

***Meeting Minutes***  
***South Dakota Council of Juvenile Services***  
***March 14, 2018***

***Statewide Dakota Digital Network (DDN) Locations***

Wednesday, March 14, 2018

**Council of Juvenile Services Members Present at DDN Locations:** Beth O'Toole, Chair and Professor at the University of Sioux Falls; Sara McGregor-Okroi, Vice-Chair and Director of Aliive-Roberts County; Taniah Apple, Youth Member; Dadra Avery, School Counselor at Sturgis Brown High School; Judge Tami Bern, First Judicial Circuit Judge; Keith Bonenberger, Community Member; Kristi Bunkers, Director of Juvenile Services; Kim Cournoyer, Service Provider; Chuck Frieberg, Director of Court Services; Renee Gallagher, Youth Member; Alexis Kohler, Youth Member; Mike Leidholt, Hughes County Sheriff; Aaron McGowan, Minnehaha County States Attorney; Vanessa Merhib, Executive Director of Boys & Girls Club of Brookings, Moody, and Yankton Counties; Betty Oldenkamp, CEO of Lutheran Social Services; Lyndon Overweg, Mitchell Chief of Public Safety; Miskoo Petite, Rosebud Sioux Tribe Juvenile Facility Administrator; and Carol Twedt, Former Minnehaha County Commissioner.

**Council of Juvenile Services Members Absent:** Keegan Binegar, Youth Member; and Virgena Wieseler, Director of Division of Child Protection Services.

**Others Present at DDN Locations:** Secretary Denny Kaemingk, Bridget Coppersmith, and Heather Van Hunnik, South Dakota Department of Corrections (DOC); and Rachel Adair, Chaperone of Taniah Apple.

**1. WELCOME, INTRODUCTIONS AND AGENDA REVIEW**

Chair Beth O'Toole welcomed everyone to the meeting at 1:02 PM on March 14, 2018 and introductions were made. Chair O'Toole noted that the meeting was also being shown via live webcast through South Dakota Public Broadcasting and that meeting materials could be found on open.sd.gov through the Boards and Commissions Portal.

**2. DISCLOSURE OF CONFLICTS OF INTEREST**

Bridget Coppersmith explained that the only funding decision coming before the Council at the meeting was regarding the Minnehaha County Capstone Implementation Application which was submitted by Lutheran Social Services.

Coppersmith asked if any Council Members had conflicts of interest with the proposed agenda to disclose. Aaron McGowan, Betty Oldenkamp, and Carol Twedt disclosed that they had conflicts of interest with the Minnehaha County Capstone Implementation Application and that they would abstain from all discussion and action regarding the agenda item.

**3. APPROVAL OF DECEMBER 2017 CJS MEETING MINUTES**

Chair O'Toole provided an overview of the December 2017 Meeting Minutes. Chair O'Toole highlighted the Juvenile Services Reimbursement Program and the Fiscal Year 2018 Three Year Plan preparation discussions, the presentation from Minnehaha County regarding their participation in the Reducing Racial and Ethnic Disparities in Juvenile Justice Certificate Program, and the approval of the Council's State Fiscal Year 2017 Annual Report.

***Betty Oldenkamp moved to approve the December 2017 meeting minutes, Lyndon Overweg seconded. Motion carried unanimously.***

**4. RATIFICATION OF FEBRUARY 2018 EXECUTIVE COMMITTEE ACTION**

Chair O'Toole explained that an Executive Committee Meeting was held to review and approve the Council's problem statements based on suggested edits from the December Council Meeting.

***Chuck Frieberg moved to ratify the February 2018 Executive Committee action, Miskoo Petite seconded. Motion carried unanimously.***

#### 5. BUDGET STATUS REPORT AND SUBGRANT UPDATES

Coppersmith provided an overview of the Formula FFY2013 and FFY2014 budget status as the two awards were combined into one award in the amount of \$797,616. Coppersmith explained that as of March 7, 2018, there was an outstanding balance of \$219,553.61 that needed to be spent prior to the end date of September 30, 2018. Based on the activity of current subgrants and spending patterns in program areas tied to DOC staff, the Council of Juvenile Services, and the County Reimbursement Program, Coppersmith anticipated a balance of \$96,717.32 at the end of June 2018. Coppersmith noted that up to ten percent of the award (\$79,761) could be moved between program areas to assist in closing out the award. Coppersmith explained that DOC staff would continue to monitor spending across all program areas on a regular basis to evaluate if additional funding options would be needed to ensure the award is fully expended by the end date.

