In 2011, South Dakota had 3,130 juvenile admissions to juvenile detention centers. In 2012 this number slightly decreased to 2,775 and then continued to decrease to 1,718 in 2013. This represents a 45% decrease from 2011-2012. The number status offenders admitted to detention has decreased 68.07% since South Dakota's renewed participation in 2004.

DRAFT

Adult Jails and Lockups

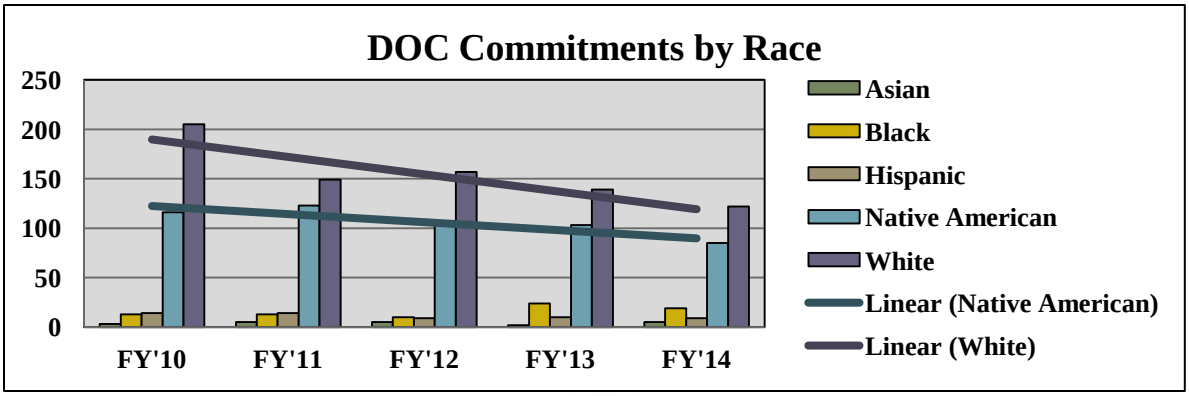
Since coming into compliance with the JJDPA, admissions to jails in South Dakota have significantly decreased. Prior to coming into compliance, there were 291 Jail Removal violations and nine Separation of Juveniles from Adult Offender violations in 2002. South Dakota has been able to report zero violations under Jail Removal and Separation of Juveniles from Adult Offenders since 2009 due to educating county jails regarding the appropriate holding of juveniles in adult jails or where adult offenders may be present. Reporting zero violations reflects South Dakota's appropriate use of the six hour Jail Removal exception and adherence to Sight and Sound requirements.

Other Information Relevant to Delinquency Prevention Programming

Department of Corrections New Commitments **-** Judges may commit a youth to the Department of Corrections (DOC) as a disposition for adjudication as a Child in Need of Supervision (CHINS) or a delinquent child. Upon commitment, the DOC places the youth in a facility or program that meets the needs of that specific juvenile. These needs are fulfilled through juvenile correction facilities, residential treatment facilities, group care facilities, or foster care. The statewide breakdown for new commitments status, sex, age, and race for by fiscal year can be found in the following table:

Demographic Summary of New Juvenile Commitments											
	FY'10		FY'11		FY'12		FY'13		FY'14		'10-'14
	#	%	#	%	#	%	#	%	#	%	% Change
Commit Status	351		304		284		278		240		-31.6%
CHINS	36	10%	31	10%	27	10%	27	10%	19	8%	-47.2%
Delinquent	315	90%	273	90%	257	90%	251	90%	221	92%	-29.8%
Sex	351		304		284		278		240		-31.6%
Male	267	76%	206	68%	204	72%	223	80%	170	71%	-36.3%
Female	84	24%	98	32%	80	28%	55	20%	70	29%	-16.7%
Age	351		304		284		278		240		-31.6%
<10	1	0%	0	0%	0	0%	0	0%	0	0%	-
10-12	10	3%	11	4%	9	3%	9	3%	3	1%	-70.0%
13-14	52	15%	40	13%	42	15%	40	14%	35	15%	-32.7%
15	66	19%	49	16%	41	14%	43	16%	48	20%	-27.3%
16	75	21%	73	24%	65	23%	72	26%	60	25%	-20.0%
17	87	25%	84	28%	85	30%	77	28%	66	28%	-24.1%
18 or over	60	17%	47	15%	42	15%	37	13%	28	12%	-53.3%
Race	351		304		284		278		240		-31.6%
Asian	3	1%	5	2%	5	2%	2	1%	5	2%	66.7%
Black	13	4%	13	4%	10	4%	24	9%	19	8%	46.2%
Hispanic	14	4%	14	5%	9	3%	10	4%	9	4%	-35.7%
Native American	116	33%	123	40%	103	36%	103	37%	85	35%	-26.7%
White	205	58%	149	49%	157	55%	139	50%	122	51%	-40.5%

The following chart shows that since 2010, there has been a decline in commitments from every race except for increases in Asian and Black youth who comprised a combined 10% of the commitment population in FY2014. The chart also contains linear lines that show the rate of decline in commitment is greater for white youth than Native American youth.



In FY 2014, DOC data reflects 240 new juvenile commitments. Of these commitments, 90.3% of juveniles are committed for delinquent behavior; 80.2% were male; 17.6% of juveniles were young offenders (14 and under); 37.1% were Native American; and all other minority races make up 12.9%.

The overall commitment rate in South Dakota is 11.54 per 10,000 youth in the population. The largest number of new commitments in FY 2014 to the Department of Corrections came from Minnehaha (60 commitments) and Pennington (36 commitments). Population data from *OJJDP's Easy Access to Juvenile Populations 2013 Report* was used to compute commitment rates for each county. The highest overall commitment rate is found in Charles Mix County with a rate of 47.86 commitments per 10,000 juveniles (13 juvenile commitments compared to 2,716 juveniles in the population); the highest rate of commitments for CHINS in a county that had more than one commitment was also in Charles Mix County with 3 CHINS commitments (rate of 11.05 CHINS commitments per 10,000 juveniles in the population); and the highest rate of commitments for young offenders (14 years of age and under) is found in Custer County with 2 young offender commitments and 1,111 juveniles in the population that were 14 years of age or younger for a rate of 18.00 per 10,000 juveniles.

DRAFT

The statewide breakdown for all new commitments, CHINS commitments, and young offender (14 and under) commitments can be found by county in the following table. Please note that only counties with at least one commitment for the three year date range are displayed. The top two counties across all three years are Minnehaha and Pennington Counties followed by Brown, Codington, Charles Mix, Hughes, and Yankton Counties.

New Juvenile Commitments to DOC (By County)									
Young = 14 & Under	FY 2012			FY 2013			FY 2014		
	All	CHINS	Young	All	CHINS	Young	All	CHINS	Young
STATEWIDE	**331**	**27**	**51**	**278**	**27**	**15**	**240**	**19**	**38**
AURORA	0	0	0	1	1	0	0	0	0
BEADLE	59	2	4	9	0	1	4	1	2
BENNETT	4	0	0	3	1	0	2	0	0
BON HOMME	4	1	1	2	1	0	2	0	0
BROOKINGS	6	0	0	8	1	0	15	3	0
BROWN	22	2	5	9	2	0	8	0	1
BRULE	1	0	0	1	0	0	1	0	0
BUTTE	4	3	1	3	1	2	1	1	0
CHARLES MIX	17	3	5	7	2	2	13	3	1
CLAY	9	0	1	2	0	0	2	0	0
CODINGTON	14	0	1	14	0	0	10	0	4
CORSON	0	0	0	0	0	0	0	0	0
CUSTER	6	0	1	0	0	0	3	0	2
DAVISON	9	3	1	13	1	5	5	0	0
DAY	4	0	0	3	0	0	3	0	1
DOUGLAS	1	0	0	0	0	0	0	0	0
EDMUNDS	0	0	0	1	0	0	1	1	0
FALL RIVER	0	0	0	3	0	1	1	0	0
GRANT	3	1	0	0	0	0	4	1	0
GREGORY	0	0	0	1	0	0	1	0	0
HUGHES	16	2	4	9	1	0	12	1	2
HUTCHINSON	6	1	2	1	0	0	3	1	1
JACKSON	0	0	0	0	0	0	0	0	0
JONES	0	0	0	0	0	0	1	0	0
KINGSBURY	1	0	1	0	0	0	1	0	0
LAKE	3	0	1	4	0	0	2	0	1
LAWRENCE	8	0	0	9	5	1	6	1	3
LINCOLN	5	0	0	6	0	0	5	0	1
LYMAN	0	0	0	1	0	0	0	0	0
MARSHALL	1	0	0	1	0	0	1	0	0
MCCOOK	0	0	0	2	1	0	0	0	0
MCPHERSON	1	0	0	0	0	0	0	0	0
MEADE	8	2	1	10	2	1	7	2	5
MELLETTE	6	0	1	1	0	0	2	0	0
MINER	1	0	0	0	0	0	0	0	0
MINNEHAHA	33	2	9	64	3	0	60	1	7
MOODY	3	0	0	0	0	0	1	0	0
PENNINGTON	47	0	9	45	1	2	36	0	5
PERKINS	0	0	0	0	0	0	1	0	0
ROBERTS	5	0	1	7	0	0	3	0	0
SPINK	1	0	0	1	0	0	3	0	0
STANLEY	0	0	0	1	0	0	0	0	0
TRIPP	0	0	0	3	0	0	3	1	0
TURNER	2	1	1	4	2	0	4	0	0
UNION	4	1	0	5	1	0	4	1	1
WALWORTH	3	2	0	8	1	0	2	1	0
YANKTON	14	1	1	16	0	0	7	0	1

DRAFT

Department of Corrections Placements **-** The following table depicts the average daily populations by state fiscal year for placement categories utilized by the DOC for youth committed to their care and for which the Department either operates the program or pays for care through a placement contract.

