

Meeting Minutes -DRAFT
South Dakota Council of Juvenile Services
September 12, 2019

The Rapid City Club for Boys, Rapid City, SD

Thursday, September 12, 2019

Council of Juvenile Services Members Present: Beth O'Toole, Chair and Professor at the University of Sioux Falls; 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; Doug Hermann, Executive Director of The Club for Boys; Brad Howell, Codington County Sheriff; Aaron McGowan, Minnehaha County States Attorney; Betty Oldenkamp, CEO of Lutheran Social Services; and Cassidy Wright, Youth Member.

Council of Juvenile Services Members Absent: Taniah Apple, Youth Member; Chuck Frieberg, Director of Court Services; and Alexis Kohler, Youth Member.

Council of Juvenile Services Members Present on Conference Line: Sara McGregor-Okroi, Vice-Chair and Director of Aliive-Roberts County; Keegan Binegar, Youth Member; Tiffany Glaser, Department of Social Services JJRI Program Manager; Dave McNeil, Aberdeen Police Department Chief; and Carol Twedt, Former Minnehaha County Commissioner.

Others Present: Bridget Coppersmith, Kevin McLain, and Heather Van Hunnik, South Dakota Department of Corrections (DOC). Mark Kiepke and Amy Witt, Lutheran Social Services; Tara Palmiotto, Minnehaha County; and Chad Seidel, Hughes County Juvenile Detention Center, were in attendance for the agenda item associated with their funding presentations.

1. WELCOME, INTRODUCTIONS AND AGENDA REVIEW

Chair Beth O'Toole welcomed everyone to the meeting at 11:43AM on September 12, 2019 and introductions were made. Bridget Coppersmith noted that this was the first meeting for Sheriff Brad Howell who replaced former Sheriff Mike Leidholt and Cassidy Wright who replaced Renee Gallagher as a youth member. Pat Band Hand was appointed to the Council with a start date of October 31, 2019 and will replace Miskoo Petite who resigned due to moving out of the state. Coppersmith added that the meeting was the last one for members Keith Bonenberger and Taniah Apple.

2. DISCLOSURE OF CONFLICTS OF INTEREST

Coppersmith explained that the funding decisions coming before the Council at the meeting were regarding applications from Lutheran Social Services (LSS) for Disproportionate Minority Contact (DMC) services in Minnehaha and Pennington Counties, an application from Minnehaha County for Reducing Racial and Ethnic Disparities in Juvenile Justice Services, and an application from the Hughes County Juvenile Detention Center (JDC) under a one-time Reducing Racial and Ethnic Disparities Awareness application.

Coppersmith asked if any Council Members had conflicts of interest with the proposed agenda to disclose. Aaron McGowan, Betty Oldenkamp, and Carol Twedt disclosed they had conflicts of interest with the Disproportionate Minority Contact decisions regarding LSS and they would abstain from all discussion and action regarding the agenda item. Aaron McGowan stated that he had a conflict of interest in the Minnehaha County application for Reducing Racial and Ethnic Disparities in Juvenile Justice services and would abstain from all discussion and action regarding the agenda item.

3. PERIOD FOR PUBLIC COMMENT

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

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

4. APPROVAL OF JUNE 2019 CJS MEETING MINUTES

Aaron McGowan moved to approve the June 13, 2019 Meeting Minutes, Betty Oldenkamp seconded. Motion carried unanimously.

5. BUDGET STATUS REPORT AND SUBGRANT UPDATES

Coppersmith provided an overview of the Federal Fiscal Year (FFY) 2015 award that was currently being expended. Coppersmith explained that as of September 3, 2019, \$55,649.57 was remaining of the \$393,667.00 award. Coppersmith stated that ten percent of the award can be moved between approved budget categories without an amendment to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to close the award out by the end date of September 30, 2019. Coppersmith noted that the only exception to the movement between categories is the program area of Planning and Administration which requires a match by the state. No funds had been expended under the FFY2016 award at the time of the meeting. Coppersmith added that she had received confirmation from OJJDP that the one-time extension request for the award had been approved and the new end date was September 30, 2020.

Coppersmith explained how each program area was being expended and their anticipated expenditures through the end of the award. Coppersmith stated that delinquency prevention and Native American Programs subgrants were actively spending their awards and that claims were steadily coming in under the County Reimbursement Program. Coppersmith noted that the alternatives to detention subgrants in Brown and Codington Counties were in the starting phases of their implementation and had each hired a coordinator in August. The award in Davison County was delayed as the position had not been filled at the time of meeting. Heather Van Hunnik explained that subgrants under the program area of DMC were closing out their FY2019 awards and had applied for additional funding for FY2020. Van Hunnik added that the Council held a successful Reducing Racial and Ethnic Disparities training in July which provided an overview of unconscious bias and the work done under the Formula Grants Program regarding DMC for law enforcement, detention, and probation entities.

Coppersmith added that since the June meeting, the DOC had programmatic reviews from the Office of Justice Programs and OJJDP staff and were waiting on the official results of the reviews. Based on initial discussions, Coppersmith does not anticipate any negative findings regarding the states' implementation and oversight of the Formula Grants Program.

6. COMPLIANCE UPDATE

Van Hunnik presented the compliance monitoring report for October 1, 2018 – June 30, 2019. Van Hunnik explained that 1,413 records were submitted and all but one had been cleared prior to the meeting. Zero violations under jail removal and separation were found after full review of the records and one record was flagged as a potential deinstitutionalization of status offenders (DSO) violation out of Codington County.