#### 6. DOC RECOMMENDATION AND FUNDING ACTION ON THE MINNEHAHA COUNTY CAPSTONE IMPLEMENTATION APPLICATION

Heather Van Hunnik provided an overview of the Reducing Racial and Ethnic Disparities (RED) in Juvenile Justice Capstone Project Implementation Application from Minnehaha County. Van Hunnik explained that the application was submitted by Lutheran Social Services (LSS) and outlined four implementation strategies: create a memorandum of understanding between the schools, courts, law enforcement, and local government to establish agreed upon institutional responses to behavioral incidents that occur in school at the arrest stage of the juvenile justice system; create a new Diversion Coordinator position; improve access to culturally-informed programming for youth of color; and provide implicit bias training to stakeholders. Van Hunnik stated that the application requested a total of \$51,066.00 in Formula Grant funds to implement the strategies. Van Hunnik noted that the requested salary amount for the diversion coordinator only represented 59% of the total cost as that was the percentage of juvenile arrests for youth of color in Minnehaha County. Van Hunnik explained that based on LSS's low risk score on the risk assessment tool and their positive history with current and past awards, the DOC recommended funding the application as submitted.

***Mike Leidholt moved to approve the application for funding from Lutheran Social Services on behalf of Minnehaha County as presented, Kristi Bunkers seconded. Motion carried unanimously with Aaron McGowan, Betty Oldenkamp, and Carol Twedt abstaining from all discussion and action.***

#### 7. COMPLIANCE MONITORING REPORT AND PLAN SUBMISSION

Van Hunnik provided an overview of the finalized Compliance Monitoring Report that is due to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) by April 2, 2018. Van Hunnik explained that South Dakota will be reporting seven instances of violations with the deinstitutionalization of status offenders (DSO) requirement and zero violations with the jail removal and separation requirements for the reporting period of October 2016 through September 2017. Van Hunnik noted that all of the DSO violations were instances where a status offender was held securely beyond the allowable 24 hours which resulted in a violation rate of 3.28. Van Hunnik added that one youth in particular accounted for six of the seven violations. Although the compliance determination rates for the reporting period have yet to be released by OJJDP, Van Hunnik does not anticipate South Dakota having an issue with being in compliance due to the rate being significantly lower than the cut off rate from the previous reporting period.

Discussion ensued regarding the youth who accounted for the bulk of the violations and the parameters surrounding their stay in secure detention longer than allowable limitations.

Coppersmith provided an overview of the disproportionate minority contact (DMC) component of the compliance plan. Coppersmith explained that the plan is due along with the compliance monitoring report on April 2, 2018. Coppersmith noted that the data was based on the state fiscal year (SFY) time

frame of July through June rather than the calendar year time frame that was reported in previous plans. Coppersmith stated that the change in the reporting time frame was made to have data consistent between the DMC plan, the Three-Year Plan, and the Council's Annual Report. Coppersmith added that the focus of the current DMC plan was SFY 2017 (July 1, 2016 – June 30, 2017). Coppersmith explained that data is reported for youth at various stages of the juvenile justice system for the state of South Dakota and Minnehaha and Pennington Counties. Coppersmith added that statewide, minority youth have the highest rates of overrepresentation at the stages of arrest and detention and that the stage of arrest is also the highest stage of overrepresentation for minority youth in Minnehaha and Pennington Counties.

Discussion ensued regarding the rates for minority youth at the points of detention and diversion.

#### 8. APPROVAL OF FY2018 FORMULA GRANT APPLICATION

Coppersmith provided an overview of the FY2017 Formula Grants Program Application (Three-Year Plan) which is due to OJJDP by May 18, 2018. Coppersmith explained that the application is the start of a new three year plan cycle and has an anticipated award amount is \$400,000 which is consistent with recent awards. Coppersmith noted that the main changes from previous plans consisted of the award implementation period being four years rather than three to account for the limit of one extension per award and a 40 page limit for the program narrative component of the application. Coppersmith explained that the outline of the plan and the budgeted program areas were consistent with recent applications due to the 2015, 2016, and 2017 awards needing to be spent prior to the drawdown of the 2018 award. An amendment to the budget and plan could be submitted if the Council's goals and objectives change by the time the award is ready to be drawn down.

Discussion ensued concerning the content of the application and the work that goes into compiling it each year.

***Keith Bonenberger moved to approve the FY2018 Formula Grant Application with the understanding that DOC staff will update the application as needed prior to submission, Betty Oldenkamp seconded. Motion carried unanimously.***

#### 9. JUVENILE JUSTICE UPDATES

Coppersmith explained that The Collation of Juvenile Justice (CJJ) is hosting their annual conference on June 28th and 29th in Washington DC and that OJJDP is partnering with CJJ to provide a track regarding State Advisory Groups and their roles with research, youth engagement, and compliance monitoring. Coppersmith stated that funds would be available to send some Council members if they were interested in attending.

Chuck Frieberg announced that Annie Brokenleg was hired as the new Statewide JDAI Coordinator and she will begin serving in the position on March 26, 2018.

#### 8. NEXT MEETING LOCATION AND DATES

Coppersmith explained that the next meeting will be June 19<sup>th</sup> and is anticipated to take place in Mitchell, SD.

#### 9. WRAP-UP AND ADJOURN

***At 2:20 PM, Aaron McGowan moved to adjourn the March 2018 Council of Juvenile Services Meeting, Lyndon Overweg seconded. Motion carried unanimously.***

*Recorded by Bridget Coppersmith, Juvenile Justice Specialist*