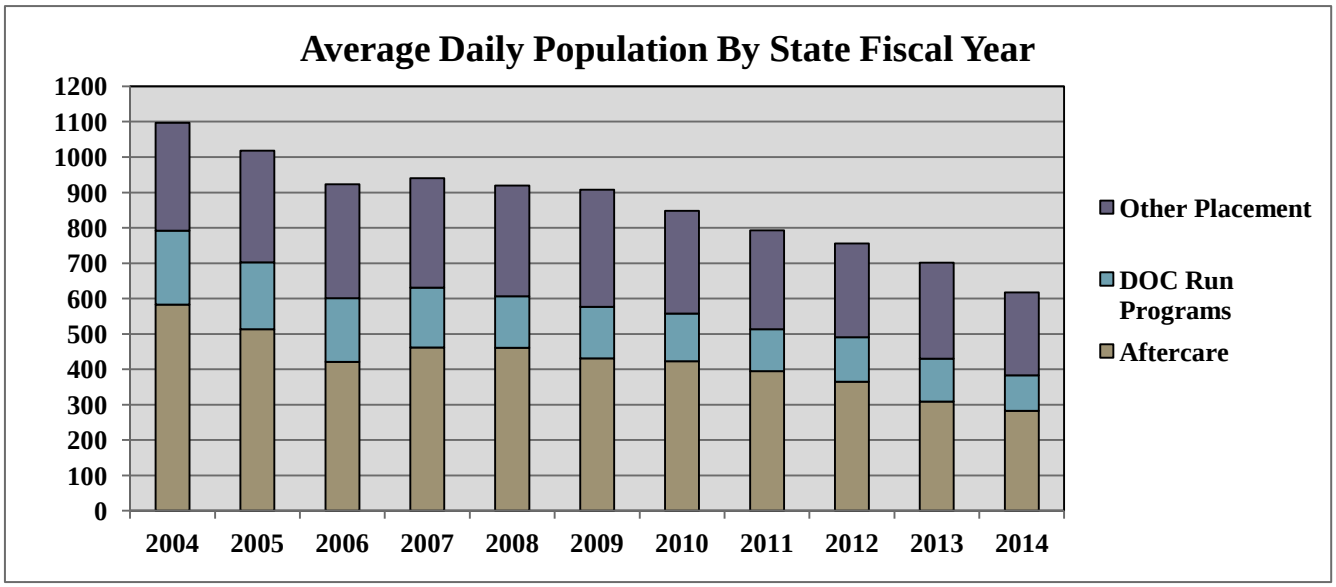
Average Daily Population By State Fiscal Year					
	2010	**2011**	**2012**	**2013**	**2014**
All Juvenile Community Corrections Placements	848.1	792.6	755.6	701.9	640.6
Aftercare	422.8	394.4	365.3	309.4	305.3
Absconder	16.5	16.7	21.5	20.0	20.0
Fostercare	16.8	13.9	10.8	11.4	8.3
Halfway Houses	3.7	2.7	2.9	2.4	1.6
Home	310.1	291.3	268.2	232.7	200.1
Independent Living	9.8	10.3	10.5	8.5	9.8
Independent Living Training	14.7	13.9	16.2	23.0	25.9
Job Corps	0.2	0.0	1.0	0.1	0.5
Other (Out of State, Boarding School)	17.4	16.1	14.4	9.2	11.1
Other Fostercare	12.2	6.2	4.9	1.7	5.1
Transitional Group Care	21.4	23.3	15.0	0.4	22.9
DOC Run Programs	134.4	119.0	125.7	121.3	100.8
STAR Academy East Campus	33.0	43.2	36.5	34.7	23.6
STAR Academy West Campus	101.4	75.8	89.2	86.6	77.2
Other Placement	290.9	279.0	264.6	271.3	234.5
Department of Human Services	8.5	9.3	4.3	5.8	5.2
Detainment	36.2	38.3	43.5	45.0	32.5
DOC Paid County Jail	5.7	5.1	6.0	4.5	3.8
DOC Paid Detention Center	13.7	12.8	13.9	12.3	9.3
Non-DOC Paid County Jail	6.3	10.0	10.9	15.4	10.4
Non-DOC Paid Detention Center	10.4	10.4	12.6	12.7	9.0
Other Detainment	0.1	0.0	0.0	0.0	0.0
In-State Private - DOC Paid	163.7	154.2	141.3	154.2	140.0
In-State DOC Paid Group Care	46.2	49.8	51.1	51.5	35.8
In-State DOC Paid Intensive Residential	36.5	35.7	32.5	36.5	39.4
In-State DOC Paid Residential Treatment (PRTF)	80.9	68.7	57.7	66.1	64.9
In-State Private - Non DOC Paid	24.0	23.7	19.5	16.6	14.3
Out of State Private - DOC Paid	52.3	53.5	56.1	49.7	42.5
Note: Groups are based on the definitions implemented by the department in July 2007.					

The private placement numbers include youth placed in private programs with the cost of care paid for by the Department of Corrections. Youth placed in out-of-state facilities either have severe mental health issues, require sex offender treatment, or cannot be served by an in-state facility due to the youth's needs or because no space is available in South Dakota private facilities.

Youth under the jurisdiction of the Department of Corrections are also placed in private facilities based on their eligibility for services due to mental health needs, developmental disability, or chemical dependency diagnoses.

DRAFT

The following graph shows the average daily population by placement type. The three categories of Other Placement, DOC Run Programs, and Aftercare have significantly decreased since 2004 with Aftercare consistently being the largest placement category.



South Dakota's Juvenile Incarceration Rate **-** The following information is from OJJDP's *Census of Juveniles in Residential Placement: 1997-2011* which describes the number of juveniles and the rate of incarceration per 100,000. The count for this census was done on October 26, 2011.

Top 10 States Juveniles in Residential Placement Rates 2011 (per 100,000)						
State of Offense	**All groups**	**White**	**Black**	**Hispanic**	**American Indian**	**Asian**
United States	**196**	**112**	**521**	**202**	**361**	**36**
District of Columbia	618	107	791	198	0	0
South Dakota	**492**	**298**	**716**	**424**	**1,588**	**261**
Wyoming	433	388	1,378	416	1,166	0
Nebraska	337	197	1,476	340	1,683	70
Oregon	281	231	888	359	751	108
West Virginia	278	232	715	193	898	0
Alaska	270	156	639	49	568	44
Indiana	258	204	602	147	429	24
Kansas	255	191	1,003	171	314	106
Nevada	245	166	684	243	284	66
North Dakota	241	153	608	290	916	0

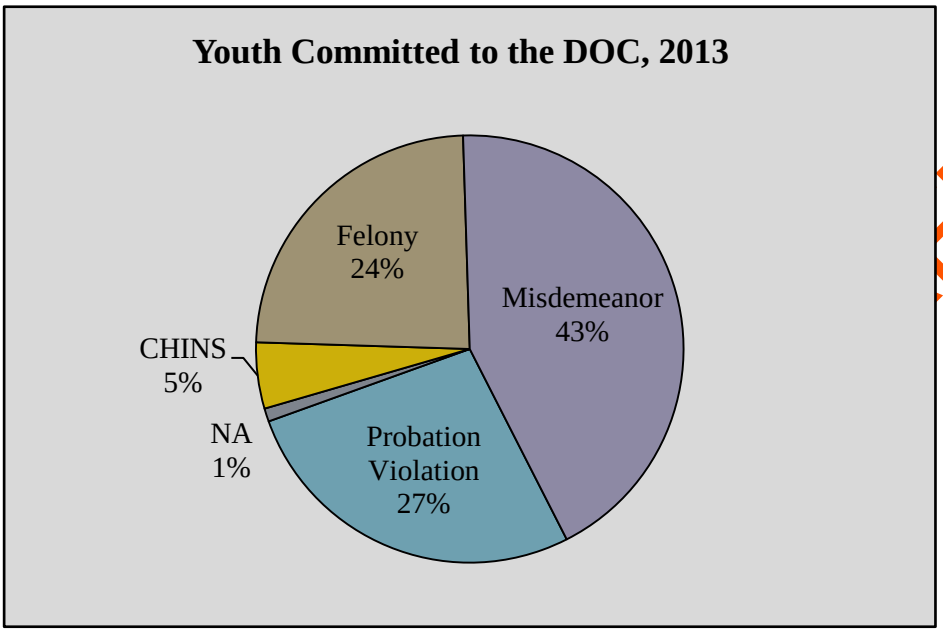
DRAFT

South Dakota had 429 juveniles in placement on October 26, 2011. Of these juveniles 306 were male (71%) and 123 were female (29%). This equates to a placement rate of 492 per 100,000 juveniles held in residential facilities that were between 10 and 17 years of age. South Dakota had the highest juvenile incarceration rate (575/100,000) in the United States with a rate nearly 2.6 times higher than the national placement rate in 2010. In 2011, South Dakota dropped to second behind the District of Columbia and was 2.5 times higher than the national placement rate of 196 per 100,000 juveniles.

Although South Dakota's number of juvenile offenders decreased 26.8% between the census in 2006 and the census completed in 2011, from 672 to 492 per 100,000, South Dakota once again has one of the highest incarceration rates in the nation. It is also important to note that only three jurisdictions (District of Columbia, South Dakota, and Wyoming) and had rates greater than 400 while seven jurisdictions had rates less than 100 (Massachusetts, Mississippi, New Hampshire, Connecticut, Hawaii, North Carolina, and Vermont).

Juvenile Justice Reinvestment Initiative (JJRI) – South Dakota's high incarceration rate demonstrated a need for juvenile justice reform activities. South Dakota's reform, the JJRI, was established after deep analysis of youth within the South Dakota juvenile

justice system. The following chart shows that more than a quarter of commitments to the DOC are probation violators and that nearly half of the commitments are for misdemeanor and CHINS offenses.



The JJRI Work Group found that while juvenile commitments to the DOC have decreased 20 percent since 2004, the average time spent out-of-home during commitment has increased. On average, youth discharged from DOC in 2013 had spent 29 months in some combination of out-of-home placement and aftercare which is 16 percent longer than youth discharged in 2007.The average time spent out-of-home during a DOC commitment increased 27 percent since 2007 to 15.3 months in 2013. The JJRI Work Group also found that new admissions to probation have decreased by 24 percent in the last the ten years but the time spent on probation has increased from 6.3 months to 8.4 months since 2005. (Source: *Juvenile Justice Reinvestment Initiative Work Group Final Report)*

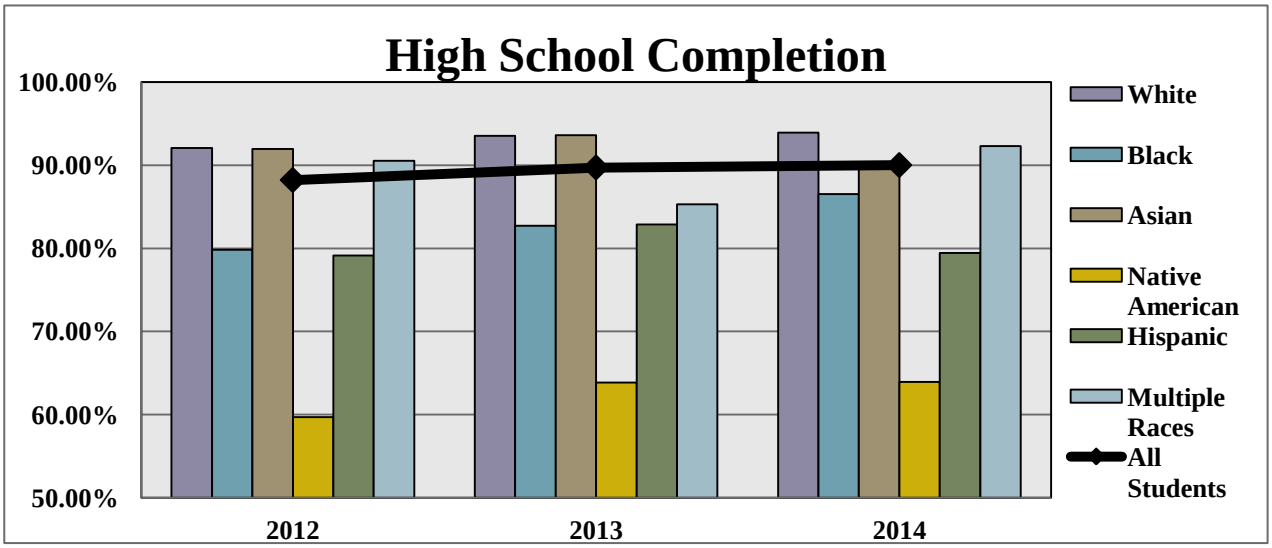
Additional information concerning JJRI can be found in the "Coordination of State Efforts" section of this comprehensive 3-Year Plan.

