

Meeting Minutes - DRAFT
South Dakota Council of Juvenile Services
Conference/Zoom Call
June 12, 2020

Friday, June 12, 2020

Council of Juvenile Services Members Present: Beth O'Toole, Chair and Professor at the University of Sioux Falls; Sara McGregor-Okroi, Vice-Chair and Director of Aliive-Roberts County; Dadra Avery, School Counselor at Sturgis Brown High School; Judge Tami Bern, First Judicial Circuit Judge; Keegan Binigar, Youth Member; Kristi Bunkers, Director of Juvenile Services; Kim Cournoyer, Service Provider; Chuck Frieberg, Director of Court Services; Tiffany Glaser, Department of Social Services JJRI Program Manager; Doug Hermann, Executive Director of The Club for Boys; Brad Howell, Codington County Sheriff; Alexis Kohler, Youth Member; Angela Lisburg, Avera St. Mary's Central South Dakota Child Assessment Center; Betty Oldenkamp, CEO of Lutheran Social Services; Tierney Scoblic, Youth Member, Carol Twedt, Former Minnehaha County Commissioner; and Cassidy Wright, Youth Member.

Council of Juvenile Services Members Absent: Pat Bad Hand, Rosebud Sioux Tribe Juvenile Detention Center Administrator and Dave McNeil, Aberdeen Police Department Chief.

Others Present: Bridget Coppersmith, Nicole Gednalske, Kevin McLain, and Mike Leidholt South Dakota Department of Corrections (DOC); Kelsi Vinger, Brown County; and Greg Sattizahn, Unified Judicial System.

1. WELCOME, INTRODUCTIONS AND AGENDA REVIEW

Chair Beth O'Toole welcomed everyone to the meeting at 9:00 AM on June 12, 2020 and introductions were made. Bridget Coppersmith took role call and asked for others present to identify themselves to be included in the meeting minutes. Quorum was validated by Coppersmith at this time.

2. DISCLOSURE OF CONFLICTS OF INTEREST

Coppersmith reviewed the funding decisions coming before the Council from Andes Central School District, Dell Rapids School District, Sisseton-Wahpeton Oyate Court, and Brown, Brookings, Codington, and Davison Counties.

The following conflicts of interest were disclosed:

Chuck Frieberg – Brookings County; Brown County; Codington County; Davison County
Brad Howell – Codington County

3. BUDGET STATUS REPORT AND SUBGRANT UPDATES

Coppersmith reported that the Federal Fiscal Year (FFY) 2016 Award was currently being spent and has an end date of September 30, 2020. Processed payments through June 4th gave unspent budget of \$108,772. Based on expected claims from subgrants, DOC staff do not anticipate any issues with fully expending the award by the end date. Coppersmith noted that 10% of the total award could be moved between budget categories to close out the award.

Coppersmith explained that all subgrants were performing as expected and subgrants under the program areas of Alternatives to Detention, Native American Programs, and Delinquency Prevention were in the process of closing out their current awards which end June 30, 2020. Virtual site visits have been conducted at the time of the meeting or were scheduled to be conducted the week following the meeting consistent with subrecipient monitoring requirements for all subgrants.

Coppersmith added that a no cost extension request has been submitted for the FFY 2017 award which had an end date of September 30, 2020. DOC staff did not anticipate any issues with the request and anticipate having a new end date of September 30, 2021.

4. COMPLIANCE MONITORING UPDATE:

Coppersmith proved an overview of the revised Valid Court Order (VCO) exception rules that went into effect October 1, 2019. Coppersmith explained that in order to help ensure compliance with the core requirements of the Juvenile Justice and Delinquency Prevention Act (JJDP), the DOC plans to work with the Governor's Office and UJS to initiate legislation to align state law with the new requirements of the JJDP. Coppersmith noted that the plan is in the early steps of implementation and that updates would be provided as staff work through the process. Discussion ensued regarding support of the department's plan to pursue legislation.

Nicole Gednalske presented the compliance monitoring report for October 1, 2019 – April 30, 2020. Gednalske explained that 1,240 records were submitted and all had been cleared prior to the meeting. Of those records, six deinstitutionalization of status offenders (DSO) violations were identified. Three of those violations were in violation of the new VCO requirements and three were for holding status offenders for longer than the allowable 24 hours.

5. STATE FISCAL YEAR 2021 SUBGRANT APPLICATIONS

Bridget Coppersmith presented application overviews on behalf subgrant applicants for the State Fiscal Year (SFY) 2021 funding period. Coppersmith explained that Brown, Codington, and Davison Counties were applying for a second year of funding to implement the Juvenile Detention Alternatives Initiative (JDAI) and diversion services in their counties. Brookings County was applying for their first year of funding to support similar initiatives. Coppersmith noted that the Andes Central and Dell Rapids School Districts were provided the opportunity to apply for a fourth year of funding to continue their services that were interrupted when the COVID-19 Pandemic halted services early. Sisseton-Wahpeton Oyate Tribal Court applied for a third year of juvenile probation services.

Brown County: Applied to continue youth diversion coordinator position to keep expanding diversion services, alternatives to detention, and staff JDAI implementation. In year one of implementing services, the average daily detention population decreased from 5 in Quarter I of 2019 to 3.1 in Quarter I of 2020. Continuation of the JDAI/Diversion Coordinator position would allow the County to continue diverting youth from the court process and work to identify other alternatives to detention at a cost of \$69,994.12.

