Thursday, December 14, 2017 – H-Unit Training Room

10:00 AM  Welcome, Introductions, and Review Agenda (Chair Betty Oldenkamp)

10:10 AM  Disclosure of Conflicts of Interest (Bridget Coppersmith)

10:15 AM  Boards and Commissions Website Walkthrough (Bridget Coppersmith)

10:20 AM  Approval of September 2017 Meeting Minutes (Chair Oldenkamp)

10:30 AM  Budget Status Report and Subgrant Updates (Bridget Coppersmith)

  •  Supplemental Funding Strategies (Heather Van Hunnik)

10:50 AM  Discussion of Calendar Year 2018 Juvenile Services Reimbursement Program (Bridget Coppersmith)

11:00 AM  FFY2018 Three Year Plan Preparation (Bridget Coppersmith)

  •  Approval of Council Values and Problem Statements (Bridget Coppersmith)

11:45 AM  Reducing Racial and Ethnic Disparities in Juvenile Justice Certificate Program (Minnehaha County)

12:30 PM  Lunch

1:15 PM  Approval of SFY 2017 Annual Report (Bridget Coppersmith)

1:25 PM  Office of Juvenile Justice and Delinquency Prevention (OJJDP) Update (Bridget Coppersmith)

  •  SAG Training Overview (Kristi Bunkers)

1:40 PM  Compliance Monitoring Report (Heather Van Hunnik)

2:00 PM  Juvenile Justice Reinvestment Initiative Update (Council Members and Bridget Coppersmith)

  •  Diversion Fiscal Incentive Program Year Two Presentation

2:15 PM  Election of CJS Chair and Vice Chair (Bridget Coppersmith)

2:25 PM  Juvenile Justice Updates (Open to CJS Members)

2:30 PM  Next Meeting, Wrap-up, and Adjourn (Chair Oldenkamp)
Meeting Minutes -DRAFT
South Dakota Council of Juvenile Services
September 6-7, 2017
Rapid City, SD

Wednesday, September 6, 2017– Western South Dakota Juvenile Services Center
Council of Juvenile Services Members Present: Betty Oldenkamp, Chair and CEO of Lutheran Social Services; Beth O’Toole, Vice-Chair and Professor at the University of Sioux Falls; Taniah Apple, Youth Member; Dadra Avery, School Counselor at Sturgis Brown High School; Keith Bonenberger, Community Member; Kristi Bunkers, Director of Juvenile Services; Kim Cournoyer, Service Provider; Charles Frieburg, Director of Trial Court Services; Judge Steven Jensen, First Judicial Circuit Presiding Judge; Sheriff Mike Leidholt, Hughes County Sheriff; Sara McGregor-Okroi, Director of Aliive-Roberts County; Vanessa Merhib, Executive Director of Boys & Girls Club of Brookings, Moody, and Yankton Counties; Miskoo Petite, Rosebud Sioux Tribe Juvenile Facility Administrator; Carol Twedt, Former Minnehaha County Commissioner; and Virgena Wieseler, Director of Division of Child Protection Services

Council of Juvenile Services Members Absent: Austin Biers, Youth Member; Keegan Binegar, Youth Member; Renee Gallagher, Youth Member; Aaron McGowan, Minnehaha County States Attorney; and Lyndon Overweg, Mitchell Chief of Public Safety.

Others Present: Eileen Garry, Office of Juvenile Justice and Delinquency Prevention; Bridget Coppersmith, South Dakota Department of Corrections; Rachel Adair, Chaperone of Taniah Apple; and Nate Ellens and Tiffany Wolfgang, Department of Social Services and only present via conference call for the Juvenile Justice Initiative Overview and Updates agenda item.

1. WELCOME
Chair Betty Oldenkamp called the Council of Juvenile Services (Council) meeting to order at 3:02 PM on Wednesday, September 6, 2017 and welcomed all participants.

2. DISCLOSURE OF CONFLICTS OF INTEREST
Bridget Coppersmith explained that the Council adheres to all practices regarding potential conflicts of interest with awarding funds associated with state law up until the requirement to file waivers to the Auditor General and Attorney General as the Council was not identified in the law as being required to observe all requirements. Coppersmith noted that the Department of Corrections (DOC) staff will continue to follow direction provided regarding the implementation of conflict of interest laws to ensure that the Council’s practices are in line with the best practices for identifying and disclosing conflicts of interest.