Education **-** Based on the collection information from the South Dakota Department of Education, statistics show that there are a variety of educational attainment gaps they related to the advantages and disadvantages of youth in South Dakota. The following tables outline basic information pertaining to 2014 enrollment and the 2014 *Statewide No Child Left Behind Summary*.

Statewide Enrollment Summary						
	2012		**2013**		**2014**	
	#	**%**	**#**	**%**	**#**	**%**
All Students	146,486		147,999		149,605	
White	109,107	74.48%	109,205	73.79%	109,437	73.15%
Black	3,768	2.57%	3,779	2.55%	4,004	2.68%
Asian	2,402	1.64%	2,446	1.65%	2,496	1.67%
Pac. Islander	152	0.10%	144	0.10%	134	0.09%
Native American	22,398	15.29%	22,641	15.30%	22,586	15.10%
Hispanic	5,819	3.97%	6,235	4.21%	6,814	4.55%
Multiple Races	2,840	1.94%	3,549	2.40%	4,134	2.76%
Male	75,482	51.53%	76,259	51.53%	77,125	51.55%
Female	71,004	48.47%	71,740	48.47%	72,480	48.45%
Source: South Dakota Department of Education						

Statewide No Child Left Behind Summary									
	High School Completion			Four-Year Cohort Graduation			Attendance		
	2012	2013	2014	2012	2013	2014	2012	2013	2014
All Students	88.21%	89.72%	90.01%	83.32%	82.68%	82.74%	95.81%	95.34%	95.96%
White	92.08%	93.54%	93.94%	88.84%	87.98%	88.49%	96.16%	95.93%	96.59%
Black	79.83%	82.72%	86.52%	66.95%	71.71%	73.33%	95.36%	95.21%	96.44%
Asian	91.95%	93.63%	89.77%	85.52%	84.97%	80.57%	96.71%	96.48%	97.18%
Pac. Islander	*	*	*	*	*	*	95.39%	95.74%	94.80%
Native American	59.68%	63.86%	63.93%	46.70%	49.16%	46.98%	94.28%	91.97%	92.47%
Hispanic	79.15%	82.88%	79.45%	67.21%	69.15%	70.61%	94.58%	94.25%	95.15%
Multiple Races	90.54%	85.29%	92.31%	80.52%	80.00%	76.12%	95.07%	94.61%	94.98%
Economically Disadvantaged	81.29%	82.24%	81.84%	67.24%	66.53%	65.22%	94.17%	93.67%	94.56%
Students with Disabilities	78.79%	81.03%	80.59%	63.80%	59.67%	59.35%	94.96%	94.55%	95.12%
English Language Learners	80.47%	80.58%	79.15%	60.00%	58.87%	57.01%	95.53%	95.28%	95.59%
Male	87.00%	88.83%	88.55%	81.66%	79.70%	79.34%	95.87%	95.42%	95.99%
Female	89.56%	90.65%	91.55%	85.14%	85.86%	86.28%	95.73%	95.25%	95.93%
Migrant Students	95.00%	92.00%	81.82%	77.27%	80.77%	73.68%	96.87%	96.33%	97.19%
Source: South Dakota Department of Education 2012, 2013, and 2014 No Child Left Behind Report Cards									
*No data displayed due to subgroup not meeting the minimum size for reporting purposes.									

The chart below shows Native American, Hispanic, and Black youths, have a lower percentage of high school completers when compared to white students and the all student average.



Substance Abuse - Juveniles in South Dakota that are in need of inpatient services are admitted to state accredited drug and alcohol treatment programs which are overseen by the South Dakota Department of Social Services, Division Correctional Behavioral Health. According to information submitted from the department for the *2013 South Dakota Kids Count Factbook*, 1,083 youth were admitted to drug or alcohol treatment programs during SFY 2013. Of these admissions, the primary drug used was marijuana (54.7%) followed by alcohol (39.2%).

In addition to accrediting facilities, the South Dakota Department of Social Services Behavioral Health Division, along with the Department of Education and the Department of Health support the biennially administered *Youth Risk Behavior Survey*. This survey is used to track health-risk behaviors in youth that result in the greatest amount of morbidity, mortality, and social problems. The following table outlines the questions as they pertain to violence and drug and alcohol use among youth in South Dakota.

DRAFT

Youth Risk Behavior Survey Summary 2005-2013					
	2005	**2007**	**2009**	**2011**	**2013**
Violence					
Percentage of students who were in a physical fight one or more times during the past 12 months	26.5%	29.8%	27.1%	24.5%	24.2%
Percentage of students who carried a weapon such as a gun, knife, or club on school property on more or more of the past 30 days	8.3%	6.3%	9.2%	5.7%	6.8%
Percentage of students who did not go to school on one or more of the past 30 days because they felt they would be unsafe at school or on their way to or from school	3.9%	4.0%	2.9%	3.9%	5.2%
Percentage of students who had been threatened or injured with a weapon such a gun, knife, or club on school property one or more times during the past 12 months	8.1%	5.9%	6.8%	6.0%	5.0%
Percentage of respondents whose property, such as their car, clothing, or books had been stolen or deliberately damaged on school property one or more times during the past 12 months	27.4%	24.0%	27.7%	22.8%	18.7%
Alcohol Use					
Percentage of students who had at least one drink of alcohol on one or more of the past 30 days	46.6%	44.5%	40.1%	39.2%	30.8%
Percentage of students who had at least one drink of alcohol on one or more days during their life	76.9%	76.1%	72.7%	69.1%	64.0%
Percentage of students who had their first drink of alcohol other than a few sips before age 13 years	24.0%	20.8%	19.1%	19.0%	17.2%
Percentage of students who had five or more drinks of alcohol in a row, that is, within a couple of hours, on more or more of the past 30 days	34.2%	30.0%	26.3%	26.2%	17.2%
Drug Use					
Percentage of students who used marijuana one or more times during the past 30 days	16.8%	17.7%	15.2%	17.8%	16.1%
Percentage of students who used marijuana one or more times during their life	36.9%	33.9%	30.0%	32.8%	29.6%
Percentage of students who tried marijuana for the first time before age 13 years	8.2%	8.7%	5.3%	7.8%	7.2%
Percentage of students who used methamphetamines one or more times during their life	7.3%	5.0%	2.7%	3.5%	4.2%
Percentage of students who used a needle to inject any illegal drug into their body one or more times during their life	3.0%	2.4%	1.7%	2.1%	3.0%
Percentage of students who were offered, sold, or given an illegal drug by someone on school property during the past 12 months	20.9%	21.1%	17.7%	16.0%	15.4%
Source: 2013 Youth Risk Behavior Survey Summary					

DRAFT

The Correctional Behavioral Health program within the Department of Corrections provides the substance abuse and mental health programming at the Department of Corrections' State Treatment and Rehabilitation (STAR) Academy. The FY2014 diagnostic data for youth placed at STAR Academy reveals that substance and alcohol abuse are significant issues for youth in the juvenile justice system.

Of the 258 assessments completed for males in FY2014, 164 (64%) had a dependence diagnosis of dependency and 49 (19%) had an abuse diagnosis. Of the 56 assessments completed for females, 45 (80%) had a dependence diagnosis and 3 (5%) had an abuse diagnosis. Marijuana was the drug of choice followed by alcohol.

DRAFT

Tribes - There are nine federally recognized Native American Tribes in South Dakota. The nine federally recognized tribes are listed below:

- Cheyenne River Sioux Tribe
- Crow Creek Sioux Tribe
- Flandreau Santee Sioux Tribe
- Lower Brule Sioux Tribe
- Oglala Sioux Tribe (Pine Ridge)
- Rosebud Sioux Tribe
- Sisseton-Wahpeton Sioux Oyate
- Standing Rock Sioux Tribe
- Yankton Sioux Tribe

Tribal Law Enforcement Functions - According to information prepared by South Dakota Voices for Children, five of the Tribes provide their own law enforcement with the remaining tribes having their law enforcement agency operated by the Bureau of Indian Affairs (BIA). (Source: *South Dakota Tribal Juvenile Justice Directory*)

Provide Own Law Enforcement	BIA Contracted Law Enforcement
Cheyenne River Sioux Tribe	Crow Creek Sioux Tribe
Flandreau Santee Sioux Tribe	Lower Brule Sioux Tribe
Oglala Sioux Tribe (Pine Ridge)	Standing Rock Sioux Tribe
Rosebud Sioux Tribe	Yankton Sioux Tribe
Sisseton-Wahpeton Sioux Oyate	

DRAFT

Tribal Juvenile Detention **-** Many Tribes in South Dakota do not have the need or the capacity to run a full time juvenile detention facility. Those Tribes that do not have full-time detention facilities contract with other Tribes or county facilities to hold their juvenile offenders. Those Tribes that run their own facility include:

- Cheyenne River Sioux Tribe
- Rosebud Sioux Tribe
- Lower Brule Sioux Tribe
- Oglala Sioux Tribe

Tribal Juvenile Justice Needs **-** Based on the funding of Native American Programs during SFY 2014, the applying Tribes were required to identify the greatest needs of their juvenile justice system.

Based on the information submitted within the applications, the greatest need identified was a lack of resources dedicated to the juvenile court system and culturally appropriate ways of teaching youth on probation values and traditions. Due to lack of funding resources, Tribes have not been able to provide the services of a probation officer or court services officer to oversee youth sentenced to probation or provide programming for youth on probation.

Rural Areas **-** South Dakota is a predominantly rural state with 56.4% of the entire population residing outside of a Metropolitan Statistical Area. Although there are many needs throughout the state relating to the juvenile justice system, the Council of Juvenile Services continues to provide funding to help relieve the financial burden of the counties

associated with bringing the state into compliance with the core requirements under the JJDPA.

Gender-Specific Services - The Council of Juvenile Services and the Department of Corrections will promote sex-specific and gender appropriate programming to be considered by subgrant applicants, especially those applying to implement delinquency prevention programming. South Dakota is unable to limit awards based on sex-specific services due to the rural nature of the state, small subgrant award amounts, and small populations being served prior to restrictions based on the sex of a child. Sex-specific data is also monitored and reported for compliance, commitment to the Department of Corrections, and juvenile community corrections caseloads.