Van Hunnik provided an overview of the findings from the August 2018 compliance audit from OJJDP. Van Hunnik stated that four findings were found and that all four had already been addressed by the DOC. The findings were regarding the inclusion of state highway patrol offices in the compliance monitoring universe, policies and procedures regarding a former juvenile holding and interview areas

located within the Pierre Police Department/Hughes County Sheriff's office, the holding of status offenders in a non-secure area of the Brookings County Detention Center and verification of data submitted in previous compliance reports regarding the holding of youth in the Brookings County Detention Center.

Discussion ensued regarding the small number of DSO violations through June 2019 and the minimal findings from the OJJDP audit.

7. DMC FUNDING PRESENTATIONS

Mark Kiepkke and Amy Witt from Lutheran Social Services presented an overview of the DMC applications from Minnehaha and Pennington Counties. Kiepkke and Witt explained the process of working with DMC Case Managers in each county and the impact each case manager has had since the programs began. Both counties applied for \$35,000 for the period of October 1, 2019 – September 30, 2020 to continue services associated with DMC Case Managers in each county.

Tara Palmiotto, Minnehaha County Deputy State's Attorney – Juvenile Division, presented an overview of Minnehaha County's application for funding under the Reducing Racial and Ethnic Disparities in Juvenile Justice Subgrant. The solicitation is tied to the implementation of the capstone project associated with the Georgetown training provided to the county in 2017. Palmiotto explained that the county applied to continue services associated with their Diversion Coordinator position and to provide training on implicit bias to local stakeholders. The county applied for \$46,905 in Formula Grant funds to support the project.

Chad Seidel, Hughes County Juvenile Detention Center Administrator, provided an overview of the county's application under the Reducing Racial and Ethnic Disparities Awareness Subgrant. Seidel explained that the application is associated with assisting staff and juveniles under their care with education and understanding around various races and ethnicities. The application amount of \$17,289.80 would provide for training for four staff in 2020, and supplies and equipment to inform and enlighten the juveniles on Racial and Ethnic issues among all cultures.

8. DOC RECOMMENDATIONS AND FUNDING ACTIONS ON DMC APPLICATIONS

Van Hunnik explained that the DOC was recommending that the Council award the requested amount of \$35,000 to both Minnehaha and Pennington Counties through LSS based on current and previous subgrant performance from the applicant.

Dough Herrmann moved to approve the DMC application from Pennington County, Sheriff Brad Howell seconded. Motion carried unanimously with Aaron McGowan, Betty Oldenkamp, and Carol Twedt abstaining from all action and discussion.

Judge Tami Bern moved to approve the DMC application from Minnehaha County, Keith Bonenberger seconded. Motion carried unanimously with Aaron McGowan, Betty Oldenkamp, and Carol Twedt abstaining from all action and discussion.

Van Hunnik explained that the DOC was recommending that the Council award the requested amount of \$46,905 to Minnehaha County for Reducing Racial and Ethnic Disparities in Juvenile Justice based on current and previous subgrant performance from the applicant.

Keith Bonenberger moved to approve the Minnehaha County application, Kristi Bunkers seconded. Motion carried unanimously with Aaron McGowan abstaining from all action and discussion.

Van Hunnik provided an overview of the DOC's recommendations for the Hughes County JDC application. DOC recommended approval of \$11,323.84 of the requested \$17,289.38. The reduction stemmed from approving two each rather than the requested four each of shop desks, laptops, sentinel

chairs, language translators, and Rosetta Stone software. The DOC also recommended denying the request for 12 Motorola radios as they were not directly related to the program area of DMC.

Judge Tami Bern moved to approve the Hughes County JDC application as recommended by the DOC for the amount of \$11,323,84, Doug Herrmann seconded. Motion carried unanimously.

9. JUVENILE JUSTICE UPDATES

Kristi Bunkers stated that the next Juvenile Justice Oversight Council Meeting will be in Sioux Falls on October 8th from 10AM to 4PM at the Sheraton Hotel. Bunkers explained that meetings are held across the state to allow for public input and that recent meetings contain deep dives of juvenile data in the areas where meetings are held.

Betty Oldenkamp noted that New Beginnings Center in Aberdeen is struggling with staffing which has decreased their capacity down to 12 youth compared to the fully staffed capacity of 18 youth. Oldenkamp also stated that Big Brothers Big Sisters of the Sioux Expire is disassociating with the national entity and will dissolve their nonprofit status. LSS will take on the mentoring services and plan to have between 130 – 150 mentoring matches once they are operational.

Cassidy Wright explained that Volunteers of America, Dakotas is working with school resource officers in Sioux Falls to expand participants to send to Camp Postcard with the Volunteers of America, Northern Rockies. Historically, the camp was targeted at at-risk offenders in 6th and 7th grades. Once the program is off the ground in Sioux Falls, the hope is that Sioux Falls School Resource Officers will be able to start referring youth to attend the week-long camp located at Outlaws Ranch in Custer, SD.

10. NEXT MEETING LOCATION AND DATES

Coppersmith explained that the next meeting is planned for December 18th in Chamberlain, SD or Pierre, SD and is contingent on weather and agenda content.

11. WRAP-UP AND ADJOURN

At 1:17 PM, Aaron McGowan moved to adjourn the September 2019 Council of Juvenile Services Meeting, Doug Herrmann seconded. Motion carried unanimously.

Recorded by Bridget Coppersmith, Juvenile Justice Specialist