Coppersmith asked if any Council Member had a conflict of interest with the proposed agenda to disclose. Betty Oldenkamp disclosed that she had a direct benefit conflict of interest with the disproportionate minority contact applications from Lutheran Social Services as she is the President and CEO of Lutheran Social Services of South Dakota. Carol Twedt disclosed that she had an interest in the action being taken regarding the disproportionate minority contact applications due to her position on a Lutheran Social Services Foundation Board. Twedt noted that her conflict is only an interest, not a direct benefit, as she does not derive compensation from her voluntary board membership.
3. WELCOME ADDRESS
Eileen Garry, Acting Administrator of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), introduced herself to the Council and provided an overview of her career with the federal government including within OJJDP, the Bureau of Justice Assistance (BJA), the Public Safety Officers’ Benefits Program, the State and Local Anti-Terrorism Training Program, the Counter-Terrorism Training Work Group, and the Indian Law and Order Commission.

Acting Administrator Garry expressed her gratitude to the Council for allowing her to be present at their September Meeting and explained that she is working with her staff to repair the broken relationships between states and OJJDP that occurred in the past 15 years when she was with BJA was not working with OJJDP. Acting Administrator Garry explained that the lack of a sense of community, the fact that the Juvenile Justice and Delinquency Prevention Act (JJDPA) had not been reauthorized since 2002, and the new proposed regulations have added to the disconnection with the states. Acting Administrator Garry stated the work State Advisory Groups (SAG) do is underappreciated and undervalued and that she truly enjoys meeting with SAGs to learn about serving youth in their states.

Acting Administrator Garry spoke regarding the appointment of a permanent administrator of OJJDP. Acting Administrator Garry explained that final interviews were being conducted and that the hope is to have an administrator in place by November 2017. Acting Administrator Garry also provided an overview of the reauthorization of the JJDPA bills which are going to conference from the House of Representatives and the Senate, the process that led to the partial final rule from the rules and regulations that OJJDP published last year, and the appropriation process for OJJDP’s budget and how the two bills would impact OJJDP’s budget.

Acting Administrator Garry complimented the Council on their work related to conflicts of interest including the appearance of conflicts of interest and congratulated the state on being a juvenile justice reform reinvestment state and for being in the practice of implementing evidence and research based programs with fidelity which speak strongly to the caliber of work that South Dakota does.

Chair Betty Oldenkamp turned the meeting over to Vice-Chair Beth O’Toole at 3:57 PM due to needing to leave for prior engagements.

The meeting recessed at 3:57 PM for tours and dinner.

The meeting reconvened at 7:05 PM. Vice-Chair O’Toole confirmed that no discussion of official business occurred during the recess.

4. JUVENILE JUSTICE INITIATIVES OVERVIEW AND UPDATES
Charles Frieberg provided an overview of the Juvenile Detention Alternatives Initiative (JDAI) in South Dakota. Frieberg explained that JDAI was brought to South Dakota by the Council in 2009 through pilot sites in Minnehaha and Pennington Counties and that the implementation of JDAI on a statewide scale started in 2013 under the Unified Judicial System (UJS). Frieberg added that based on data from calendar year 2016, the average daily detention population in Minnehaha and Pennington Counties, statewide DOC commitments, and statewide youth on probation all decreased by more than 51% since 2009. Frieberg noted that in addition to the sites in Minnehaha and Pennington Counties, Brown, Davison, and Codington Counties have agreed to take the initial steps in moving forward to becoming JDAI sites, and Hughes and Brookings Counties are still considering implementation.
Discussion ensued concerning what makes a site a full JDAI site, the percentage of South Dakota youth under the JDAI umbrella, implementing alternatives in communities outside of Sioux Falls and Rapid City, how counties reallocate and or save money with JDAI, and the Risk Assessment Instrument (RAI) process.