DRAFT

Mental Health Services - The Council of Juvenile Services has committed to funding delinquency prevention programming and is currently in the pilot stage of implementation. The Department of Corrections along with current delinquency prevention subgrants have contracted with a local provider to develop a screening tool which will include a mental health component to ensure that juveniles in the system who most require mental health services will receive them.

Analysis of Data

- Juvenile arrests for status offenders decreased by 42% between 2009 and 2013
- Overall juvenile court actions decreased by 39% between 2008 and 2014
- Status offenders admitted to detention decreased by 68% since South Dakota renewed participation in 2004
- New juvenile commitments to the Department of Corrections decreased by 32% between 2010 and 2014 but the average time spent out-of-home during commitment has increased
- Minority youth, especially Native American Youth, continue to be overrepresented in the juvenile justice system.

- Incarceration rate is the second highest in the nation as of the *2011 Census of Juveniles in Residential Placement.*
    - Since the census, South Dakota has worked to implement alternatives to detention and begin statewide juvenile justice reform to aid in reducing the incarceration rate.

DRAFT

C. State Priority Juvenile Justice Needs/Problem Statements

Value Statements

South Dakota's Council of Juvenile Services has developed and adopted the following core values that it plans to use as a guide for purposes of future juvenile justice planning and development within the state:

- All children and adolescents shall receive developmentally and culturally appropriate services.
- All children shall have the same access to needed services regardless of income, geography, race, or jurisdiction.
- All children shall have the right to be safe in the community in which they live.
- All children shall receive evidence-based services consistent with the needs of the child in the least restrictive community-based environment available.
- All children, parents, communities, and the juvenile justice system shall demonstrate accountability in the development and provision of services for youth.
- All children shall receive early intervention services that are evidence-based.
- All children shall receive services that are family-based and family-centered.
- All children shall receive culturally appropriate justice which is essential to effectively address Disproportionate Minority Contact.
- All children shall have access to early and effective legal representation, including an assessment of competence and a timely and just legal process.

DRAFT

Problem Statements

The Council identified the following problems, in order of priority, to be addressed through formula grant funds and activities during the period covered by this program plan (2015-2017):

- Monitoring and maintaining compliance with deinstitutionalization of status offenders, jail removal, and sight and sound separation requirements of the Act, as amended, is critical for continued juvenile justice system improvement.

  - Supporting qualitative information is located in the section "Analysis of Juvenile Crime Problems and Juvenile Justice Needs" of this comprehensive 3-Year Plan and the section "Plan for Compliance With the First Three Core Requirements of the JJDP Act and the State's Compliance Monitoring Plan" which is submitted separately from this comprehensive 3-Year Plan to the Office of Juvenile Justice and Delinquency Prevention.

  - Associated with the program purpose areas of Compliance Monitoring, Deinstitutionalization of Status Offenders, Jail Removal, and Separation.

- Disproportionate Minority Contact – Minority youth are over-represented at most stages of South Dakota's juvenile justice system.

  - Supporting qualitative information is located in the section "Analysis of Juvenile Crime Problems and Juvenile Justice Needs" of this comprehensive 3-Year Plan and in the section "Plan for Compliance with the Disproportionate Minority Contact Core Requirement" which is submitted separately from this comprehensive 3-Year Plan to the Office of Juvenile Justice and Delinquency Prevention.

  - Associated with the DMC program purpose area.

- The Native American Tribal juvenile justice systems have a critical lack of basic resources to address the needs of youth coming before the Tribal courts, thus compromising due process and outcomes.

  - Supporting qualitative information is located in the section "Analysis of Juvenile Crime Problems and Juvenile Justice Needs" of this comprehensive 3-Year Plan.

  - Associated with Indian Tribal Programs program purpose area and Native American Pass-Through dollars.

DRAFT

- While local substance abuse and suicide prevention programming exists, there is no system of delinquency prevention programming in South Dakota. Prevention programming, specifically in a school setting, is needed to address the increasing number of delinquent arrests.

  - Supporting qualitative information is located in the section "Analysis of Juvenile Crime Problems and Juvenile Justice Needs" of this comprehensive 3-Year Plan.

  - Associated with the program area of Delinquency Prevention.

- South Dakota's high incarceration rate of detention per capita demonstrates a need to support juvenile justice reform activities. There is a need to support expansion of diversion programming and performance measurement associated with the State's juvenile justice reform initiative.

  - Supporting qualitative information is located in the sections "Analysis of Juvenile Crime Problems and Juvenile Justice Needs" and "Coordination of State Efforts" of this comprehensive 3-Year Plan.

  - Associated with the program area of Juvenile Justice System Improvement.

DRAFT

D. Coordination of State Efforts

Overview of State Efforts

South Dakota has streamlined and improved its juvenile justice system over the past decade. New commitments to the Department of Corrections (DOC) have fallen 20 percent and probation admissions are down 24 percent since 2004. The three-year juvenile recidivism rate has come down from 53 percent in 2005 to 45 percent in 2010. However, South Dakota still has one of the highest incarceration rates in the nation which needed to be addressed.

DRAFT

In June 2014, South Dakota began to study the juvenile justice system and develop policy recommendations to increase public safety by improving outcomes for youth and families regarding juvenile recidivism, effectively holding juvenile offenders more accountable, and reducing juvenile justice costs by investing in proven community-based practices and reserving residential facilities for serious offenders.

The Juvenile Justice Reinvestment Initiative Work Group was formed to conduct extensive analysis of data and engage juvenile justice stakeholders across the state to recommend policies to address juvenile justice reform. The work group's analysis of juvenile populations in the custody of the DOC and under the supervision of the Unified Judicial System (UJS) led to a set of key findings that were subsequently used to develop policy recommendations. The work group found that:

(1) pre-court diversion is used inconsistently across the state,

(2) most DOC commitments are for misdemeanor offenses, CHINS violations, and probation violations,

(3) fewer youth are being committed to DOC, but they are staying longer,

(4) admissions to probation are declining but increasingly lower risk,

(5) length of probation supervision is increasing, and

(6) evidence-based interventions for juvenile offenders are not sufficiently available in the community.

The findings by the work group led to Senate Bill No. 73, an Act to improve public safety regarding juvenile justice. SB 73 outlined policy changes to improve the juvenile justice system in South Dakota by focusing residential placements on youth who are a public safety risk, preventing deeper involvement in the juvenile justice system, improving outcomes by expanding access to evidence-based interventions in the community, and ensuring quality and sustainability of reforms.*(Juvenile Justice Reinvestment Initiative Work Group Final Report)*

Senate Bill No. 73 was passed in the 2015 Legislative Session with implementation of the reform beginning in state fiscal year (SFY) 2016.

DRAFT

In addition to the recent focus on statewide juvenile justice reform, the South Dakota Department of Social Services, Division of Behavioral Health had previously established numerous programs throughout the state that focus on prevention and treatment for juveniles. These programs include the following:

South Dakota Community Coalitions
Prevention Resource Centers
Diversion Programs
Early Intervention Services
School Based Prevention Programming
Suicide Prevention

These prevention efforts are still in place and have ties to South Dakota's Formula Grant funds through delinquency prevention subgrants.

South Dakota is also embarking on the statewide implementation of the Juvenile Detention Alternatives Initiative. Since 2011, two jurisdictions in the State of South Dakota, Minnehaha County and Pennington County, have been implementing the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) which began under the direction of South Dakota's State Advisory Group, the Governor's Council of Juvenile Services. Since that time, both jurisdictions have experienced a decrease in the

detention population without compromising public safety, an increase in the alternative to detention programming options, a more streamlined case process, and have formed a collaborative work group that oversees the implementation. In July of 2013, the direction of the JDAI transitioned from the Governor's Council of Juvenile Services to the Unified Judicial System (UJS) to take the initiative to scale in South Dakota. A statewide coordinator, who works within the Trial Court Services Department in the State Court Administrator's Office, was hired to manage the expansion throughout the State. A statewide steering committee was formed which consists of key stakeholders from across the state to help guide the expansion process.

DRAFT

Juvenile justice work funded through this award compliments statewide efforts to best serve the juveniles of South Dakota. Over the course of this 3-year plan, South Dakota's awards will continue to support evidence-based interventions through the program area of delinquency prevention, which partners nicely with the Division of Behavioral Health's focus on prevention. The awards will also continue to support American Indian Programs and encourage the Tribes of South Dakota to align their efforts with the goals of South Dakota's statewide reform to prevent deeper involvement for youth in the juvenile justice system without compromising public safety. South Dakota's Disproportionate Minority Contact (DMC) subgrants will continue to work to address DMC in South Dakota's largest two communities and compliment the strong JDAI foundation which has been established in those two communities. South Dakota's commitment to maintain compliance with the core requirements of Sight and Sound Separation, Deinstitutionalization of Status Offenders, and Jail Removal will ensure that reform is being carried out consistent with the core requirements especially when more youth may be held in detention to avoid a longer stay in a juvenile correctional setting. Finally, South Dakota's SAG will continue to lead our Formula Grant efforts with the state's reform efforts in its forefront. Several of the SAG members were on the Juvenile Justice Reinvestment Initiative Work Group and are connected with statewide prevention and JDAI efforts which keep the SAG updated on the status of reform efforts as members continue to be active in implementation efforts. Formula grant staff has been assigned to assist with various aspects of implementation of juvenile justice reform initiatives.

State Agency Partnerships

South Dakota's state agency, the DOC, has shown a strong commitment to partner with non-justice system agencies and other stakeholders who have a vested interest in or influence to enhance, leverage and expand the work in the juvenile justice arena. The DOC has reached out to community coalitions to lead delinquency prevention efforts, will work with diversion providers to assist in implementing South Dakota's Juvenile Justice Reinvestment Initiative with the focus on evidence-based practices, and encourages community partnerships with the DMC and American Indian Program subgrant programs.

DRAFT

South Dakota's JDAI implementation also ensures that non-justice system agencies and vested stakeholders are involved through steering committees on the local and state levels which started under the staff support of the DOC prior to the redirection under the UJS to take the initiative to scale.

The DOC also provides staff support to South Dakota's SAG which is made up of vested stakeholders from both the community and unites of government to best determine how Formula Grant funds should be allocated to better the youth in South Dakota.

Challenges and Plans to Improve Coordination and Joint Decision Making

Coordination and joint decision making is currently taking place to begin statewide juvenile justice reform and to continue to implement prevention and JADI efforts. The most foreseeable challenge is the tracking of an individual through multiple stages of the justice system and being able to share data across jurisdictions. Joint decision making will continue between stakeholders throughout the justice system if challenges arise with implementation of statewide efforts.

E. Goals, Objectives, and Implementation (Activities and Services)

PROGRAM AREA: 06 Delinquency Prevention

Problem Statement: While local substance abuse and suicide prevention programming exists, there is no system of delinquency prevention programming in South Dakota. Prevention programming, specifically in a school setting, is needed to address the increasing number of delinquent arrests.

DRAFT

Goal 1: Provide educational opportunities to juvenile justice system practitioners and interested non system practitioners that promote juvenile justice change and increase the awareness of juvenile delinquency prevention.