Codington County: In their first year of implementation, Codington County developed a court approved diversion program that served 87 youth and a conditional release process that has kept 3 youth from being detained, while also ensuring they attended court and did not reoffend. The County applied to continue to analyze diversion referral offenses and ensure programs and services fit youth needs and promote successful outcomes. Codington County would continue to explore overnight alternatives to detention for youth when they cannot return home which may include a reception center and/or crisis intervention beds in the community. Requested amount was \$74,573.07.

Davison County: Davison County applied to continue to expand diversion services, alternatives to detention and staff time to assist with JDAI coordination. The County would continue to expand their continuum of services to benefit the outcome of system involved youth at every decision point. With addition of staff time dedicated to JDAI Coordination, data would be collected at all decision points so informed decisions could be made by the JDAI collaborative to promote juvenile justice program efficiency. At the front end, diversion services would continue to be expanded and the diversion coordination would continue to include working with community partners to further build upon existing services and relationships while utilizing data to assess needs in the community. Requested amount was \$69,985.28.

Brookings County: Applied for \$69,339.34 to expand diversion services, alternatives to detention, and staff time to assist with JDAI coordination. The goal is that Brookings County would expand their continuum of services to benefit the outcome of system involved youth at every decision point. At the front

end, diversion services will be expanded to include an assessment with youth and families with a referral to existing services in the community. Brookings County currently serves diverted youth through Teen Court. In 2019, 30 youth were served through Teen Court indicating the need for expansion of diversion services in the county. Additionally, the creation of a JDAI/Diversion coordinator position would assist with options like electronic monitoring and an evening reporting center to keep youth in the community and increase the number of youths being diverted from the court process.

Andes Central School District: Applied for \$49,978.78 to continue Positive Action curriculum in grades six through eight and Positive Behavior Interventions and Supports (PBIS) in grades six through twelve which was consistent with previous years of implementation.

Dell Rapids School District: Applied for \$31,900.00 to continue Positive Action curriculum in their elementary school for pre-kindergarten through fourth grade students. All teachers have been trained in the curriculum to help enhance a school-wide climate of prevention and positive behavior.

Sisseton-Wahpeton Oyate Tribal Court: The requested amount of \$50,000 would continue to support a juvenile probation/diversion officer which started in state fiscal year 2019. Coppersmith explained that the applicant implemented their 2020 award in accordance with their previous application and the position is currently working closely with the Tribe's schools to address truancy. In SFY 2021, the probation officer will also look into the creation of a Teen Court.

6. DOC RECOMMENDATIONS FOR FUNDING SFY 2021 SUBGRANT APPLICATIONS:

DOC staff recommended funding each application based on previous performance and services outlined in the applications.

Keegan Binegar moved to approve the Brown County application as written, Judge Tami Bern seconded. Motion carried unanimously with Chuck Frieberg abstaining from discussion and action.

Carol Twedt moved to approve the Brookings County application as written, Kristi Bunkers seconded. Motion carried unanimously with Chuck Frieberg abstaining from discussion and action.

Betty Oldenkamp moved to approve the Codington County application as written, Doug Herrmann seconded. Motion carried unanimously with Chuck Frieberg and Sheriff Brad Howell abstaining from discussion and action.

Sheriff Howell moved to approve the Davison County application as presented with the updated budget, Carol Twedt seconded. Motion carried unanimously with Chuck Frieberg abstaining from discussion and action.

Chuck Frieberg moved to approve the Andes Central School District application as written, Tiffany Glaser seconded. Motion carried unanimously.

Judge Bern moved to approve the Dell Rapids School District application as written, Betty Oldenkamp seconded. Motion carried unanimously.

Keegan Binegar moved to approve the Sisseton-Wahpeton Oyate Tribal Court application as written, Carol Twedt seconded. Motion carried unanimously.

7. APPROVAL OF SEPTEMBER 2019 CJS MEETING MINUTES

Chair O'Toole provided an overview of the September 2019 Meeting Minutes.

Chuck Frieberg moved to approve the September 2019 meeting minutes; Judge Bern seconded. Motion carried unanimously.

8. RATIFICATION OF APRIL 2020 EXECUTIVE COMMITTEE ACTION

Coppersmith explained that the meeting was held to act on the submission of the FFY 2020 Formula Grant Application. Staff presented an overview of the application at the meeting which would run from October 2020 to September 2024. The content of the application was consistent with previous years and new requirements associated with the reauthorization of the Act. The application was approved unanimously by all members present and was submitted to OJJDP by the due date of April 13th.

Tiffany Glaser moved to ratify the April 2020 Executive Committee Action; Betty Oldenkamp seconded. Motion carried unanimously.

9. PERIOD FOR PUBLIC COMMENT

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

10. JUVENILE JUSTICE UPDATES

Chair O'Toole expressed her appreciation to DOC staff for their consistently strong work and commitment and welcomed Angela Lisburg and Tierney Scoblic to the Council.

Betty Oldenkamp reported that no youth in LSS programs had tested positive for COVID-19, and that some staff had symptoms and were then quarantined. Oldenkamp expressed her hopes to be able to accept new admissions soon while keeping current youth and staff safe. Precautions are being taken in order to continue the essential services.

Kristi Bunkers provided overview of changes that will be made due to House Bills 1206 and 1207. Bunkers reported that there were an additional 33 juvenile commitments this year and that they are seeing more kids with prior placements.

14. NEXT MEETING AND ADJOURN

The next meeting is scheduled for September 2020 with the exact date and location to be determined.

At 10:19 AM, Kristi Bunkers moved to adjourn, Betty Oldenkamp seconded. Motion carried unanimously.

Recorded by Nicole Gednalske, Compliance Monitor and DMC Coordinator