Kristi Bunkers provided an overview of how the Juvenile Justice Reinvestment Initiative (JJRI) began in South Dakota and its main goals of increasing public safety by improving outcomes for youth and families and reducing juvenile recidivism, effectively holding juvenile offenders more accountable, and reducing juvenile justice costs by investing in proven community-based practices and preserving residential facilities for serious offenders.

Frieberg presented an overview of JJRI components under UJS including the implementation of mandatory diversion, Community Response Teams, narrowing disposition to the DOC, defining probation duration, graduated responses, and juvenile citations. Frieberg added that in FY2017, the number of youth on probation and the number violations filed are continuing to decrease, the largest citation by offense type is alcohol possession at 40% of the citations followed by truancy at 39%, and the number of youth receiving incentives under the graduated response for youth on probation increased from 29% of youth in FY2016 to 45% of youth in FY2017.

Bunkers explained that DOC is associated with the components of a diversion fiscal incentive program, a detention reimbursement program, a community based intervention service model with the Department of Social Services (DSS), performance based contracting, an amended DOC violator policy, and a Native American Youth Outcomes Study which is coordinated by the Department of Tribal Relations. Bunkers added that DOC commitments continued to decrease in FY2017 as have the total number of youth under DOC jurisdiction.

Tiffany Wolfgang provided an overview of DSS’s role with JJRI which focuses on implementing community-based, evidence-based programs. Wolfgang stated that the three interventions of Functional Family Therapy (FFT), Moral Reconation Therapy (MRT), and Aggression Replacement Training (ART) were identified as good fits for South Dakota’s population. Nate Ellens explained that FFT services began in January 2016 and served 755 families in FY2017, MRT services began in February 2017 and served 75 youth in FY2017, and ART services began in March 2017 and served 29 youth in FY2017. Ellens provided an overview of the referral processes for JJRI treatment services and the differences between referrals from schools or self-referrals and Child Protective Services, UJS, or DOC. Ellens added that in FY2017, there was 63% successful completion rate for FFT services and an average of 86% of adolescents and 88% of parents/families reported a positive general change in their family upon completion of FFT.

Discussion ensued regarding the age or grade that most youth are experiencing truancy issues at, chemical dependency services in a youth’s community verses in-patient services, and the usage of telehealth services for youth in rural and frontier areas,

5. JUVENILE JUSTICE UPDATES

Bridget Coppersmith presented an overview of the 2015 Easy Access to the Census of Juveniles in Residential Placement Report. Coppersmith explained that the census was administered for the first time in 1997 by the Bureau of the Census for OJJDP and is administered roughly every two years. Coppersmith stated in each report from 1997 to 2013, South Dakota rated in the top three of states with its juvenile incarceration rate and at times was double the national average. Coppersmith added that the 2015 report demonstrates South Dakota’s commitment to decrease the juvenile incarceration rate as South Dakota is now ranked number five with a rate of 254 youth per 100,000 juveniles. Coppersmith noted that the rate for American Indian youth has also decreased. In 2011, the
South Dakota American Indian rate was 5.3 times the rate for White youth and in 2015, it decreased to 4.5 times that of White youth. Coppersmith concluded by stating that she is hopeful that the 2017 numbers and rates will continue to show improvement as South Dakota continues to participate in JDAI and implement JJRI.

Vice-Chair O’Toole asked Council Members if there were any additional juvenile justice updates. No updates were identified.

The meeting recessed at 7:16 PM for the evening.

Thursday, September 7, 2017– Pennington County Courthouse

Council of Juvenile Services Members Present: Beth O’Toole, Vice-Chair and Professor at the University of Sioux Falls; Taniah Apple, Youth Member; Dadra Avery, School Counselor at Sturgis Brown High School; Kristi Bunkers, Director of Juvenile Services; Kim Cournoyer, Service Provider; Charles Friberg, Director of Trial Court Services; Judge Steven Jensen, First Judicial Circuit Presiding Judge; Sheriff Mike Leidholt, Hughes County Sheriff; Aaron McGowan, Minnehaha County States Attorney; Sara McGregor-Otkri, Director of Aliive-Roberts County; Vanessa Merhib, Executive Director of Boys & Girls Club of Brookings, Moody, and Yankton Counties; Miskoo Petite, Rosebud Sioux Tribe Juvenile Facility Administrator; Carol Twedt, Former Minnehaha County Commissioner; and Virgerna Wieseler, Director of Division of Child Protection Services.