Objective 1: Increase the awareness juvenile justice system practitioners and interested non system practitioners who offer youth services of South Dakota's need for delinquency prevention services and possible interventions.

Activity 1: Provide ongoing data regarding the juvenile justice system risk and protective factors.

Activity 2: Provide for educational opportunities to learn about ideas and strategies relating to juvenile delinquency prevention.

Goal 2: Maintain compliance with the Juvenile Justice and Delinquency Prevention Act and decrease South Dakota's juvenile arrest rate through prevention and early intervention programs.

Objective 1: Financially support the implementation of evidence-based juvenile delinquency prevention interventions in three communities to provide appropriate comprehensive services for youth at risk or involved with the state juvenile justice system.

Activity 1: Identify jurisdictions in which to implement juvenile delinquency prevention programs.

Activity 2: Provide training and technical assistance to identified jurisdictions to implement and assess the chosen programs with fidelity to evidence-based models.

Mandatory Performance Measures as of May 2015

Number of program youth served
Number and percent of program youth who re-offend during the reporting period
Number and percent of program youth who offend during the reporting period
Number and percent of program youth completing program requirements

Fiscal Year	Formula Grant Funds ($)	State/Local/Private Funds ($)	Total ($)
2015	$150,000.00	$0.00	$150,000.00
2016	$150,000.00	$0.00	$150,000.00
2017	$150,000.00	$0.00	$150,000.00
Number of Subgrants:	Three subgrants anticipated.		

PROGRAM AREA: 19 Compliance Monitoring

Problem Statement: Monitoring and maintaining compliance with deinstitutionalization of status offenders, jail removal, and sight and sound separation requirements of the Act, as amended, is critical for continued juvenile justice system improvement.

Goal 1: Maintain and improve South Dakota's compliance monitoring system consistent with Formula Grants Program requirements.

Objective 1: Improve the South Dakota Compliance Monitoring System in order to increase compliance with JJDPA core requirements.

Activity 1: Collect juvenile admission information from secure facilities, analyze data for violations, and compile data into the Compliance Monitoring Report and submit to OJJDP.

Activity 2: Develop compliance-related materials to assist facilities in accurately holding and reporting juvenile offenders.

Activity 3: Conduct meetings, monitoring visits, inspections, and training to aid in the development of compliance strategies.

Activity 4: Update and classify compliance monitoring universe on an annual basis.

Objective 2: Increase the knowledge of staff working within the South Dakota Compliance Monitoring System in order to increase compliance with JJDPA Core Requirements.

Activity 1: Provide opportunities for staff working with the JJDPA Core Requirements to receive training and attend any mandatory trainings provided by OJJDP.

Mandatory Performance Measures (State Level) as of May 2015

Number and percent of program staff trained
Number of hours of program staff training provided
Funds allocated to adhere to Section 223 (a) (14) of the JJDP Act of 2002
Number of activities that address compliance with Section 223 (a) (14) of the JJDP Act of 2002
Number of facilities receiving TA
Number of program policies/procedures created, amended, or rescinded
Submission of complete Annual Monitoring Report to OJJDP
Number and percent of staff with increased knowledge of program area

Fiscal Year	Formula Grant Funds ($)	State/Local/Private Funds ($)	Total ($)
2015	$20,000.00	$0.00	$20,000.00
2016	$20,000.00	$0.00	$20,000.00
2017	$20,000.00	$0.00	$20,000.00
Number of Subgrants:	0		

DRAFT

PROGRAM AREA: 20 Deinstitutionalization of Status Offenders (DSO)

Problem Statement: Monitoring and maintaining compliance with deinstitutionalization of status offenders, jail removal, and sight and sound separation requirements of the Act, as amended, is critical for continued juvenile justice system improvement.

Goal 1: Maintain a system of services in areas where youth are at risk for being held in secure facilities in violation of the DSO requirement so that youth can be housed appropriately in the community.

Objective 1: Maintain a county reimbursement system for alternatives to secure custody to improve South Dakota's compliance with the DSO requirement.

Activity 1: Operate the Reimbursement Program consistent with requirements set by the Council of Juvenile Services.

Goal 2: Monitor compliance with DSO requirement and provide feedback, information and support to facilities and decision-makers impacted by the DSO requirement.

Objective 1: Provide information and support to decisions-makers impacting DSO.

Activity 1: Collect juvenile admission information from facilities, analyze data for violations, and compile data into the Compliance Monitoring Report and submit to OJJDP.

Objective 2: Increase the knowledge of staff working within the South Dakota Compliance Monitoring System in order to increase compliance with DSO Requirements.

Activity 1: Provide opportunities for staff working with the JJDPA Core Requirements to receive training on DSO.

Mandatory Performance Measures (State Level) as of May 2015

Funds allocated to adhere to DSO
Number of programs implemented
Number of shelter beds contracted
Number and percent of program staff trained
Number of hours of program staff training provided
Number of site visits conducted.
Number of facilities receiving TA
Number of program youth served.
Change in the number of violations of DSO

Fiscal Year	Formula Grant Funds ($)	State/Local/Private Funds ($)	Total ($)
2015	$20,000.00	$0.00	$20,000.00
2016	$20,000.00	$0.00	$20,000.00
2017	$20,000.00	$0.00	$20,000.00
Number of Subgrants:	Expect that up to 25 entities would utilize the reimbursement programs.		

DRAFT

PROGRAM AREA: 21 Disproportionate Minority Contact

Problem Statement: Minority youth, primarily Native American youth, are over-represented at most stages of South Dakota's juvenile justice system.

Goal 1: Decrease Disproportionate Minority Contact within the juvenile justice system through identification, assessment, intervention, evaluation, and ongoing monitoring of juvenile justice system activity.

Objective 1: Financially support the implementation of the Disproportionate Minority Contact (DMC) intervention efforts and initiatives in two communities that focus on reduction strategies for populations of minority youth that have over-representation in the juvenile justice system.

Activity 1: Once the plan is approved by the Council of Juvenile Services, establish a subgrant agreement between DOC and local entities to implement the local interventions.

Objective 2: Evaluate and monitor local DMC efforts and initiatives for performance and effectiveness in the two DMC intervention communities.

Activity 1: Local projects to provide local updates and Performance Measures to the Department of Corrections.

DRAFT

Mandatory Performance Measures as of May 2015

Number of program youth served
Number and percent of program youth who re-offend during the reporting period
Number and percent of program youth who offend during the reporting period
Number of programs implemented
Number and percent of program staff trained
Number of hours of program staff training provided
Number of planning activities conducted
Number of assessment studies conducted
Number of data improvement projects implemented
Number of decision-making tools developed
Number of program youth exhibiting desired change in targeted behaviors (substance use, antisocial behavior, family relationships, and social competencies).

Fiscal Year	Formula Grant Funds ($)	State/Local/Private Funds ($)	Total ($)
2015	$75,000.00	$0.00	$75,000.00
2016	$75,000.00	$0.00	$75,000.00
2017	$75,000.00	$0.00	$75,000.00
Number of Subgrants:	Expect two DMC funded intervention sites.		

PROGRAM AREA: 24 Indian Tribe Programs

Problem Statement: Native American Tribal juvenile justice programs lack the resources to address the needs of youth coming before the Tribal courts.

Goal 1: Through a collaborative state-local-tribal governmental effort, utilize Indian Tribal Programs and Native American Pass-Through funding to support the development, implementation, and maintenance of juvenile justice programs both on and off the reservations.

Objective 1: Improve planning and development of Native American Programs.

Activity 1: Hold Tribal Advisory Group meetings in order to assess the needs of Native American youth in the state and tribal justice systems; document the exiting services to meet those needs; identify barriers that restrict access to these services; identify service gaps; and develop, implement, and evaluate programs to address the barriers and service gaps to help guide decisions relating to tribal juvenile justice programs.

Activity 2: Compile needs and services inventories and submit to the Council of Juvenile Services for consideration in the development of Native American programs.

Objective 2: Work with Native American Tribes to develop and implement of culturally specific juvenile justice programs that meet the needs of Native American youth in the tribal justice systems.

Activity 1: SAG subgrants Native American Programs funding for juvenile justice programs based on results and analysis of needs and services inventories.

Activity 2: Conduct ongoing monitoring and program evaluations on subgrants.

Activity 3: Advocate for the development of a stable funding stream for Tribal juvenile justice program.

Mandatory Performance Measures as of May 2015

Number of program youth served.

Number and percent of program youth completing program requirements.

Number and percent of program youth who re-offend during the reporting period

Number and percent of program youth who offend during the reporting period

Number of program youth exhibiting desired change in targeted behaviors (substance use, antisocial behavior, family relationships, and social competencies).

Fiscal Year	Formula Grant Funds ($)	State/Local/Private Funds ($)	Total ($)
2015	$60,000.00	$0.00	$60,000.00
2016	$60,000.00	$0.00	$60,000.00
2017	$60,000.00	$0.00	$60,000.00
Number of Subgrants:	Expect three subgrants.		

DRAFT

PROGRAM AREA: 26 Jail Removal

Problem Statement: Maintaining compliance with jail removal requirements of the Act, as amended, is critical for continued Formula Grants Program compliance and juvenile justice system improvement.

Goal 1: Maintain a system of services in areas where children are at risk of being held in jails in violation of the jail removal requirement so that youth can be housed appropriately in the community.

Objective 1: Maintain a county reimbursement system for alternatives to secure custody to improve South Dakota's compliance with the jail removal requirement.

Activity 1: Operate the Reimbursement Program consistent with requirements set by the Council of Juvenile Services.

Goal 2: Monitor compliance with jail removal requirement and provide feedback, information and support to facilities and decision-makers impacted by the jail removal requirement.

Objective 1: Provide information and support to decisions makers impacting jail removal.

Activity 1: Collect juvenile admission information from facilities, analyze data for violations, and compile data into the Compliance Monitoring Report and submit to OJJDP.

Objective 2: Increase the knowledge of staff working within the South Dakota Compliance Monitoring System in order to increase compliance with jail removal requirements.

Activity 1: Provide opportunities for staff working with the JJDPA Core Requirements to receive training on jail removal.

Mandatory Performance Measures (State Level) as of May 2015

Funds allocated to adhere to jail removal
Number of hours of program staff training provided
Number and percent of program youth who re-offend during the reporting period
Number and percent of program youth who offend during the reporting period
Number of programs implemented
Number of facilities receiving TA
Number of program youth served
Change in the number of violations of jail removal

Fiscal Year	Formula Grant Funds ($)	State/Local/Private Funds ($)	Total ($)
2015	$20,000.00	$0.00	$20,000.00
2016	$20,000.00	$0.00	$20,000.00
2017	$20,000.00	$0.00	$20,000.00
Number of Subgrants:	Expect that up to 25 entities would utilize the reimbursement programs.		

DRAFT

PROGRAM AREA: 27 Juvenile Justice System Improvement

Problem Statement: South Dakota's high incarceration rate of detention per capita demonstrates a need to support juvenile justice reform activities. There is a need to support expansion of diversion programming and performance measurement associated with the State's juvenile justice reform initiative.

Goal 1: The Department of Corrections will provide staff support to aid in the implementation of South Dakota's Juvenile Justice Reinvestment Initiative (JJRI).

Objective 1: Provide staff support to the JJRI in order to assist in fulfilling the responsibilities under state law.

Activity 1: Develop and administer a program in incentivize and support county use of court-approved diversion programs.

Activity 2: Identify data elements required to be reported to the JJRI Oversight Council.

DRAFT

Mandatory Performance Measures as of May 2015

Formula Grant funds awarded for juvenile justice system improvement.
Number of programs implemented.
Number of program youth served.
Average length of time between initial court appearance and disposition.

Fiscal Year	Formula Grant Funds ($)	State/Local/Private Funds ($)	Total ($)
2015	$10,000.00	$0.00	$10,000.00
2016	$10,000.00	$0.00	$10,000.00
2017	$10,000.00	$0.00	$10,000.00
Number of Subgrants:	No subgrants anticipated.		

PROGRAM AREA: 28 Planning and Administration

Problem Statement: The Department of Corrections has been designated to provide staff support for the State's participation in Formula Grants Programs.

Goal 1: The Department of Corrections will provide staff support to Formula Grants Programs and the Council of Juvenile Services in order to meet the federal requirements and state statutory responsibilities.

Objective 1: Provide staff support to the Council of Juvenile Services in order to assist them in fulfilling their responsibilities under the Formula Grants Programs and state law.

Activity 1: Track planning and administration activities.

Objective 2: Provide staff support for the subgrants and contract processes for the programs implemented to address DSO, jail removal, separation, DMC, Native American Programs, System Improvement and Delinquency Prevention Programs.

Activity 1: Implement and evaluate programs implemented with Formula Grant Funds.

DRAFT

Mandatory Performance Measures as of May 2015

Funds awarded for planning and administration.
Number of full-time equivalents funded.
Number of subgrants awarded.
Number and percent of programs using evidence-based strategies
Average time from receipt of subgrant application to date of award.

Fiscal Year	Formula Grant Funds ($)	State/Local/Private Funds ($)	Total ($)
2015	$20,000.00	$20,000.00	$40,000.00
2016	$20,000.00	$20,000.00	$40,000.00
2017	$20,000.00	$20,000.00	$40,000.00
Number of Subgrants:	No subgrants anticipated.		

PROGRAM AREA: 31 Separation

Problem Statement: Maintaining compliance with sight and sound separation requirements of the Act, as amended, is critical for continued Formula Grants Program compliance and juvenile justice system improvement.

Goal 1: Maintain a system of services in areas where youth are at risk for being held in secure facilities in violation of the separation requirement so that youth can be housed appropriately in the community.

Objective 1: Maintain a county reimbursement system for alternatives to secure custody to improve South Dakota's compliance with the separation requirement.

Activity 1: Operate the Reimbursement Program consistent with requirements set by the Council of Juvenile Services.

Goal 2: Monitor compliance with separation requirement and provide feedback, information, and support to facilities and decision-makers impacted by the separation requirement.

Objective 1: Provide information and support to decisions-makers impacting compliance with the separation requirement.

Activity 1: Collect juvenile admission information from facilities, analyze data for violations, and compile data into the Compliance Monitoring Report and submit to OJJDP.

Objective 2: Increase the knowledge of staff working within the South Dakota Compliance Monitoring System in order to increase compliance with separation requirements.

Activity 1: Provide opportunities for staff working with the JJDPA Core Requirements to receive training on separation.

Mandatory Performance Measures (State Level) as of May 2015

Funds allocated to adhere to separation.
Number of programs implemented.
Change in the number of violations of separation.
Number and percent of program youth who are (re)victimized

Fiscal Year	Formula Grant Funds ($)	State/Local/Private Funds ($)	Total ($)
2015	$10,000.00	$0.00	$10,000.00
2016	$10,000.00	$0.00	$10,000.00
2017	$10,000.00	$0.00	$10,000.00
Number of Subgrants:	Expect that up to 25 entities would utilize the reimbursement programs.		

DRAFT

PROGRAM AREA: 32 State Advisory Group Allocation

Problem Statement: There is a need to fund and operate the Council of Juvenile Services to serve as the State Advisory Group in order to fulfill the responsibilities required by the Juvenile Justice and Delinquency Prevention Act, as amended, and to provide the opportunity for citizen and practitioner input in the state's participation in the Formula Grants Program.

Goal 1: Maintain the Council of Juvenile Services as the state advisory group for the state's participation in the Formula Grants Program.

Objective 1: Conduct planning and development of effective juvenile justice programs within South Dakota.

Activity 1: Fund programs consistent with priorities as identified by the Council of Juvenile Services.

Activity 2: Hold planning meetings to identify and prioritize juvenile justice problems to be address under the Formula Grant Program.

Activity 3: Submit annual report and recommendations to Governor, Chief Justice, and Legislature.

Goal 2: Increase collaboration with Native American Tribes and the state juvenile justice system in order to improve coordination and access services operated by tribal entities including temporary custody, diversion, and treatment services instead of relying solely on existing state operated or contracted programs.

Objective 1: Foster networking by juvenile justice practitioners from the nine tribes with one another and with representatives from other groups or organizations who have resources or collateral interests

Activity 1: Convene regular meetings of the South Dakota Tribal Advisory Group.

Activity 2: Advise the Council of Juvenile Services on matters as requested

Mandatory Performance Measures as of May 2015

Number of grants funded with Formula Grant funds
Number and percent of programs using evidence-based models
Number and percent of plan recommendations implemented
Number of SAG (Council of Juvenile Services) meetings held
Number of SAG subcommittee meetings held
Submission of annual report to the governor

Fiscal Year	Formula Grant Funds ($)	State/Local/Private Funds ($)	Total ($)
2015	$15,000.00	$0.00	$15,000.00
2016	$15,000.00	$0.00	$15,000.00
2017	$15,000.00	$0.00	$15,000.00
Number of Subgrants:	0		

DRAFT

F. SAG Membership

	Name	Representation	F/T Govt	Date of Appointment	Date of Reappointment	Term Expiration	Residence
1	Betty Oldenkamp, Chair Betty.Oldenkamp@LssSD.org	D		10/31/2012		10/30/2015	Sioux Falls, SD
2	Sheriff Mike Leidholt mike.leidholt@co.hughes.sd.us	A, B	X	06/06/2003	10/31/2012	10/30/2015	Pierre, SD
3	Nancy Allard Nancy.Allard@ujs.state.sd.us	B	X	09/26/2006	10/31/2012	10/30/2015	Pierre, SD
4	Judge Jeff Davis Jeff.davis@ujs.state.sd.us	B	X	10/31/2012		10/30/2015	Rapid City, SD
5	Doug Herrmann Doug.Herrmann@state.sd.us	B, C	X	06/16/2003	10/31/2012	10/30/2015	Rapid City, SD
6	Jacob Kabrud jacobkabrud@gmail.com	Y		10/31/2012		10/30/2015	Rapid City, SD
7	Lyndon Overweg LyndonO@mitchelldps.com	B, G, H	X	10/30/2012		10/30/2015	Mitchell, SD
8	Virgena Wieseler Virgena.Wieseler@state.sd.us	C, H	X	09/26/2006	10/31/2012	10/30/2015	Pierre, SD
9	Kim Cournoyer kimberlycournoyer@gppssf.com	H		10/31/2013		10/30/2016	Sioux Falls, SD
10	Judge Karen Jeffries crstchildrenscourtjudge@yahoo.com	B	X	09/28/2005	10/31/2013	10/30/2016	Eagle Butte, SD
11	Amy Lake-Harmon amy.lake-harmon@browncounty.sd.gov	B, C	X	10/31/2014		10/30/2016	Aberdeen, SD
12	Sara McGregor-Okroi Saram@aliive.org	D, G		10/31/2013		10/30/2016	Sisseton, SD
13	Beth O'Toole Elisabeth.O'Tolle@usiouxfalls.edu	D		10/07/2004	10/31/2013	10/30/2016	Sioux Falls, SD
14	Marissa Surrounded Bridget.Coppersmith@state.sd.us	Y		10/31/2013		10/30/2016	Rapid City, SD
15	Dadra Avery dadra.avery@k12.sd.us	C, G	X	10/31/2014		10/30/2017	Sturgis, SD
16	Rebecca Bedard Rebecca.Bedard@state.sd.us	Y		10/31/2012	10/31/2014	10/30/2017	Aberdeen, SD
17	Austin Biers dadra.avery@k12.sd.us	F, Y		10/31/2014		10/30/2017	Sturgis, SD
18	Aaron McGowan amcgowan@minnehahacounty.org	A, B	X	08/14/2008	10/31/2014	10/30/2017	Sioux Falls, SD
19	Vanessa Merhib vmerhib@greatfuturessed.org	D, G		12/31/2014		10/30/2017	Brookings, SD
20	Carol Twedt caroltwedt@sio.midco.net	E		06/06/2003	10/31/2014	10/30/2017	Sioux Falls, SD

The SAG serves as the supervisory board.

A. Locally elected officials representing general purpose local government.
B. Representatives of law enforcement and juvenile justice agencies (juvenile and family court judges, prosecutors, counsel for children and youth, probation workers).
C. Representatives of public delinquency or treatment agencies (welfare, social services, mental health, education, special education, youth services).
D. Representatives of private nonprofit organizations including persons concerned with family preservation and strengthening, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, quality of juvenile justice, education, and social services for children.
E. Volunteers who work with juvenile justice.
F. Youth workers involved with programs that are alternatives to confinement, including organized recreation activities.
G. Persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion.
H. Persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence.
Y. Youth Appointments - 4 members