Council of Juvenile Services Members Absent: Betty Oldenkamp, Chair and CEO of Lutheran Social Services; Austin Biers, Youth Member; Keegan Binegar, Youth Member; Keith Bonenberger, Community Member; Renee Gallagher, Youth Member; and Lyndon Overweg, Mitchell Chief of Public Safety;

Others Present: Eileen Garry, Office of Juvenile Justice and Delinquency Prevention; Bridget Coppersmith and Heather Van Hunnik, South Dakota Department of Corrections; Rachel Adair, Chaperone of Taniah Apple; Emily Olson, Reporter at News Center 1; and Amy Witt and Mark Kiepke, Lutheran Social Services for the Disproportionate Minority Contact Funding Presentations only.

The meeting reconvened at 8:43 AM.

1. APPROVAL OF JUNE 2017 MEETING MINUTES
   
   Judge Steven Jensen moved to approve the June 2017 meeting minutes as written, Charles Friberg seconded. Motion carried unanimously.

2. RATIFICATION OF AUGUST 2, 2017 EXECUTIVE COMMITTEE MEETING ACTIONS
   
   Sheriff Mike Leidholt moved to approve all action taken at the August 2, 2017 Executive Committee Meeting, Kristi Bunkers seconded. Motion carried unanimously with Aaron McGowan and Carol Twedt abstaining.

3. BUDGET STATUS REPORT
   
   Coppersmith provided a summary of program area performance under the FY2013 Formula Grant Award. Coppersmith explained that the 2013 award contains both the 2013 and 2014 awards and has an approved extended end date of September 30, 2018. Coppersmith stated that as of August 21, 2017, the remaining balance of the $797,616 award was $440,090.81 and that she expected the balance to be down to $350,519.54 by September 30, 2017. Coppersmith noted that she anticipates that most of the program areas will be fully expended prior to the new end date with some program areas having the potential to draw down more than their budgeted amounts. Coppersmith added that states can move up to 10% of their award between approved program areas without a formal amendment to close out awards and that the program areas with excess expenditures will assist in closing out program areas that may not utilize the full budgeted amount. OJJDP Acting Administrator Garry added that
new restrictions are in place regarding extensions and that a new limit of one extension request per federal award will be enforced going forward.

4. PROGRAM AREA UPDATES
Coppersmith provided an overview of subgrants under the Delinquency Prevention and Native American Programs program areas. Coppersmith explained that awards to the Meade County School System, Watertown School System, and the Cheyenne River Sioux Tribe ended June 30, 2017 and new awards have started with the Andes Central School System, Dell Rapids Public School System, and the American Horse School to implement the evidence-based program Positive Action. Coppersmith added that the American Horse School will also implement Lakota Language Curriculum. Coppersmith noted that in their three years of implementation, the Meade County School System served 220 youth and the Watertown School System served 388 youth in the same timeframe. Coppersmith added that in the last reporting year, the probation officer with the Cheyenne River Sioux Tribe served 72 youth. New award visits were conducted with the three new awards and they are expected to start implementing their programs in the current school year.

Coppersmith explained that the program areas of Jail Removal, Separation, and Deinstitutionalization of Status Offenders are associated with the County Reimbursement Program which assists counties with being in compliance with the Juvenile Justice and Delinquency Prevention Act (JJDPA) and state law when it comes to holding juveniles in appropriate facilities such as juvenile detention centers, shelter care, and holdover sites. Coppersmith stated that the program runs on a calendar year basis and that as of the meeting, 112 youth had been served across the categories of transportation, detention care, shelter care, holdover facilities, and electronic monitoring.

Heather Van Hunnik provided an overview of the current Disproportionate Minority Contact awards in Minnehaha and Pennington Counties which have an end date of September 30, 2017. Van Hunnik explained that both awards are implemented through Lutheran Social Services and are for Case Management Services which target pre-adjudicatory minority youth. Van Hunnik stated that through June 30, 2017, the Pennington County program served 299 youth and the Minnehaha County program had served 47 youth. Van Hunnik noted that the Minnehaha County program did not start their services at the same time as the Pennington County program which resulted in the lower number of youth served through the third quarter of their award.

5. COMPLIANCE UPDATE
Van Hunnik explained that at the June Council Meeting, staff discussed receiving formal notification from OJJDP that South Dakota was out of compliance with the core requirements of Jail Removal and Deinstitutionalization of Status Offenders. Van Hunnik added that the notification outlined the opportunity to appeal the findings and that a formal appeal was sent by DOC staff based on the ex post facto application of the partial final rule and the fact that states were not provided the opportunity to comment on the implementation timeframe of the new regulations. The appeal was found to have merit with the Office of General Counsel and at their request; the DOC withdrew their appeal with the agreement that South Dakota’s compliance submission would be analyzed with previous standards including the de minimis exceptions allowances. Van Hunnik added that DOC staff has received confirmation that based on the previous standards, South Dakota is in compliance with the core requirements of Jail Removal and Deinstitutionalization of Status Offenders and the FY2017 Formula Grants Award will not be impacted.

Van Hunnik provided an update of the status of analyzing compliance data through June 2017. Van Hunnik explained that through June, a total of 1,471 records were submitted from 12 facilities across the state. Van Hunnik noted that at the time of the meeting, 19 records were still under review with various facilities and there were 15
records that were identified as potentially impacting South Dakota’s violation rate within the annual Compliance Monitoring Report which will be finalized in February 2018.

6. ANNUAL REPORT INPUT
Coppersmith explained that per the JJDPA, the Council is responsible to make an annual report to the Governor and Legislature on the States’ progress in meeting the requirements of the JJDPA and pursuant to SDCL 1-15-30 (8), the Council is required to submit an annual report to the Governor, Chief Justice, and the Legislature on the status of children in need of supervision (CHINS) in South Dakota. Coppersmith stated that the Council’s Annual Report meets both of the reporting requirements. Coppersmith presented a mockup of a possible report for FY2017. Coppersmith explained that the sample contained content categories and initial formatting and that once the Council agreed on the desired format for the FY2017 report, all narratives and charts would be updated with a final draft ready for review at the December Council Meeting.

Discussion ensued regarding the benefits of having a smaller, easy to read publication, the desire to continue with the format of the FY2016 report, and a recommendation to include content from the 2015 Easy Access to the Census of Juveniles in Residential Placement Report. Sara McGregor-Okroi, Kim Cournoyer, and Beth O’Toole volunteered to assist Coppersmith with the review of the report prior to the December Meeting.

7. OVERVIEW OF THE SOUTH DAKOTA STATE BOARD OF INTERNAL CONTROLS (SBIC)
Coppersmith stated that the South Dakota SBIC was created by Senate Bill 162 during the 2016 Legislative Session with the objectives of establishing and maintain guidelines for an effective system of internal control to be implemented by state agencies that is in accordance with internal control standards, a code of conduct for use by state agencies, and a conflict of interest policy for use by state agencies. Coppersmith discussed that the Uniform Grant Guidance (UGG) Workgroup under the SBIC was established to improve state agency compliance with the Uniform Grant Guidance/Super Circular that was released in December 2014. Coppersmith explained that the UGG Workgroup has since been renamed the Federal Grant Compliance Workgroup to allow for flexibility in discussing and providing recommendations on more than the Uniform Grant Guidance/Super Circular. Coppersmith added that to date, the Federal Grant Compliance Workgroup has produced a uniform subrecipient agreement template, a subrecipient monitoring guide, a contractor/subrecipient determination checklist, and a pre-award risk assessment which have all been approved by the SBIC.