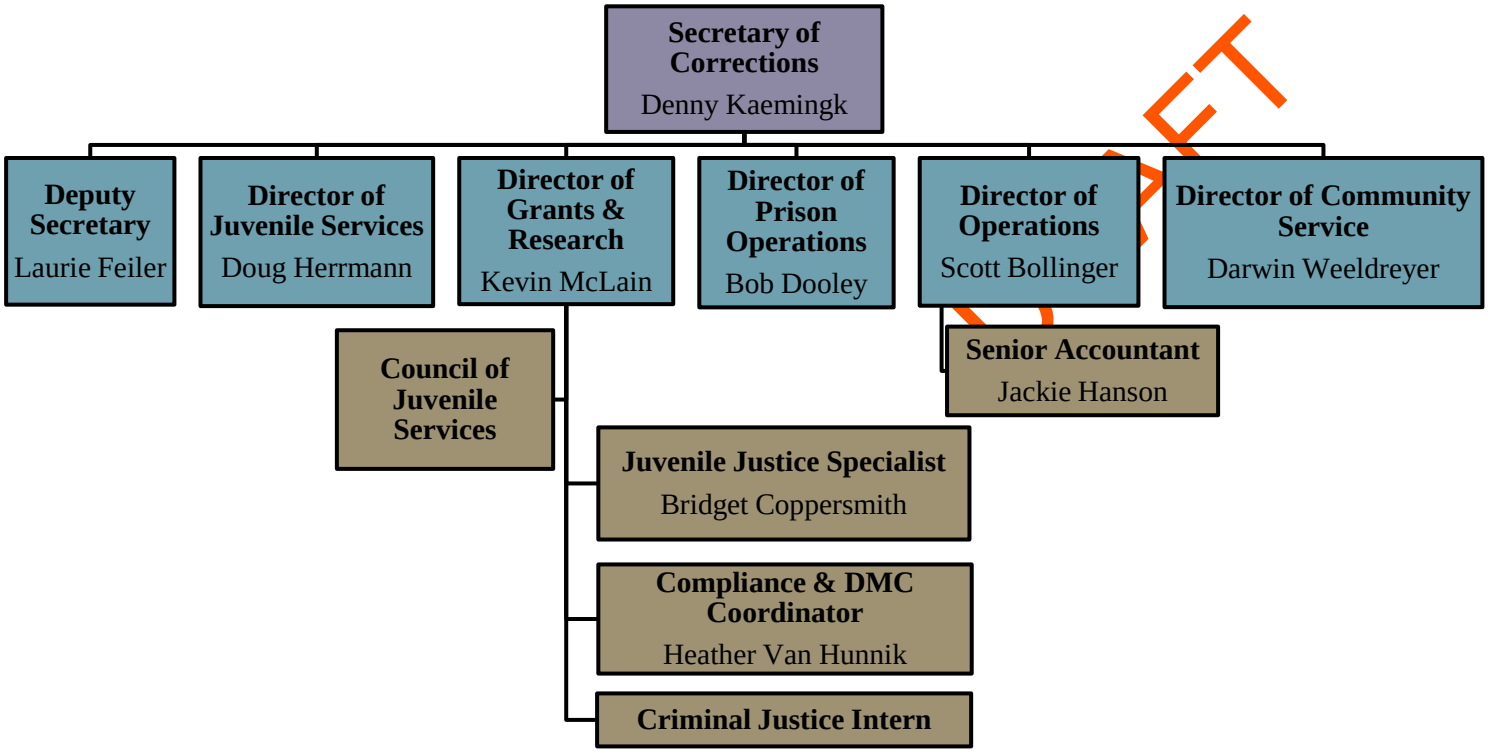
DRAFT

Confidential polls are conducted on a regular basis to ensure that at least three members of the SAG have been or are currently under the jurisdiction of the juvenile justice system. If the number falls below three, this requirement will be taken into consideration for future appointed members.

G. Staff of the JJDP Formula Grants Program

Organizational Chart

The following chart is an organizational layout of the Department of Corrections as it relates to the implementation of grants received by the department.



Grants Administered

The following information pertains to the programs administered by the designated state agency:

US DEPARTMENT OF JUSTICE GRANTS					
Grant Award	**Project**	**Start Date**	**End Date**	**Extension to:**	**Amount**
2011JFFX0019	FY11 JJDPA Formula	10/1/2010	9/30/2013	9/30/2015	$600,000
2012JFFX0007	FY12 JJDPA Formula	10/1/2011	9/30/2014	9/30/2015	$400,000
2012JBFX0030	FY12 JABG	2/1/2013	1/31/2016		$152,029
2013MUFX0130	FY13 JJDPA Formula	10/1/2012	9/30/2017		$403,949
2013MUFX0130	FY14 JJDPA Formula Supplemental	Award Date: 9/30/2014	9/30/2017		$393,667
2013JBFX0030	FY13 JABG	3/16/2014	3/15/2017		$116,919
2014JFFX0115	FY14 JJPDA Formula PREA Reallocation	10/1/2014	9/30/2015		$6,804

Staffing Plan

The following table provides information about staff time designated for the JJDP program.

Staff	Funding Source / Percentage of Time Devoted
Kevin McLain (10% time)	Title II Part B Formula Administration/50% General Funds Match/50%
Bridget Coppersmith (80% time)	Title II Part B Formula Administration/50% General Funds Match/50%
Heather Van Hunnik (25% Compliance/ 25% DMC)	Title II Part B Formula Compliance/50% Title II Part B Formula DMC/50%
Intern Position (100% Compliance)	Title II Part B Formula Compliance/100%

DRAFT

Staff Duties

Kevin McLain - Director of Grants and Research

- Manage State's participation in JJDP formula grants program;
- Supervise Juvenile Justice Specialist, Compliance Monitor-DMC Coordinator and Intern;
- Ensure compliance monitoring system and reports meet Act and formula grant requirements.

Bridget Coppersmith - Corrections Program Specialist:

- Serve as State's Juvenile Justice Specialist;
- Conduct all Grants Management System processes and complete all required DOJ reports;
- Conduct initial review of subgrant and contract reimbursement requests;
- Draft budget and projection documents.

Heather Van Hunnik - Compliance Monitor and DMC Coordinator

- Serve as Compliance Monitoring Coordinator including providing support to Compliance Monitoring System including data system, data collection, drafting plans, manuals, and reports;
- Serve as DMC Coordinator including providing support for data collection, reports, and evaluation.

Criminal Justice Intern

- Provide support to the Compliance Monitoring System.

Jackie Hanson - Senior Accountant

- Maintenance of accounts;
- Generate warrants;
- Draw down funds from DOJ;
- Complete fiscal reports.

DRAFT

H. Collecting and Sharing Juvenile Justice Information

Efforts for Statewide Information Sharing

In an effort to be consistent with information already published, project staff extensively utilizes existing summary data as provided by the various state agencies' fiscal year reports. Summary information is accessed from the Departments of Education, Human Services, and Social Services.

Arrest information is collected by the Attorney General's Division of Criminal Investigation to complete their *Annual Crime in South Dakota Report* and specific data runs are completed for project staff upon request.

Court data consists of information from the Unified Judicial System's annual report. For the purposes of DMC and Compliance Monitoring, court data also consists of summary data obtained from an annual computer download of the Unified Judicial System's juvenile data system and access to the juvenile data system for compliance data verification.

Project staff collects juvenile specific secure custody admission data from South Dakota jails and juvenile detention and corrections facilities. This admission data is utilized for compliance monitoring and DMC identification and monitoring. Detention admission data is also compiled and shared with detention facilities and South Dakota's JDAI Statewide Coordinator.

Detailed Department of Corrections' juvenile data is readily available for use.

Kids Count Factbook is an annual publication completed on a statewide basis, and funded through the Annie E. Casey Foundation. Departments throughout the state report information for this publication.

DRAFT

Barriers to Information Sharing

South Dakota has encountered many barriers in the collection of information of juvenile justice data. Major barriers that have been identified include:

- Juvenile Matching – Due to the separate juvenile systems and process for assigning identification numbers, many juvenile records are not able to be matched across agencies in order to track juveniles through the justice system.
- While detention admission data is available, juvenile specific screening and temporary custody information is not available electronically on a statewide basis. This makes it difficult to identify the number and demographics of youth being diverted from secure custody and how many of the youth are repeatedly being taken into temporary custody and how many are first time offenders.
- There is an inconsistency in what data is collected. Many departments collect basic data while not documenting other important demographic components.
- There is a lack of law enforcement, detention and Tribal Court data available from the Native American Tribes.

DRAFT

I. South Dakota Department of Corrections FY15 Formula Grant Application Budget Worksheet

Program Area	Program Area Title	FY2015	FY2015 Match	FY2015 Total	Supplemental #1	Supp. #1 Match	Supp. #1 Total	Supplemental #2	Supp. #2 Match	Supp. #2 Total	3 Year Total
6	Delinquency Prevention	$150,000		**$150,000**	$150,000		**$150,000**	$150,000		**$150,000**	**$450,000**
19	Compliance Monitoring	$20,000		**$20,000**	$20,000		**$20,000**	$20,000		**$20,000**	**$60,000**
20	Deinstitutionalization of Status Offenders	$20,000		**$20,000**	$20,000		**$20,000**	$20,000		**$20,000**	**$60,000**
21	Disproportionate Minority Contact	$75,000		**$75,000**	$75,000		**$75,000**	$75,000		**$75,000**	**$225,000**
24	Indian Tribe Programs	$60,000		**$60,000**	$60,000		**$60,000**	$60,000		**$60,000**	**$180,000**
26	Jail Removal	$20,000		**$20,000**	$20,000		**$20,000**	$20,000		**$20,000**	**$60,000**
27	Juvenile Justice System Improvement	$10,000		**$10,000**	$10,000		**$10,000**	$10,000		**$10,000**	**$30,000**
28	Planning and Administration	$20,000	$20,000	**$40,000**	$20,000	$20,000	**$40,000**	$20,000	$20,000	**$40,000**	**$120,000**
31	Separation of Juveniles from Adult Inmates	$10,000		**$10,000**	$10,000		**$10,000**	$10,000		**$10,000**	**$30,000**
32	State Advisory Group	$15,000		**$15,000**	$15,000		**$15,000**	$15,000		**$15,000**	**$45,000**
	Total:	**$400,000**	**$20,000**	**$420,000**	**$400,000**	**$20,000**	**$420,000**	**$400,000**	**$20,000**	**$420,000**	**$1,260,000**

DRAFT

Budget Detail Worksheet
South Dakota Department of Corrections
FY15 Formula Grant Application
Budget Narrative

The budget allocations to program areas and the narratives providing an explication of funds are the same for all three years of this comprehensive 3-Year Plan

Delinquency Prevention ($150,000): South Dakota's SAG committed to move forward with awarding juvenile delinquency prevention subgrants in the Fall of 2013. Funds allocated to Delinquency Prevention will be used to support three juvenile delinquency prevention subgrants at $50,000 each.
Compliance Monitoring ($20,000): Funds allocated to this program area will be used to cover the cost of a part-time compliance monitoring position at $20,000 for salary and benefits. Funds under this program area may also be used to cover part of an intern's salary under a time study process.
Deinstitutionalization of Status Offenders (DSO) ($20,000): Funds allocated to DSO are used to support a statewide county reimbursement program to partially reimburse expenses incurred by counties in complying with the DSO requirement. The allocation amount is based on historical expenses and the goal of decreasing dependency on the program to encourage counties to sustain DSO compliance efforts on a local level.
Disproportionate Minority Contact (DMC) ($75,000): The DMC allocation will support a part-time DMC coordinator position at $15,000 for salary and benefits and DMC intervention subgrants in Minnehaha and Pennington Counties at $30,000 per site.
Indian Tribal Programs ($60,000): It is anticipated that three subgrants at $20,000 each will be made to Native American Tribes to support juvenile justice system improvement activities. This allocation contains the anticipated minimum allocation of $34,004 required to be spent under the FFY2015 Native American Pass-Through.
Jail Removal ($20,000): Funds allocated to the jail removal program area are used to support a statewide county reimbursement program to partially reimburse expenses incurred by counties in complying with this requirement. The allocation amount is based on historical expenses and the goal of decreasing dependency on the program to encourage counties to sustain jail removal compliance efforts on a local level.
Juvenile Justice System Improvement ($10,000): Funds allocated to the juvenile justice system improvement program area will be used to support South Dakota's Juvenile Justice Reinvestment Initiative by paying for staff time to implement components associated with diversion and performance measures.
Planning and Administration ($20,000 fed/ $20,000 state match): The federally required planning and administration allocation will cover the cost salary of the full-time Juvenile Justice Specialist and will also be used to cover time devoted to the formula grant project by the Director of Grants and Research. Other planning and administration expenses incurred by the Department such as travel, computer fees and equipment, and space allocations will also be charged here. All costs and expenses covered by the planning and administration allocation will be paid 50% federal and 50% state match.

DRAFT

Separation of Juveniles from Adult Inmates ($10,000): Funds allocated to the jail removal program area are used to support a statewide county reimbursement program to partially reimburse expenses incurred by counties in complying with this requirement. The allocation amount is based on historical expenses and the goal of decreasing dependency on the program to encourage counties to sustain separation compliance efforts on a local level.
State Advisory Group Allocation (SAG) ($15,000): The federally required SAG allocation will be used to cover the cost of Council of Juvenile Services meetings and support any subcommittees or subgroups of the Council. The cost is lower than the allowed allocation due to holding a portion of the meetings through video conferencing to save on cost and travel time.

DRAFT

Supplanting Prohibition: Federal Funds will be used to supplement existing funds for program activities and will not replace or supplant non-Federal funds that have been appropriated for the same purposes.

Lobbying Prohibition: Federal Funds will not be used, either directly or indirectly, to support the enactment, repeals, modification or adoption of any law, regulation, or policy, at any level of government, without the express approval by the Office of Justice Programs.

Subgrant Award Assurances: Pursuant to Section 223(a)(21)(A) and (B) of the JJDP Act, South Dakota will to the greatest extent practicable, give priority in funding to evidence-based programs and activities. In the application process, the Council of Juvenile Services will require programs and activities that are evidence-based to indicate this status. The application packet will contain information on OJJDP's Model Programs Guide and Database to assist potential applicants in the development of their program. Applicants will be encouraged to use the database to locate evidence-based juvenile justice strategies that will fit their needs and enhance their likelihood for success.

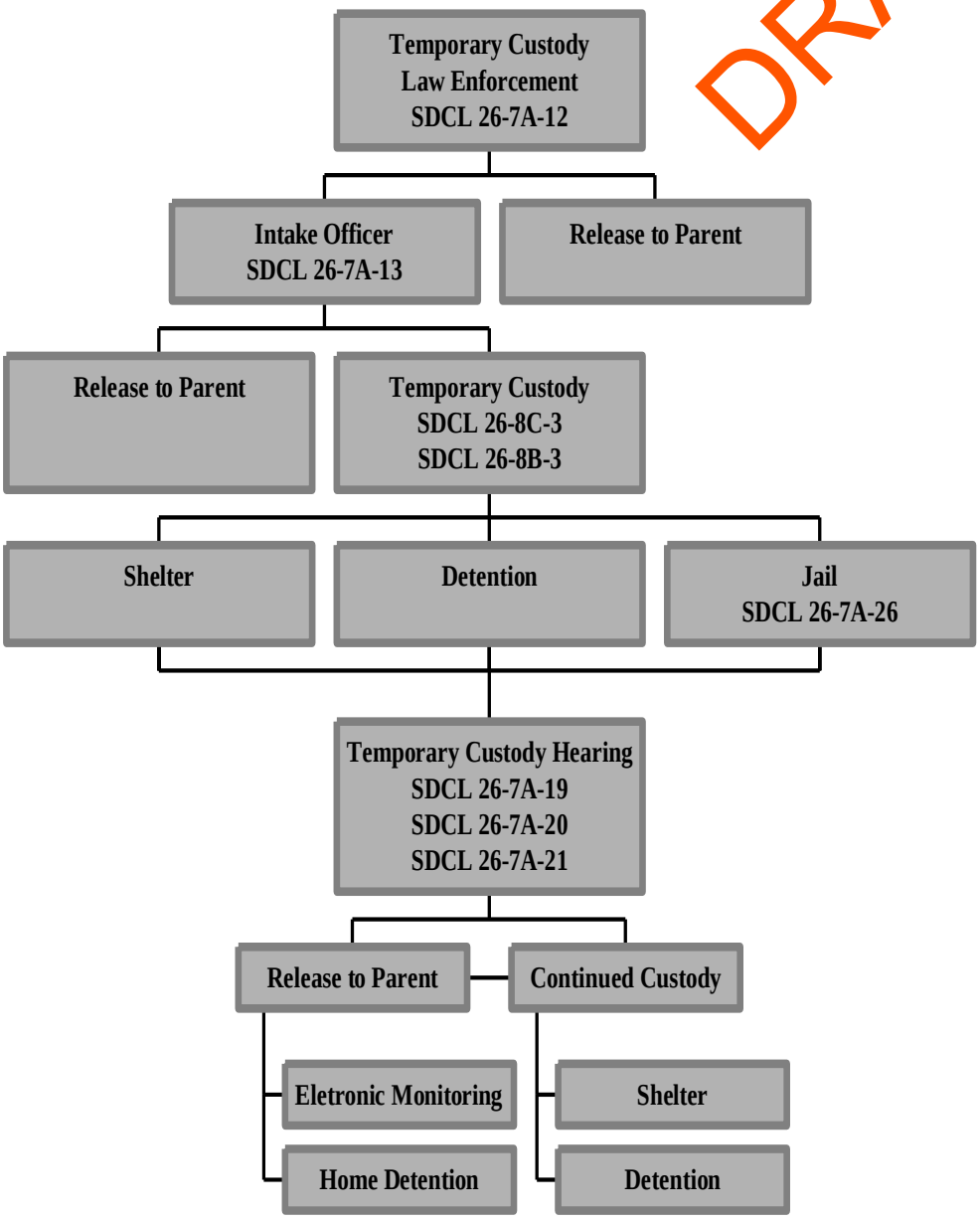
Subgrants will be awarded for no more than twelve months at any given time, but subgrantees will be given the opportunity to re-apply if funding is available. This would ensure that only those programs that are successful and achieved substantial success in meeting the goals specified in their original subgrant applications are being funded. Subgrant success would be analyzed through quarterly performance reports, site visits and the reimbursement process.

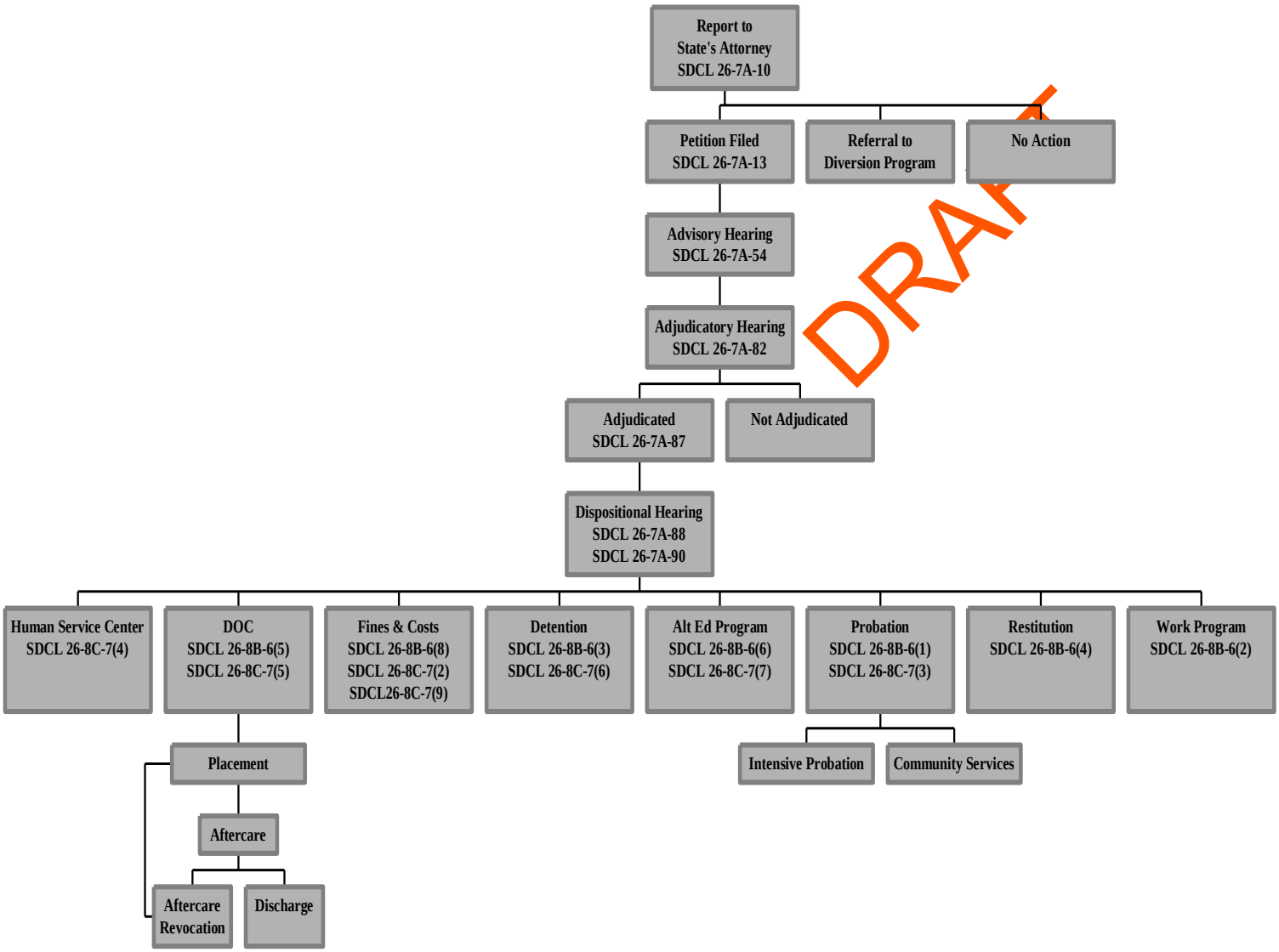
Appendix A

Temporary Custody

Temporary custody is defined as the physical and legal control of a child prior to final disposition. This includes the time the child is in the physical custody of law enforcement prior to release to parents, as well as physical custody of a child in detention or shelter care. The following system flow chart depicts the initial stages of temporary custody, which begins at the time a youth is taken into custody by law enforcement and lists South Dakota Codified Laws (SDCL) associated with the stages.

DRAFT



Petition, Adjudication, and Disposition

The following system flow chart depicts petition, adjudication and disposition stages of the juvenile justice system lists South Dakota Codified Laws (SDCL) associated with the stages.