8. OVERVIEW OF DISPROPORTIONATE MINORITY CONTACT (DMC) IN SOUTH DAKOTA
Coppersmith and Van Hunnik provided an overview of DMC in South Dakota based on the three-year plan submitted in the spring of 2017 and current local and statewide activities. Van Hunnik explained that the purpose of the DMC core requirement is to ensure equal and fair treatment for every youth in the juvenile justice system, regardless of race and ethnicity. Coppersmith and Van Hunnik noted that youth are tracked at various points throughout the juvenile justice system and then compared to the volume the contact point has of majority and minority youth. In South Dakota, minority youth are most disproportionately represented at the points of arrest and detention when compared with white youth at the same contact points. Van Hunnik explained that on a state level, South Dakota has a part-time DMC Coordinator with the DOC who, along with other Formula Grants Staff, collects data for all nine contact points in the juvenile justice system, updates data annually in the three-year plan, monitors trends over time, and monitors DMC subrecipient performance measures on a quarterly basis. Van Hunnik also noted that the Council has also shown a commitment to DMC through investing in initiatives in Minnehaha and Pennington Counties, providing opportunities for trainings, and funding formal assessments through the Burns Institute in 2013 for each site.
Discussion ensued how to best address disproportionality at the stage of arrest, the difficulty of addressing DMC nation-wide, and the new DMC evaluation tool from OJJDP.

9. DMC FUNDING PRESENTATIONS
Amy Witt presented an overview of the DMC application from Lutheran Social Services for implementation in Minnehaha County. Witt discussed successes experienced with the DMC Case Manager in the current year of funding and the benefit of continuing the program with the next round of funding. Witt explained that the purpose of the project is to continue to devote a case manager to work with individual minority families who are at risk of sliding further into the juvenile justice system through assisting the youth and their families in navigating the court system and knowing what is expected of them. The case manager also reviews community options with the families, helps determine eligibility for various programs, assists with contacts and signing up for services and supports, helps set up appointments and develop transportation plans, and assists in troubleshooting barriers to participating in programs and being successful in the court process.

Mark Kiepke presented an overview of the DMC application from Lutheran Social Services for implementation in Pennington County. Kiepke discussed stories of successful youth and families that were served by the DMC Case Manager in the current year, accomplishments that the program was experiencing in the current year of funding, and barriers that came up and how the case manager is working to overcome them. Kiepke explained that the purpose of the Pennington County proposal was the same as Minnehaha County’s purpose with a focus on minority youth who are at risk of noncompliance and escalation within the juvenile justice system.

Discussion ensued concerning serving different minority groups and the need for translator services, the slow start in Minnehaha County in the first year of implementing the program, partnerships with the court system, failure to appear rates, and if the services are also available in the post-dispositional phase.

10. DOC RECOMMENDATIONS AND FUNDING ACTIONS ON DMC APPLICATIONS
Van Hunnik explained that based on current and previous performance from the applicant, the low risk score on the pre-award risk assessment, and the findings that Lutheran Social Services is not on the state or federal debarment lists, is up to date on the Single Audit requirements, has an established accounting system, and documented prior grant experience, the DOC was comfortable recommending that the Council award the requested amount of $35,000 to both Minnehaha and Pennington Counties.

Sheriff Mike Leidholt moved to approve the DMC applications from Minnehaha and Pennington Counties, Miskoo Petite seconded. Motion carried unanimously with Carol Twedt abstaining. NOTE: Betty Oldenkamp was not in attendance for this portion of the meeting and therefore was not present to abstain.

11. CLOSING REMARKS
Acting Administrator Garry expressed that she was thrilled to be in South Dakota and was very impressed with the work South Dakota has accomplished and is continuing to accomplish and that the Council should be proud of the work they have done. Acting Administrator Garry stated that it amazes her how a relatively small state that is receiving less than half a million dollars in Formula Grants funding is able to do the amount of work and accomplish a high level of achievements like South Dakota has been able to do. Acting Administrator Garry stated that she was impressed with composition of Council, especially the different constituents, representation of races, and an active youth member and that in her opinion; South Dakota is one of the best kept secrets of Title II Formula Grants Program. Acting Administrator Garry explained that she is really encouraged by what she
experienced while in South Dakota and will have nothing but good things to say when she returns to Washington, DC and meets with the Attorney General and Assistant Attorney General after a terrific visit.

Discussion ensued concerning appreciation for Acting Administrator Garry’s visit, reaching out to representatives in Washington, DC, and ways of sharing the Council’s success and stories with others in South Dakota.

12. NEXT MEETING LOCATION AND DATES
Coppersmith explained that the next meeting is scheduled for December 14th in Pierre or Chamberlain. Coppersmith also reminded the Council of the Juvenile Justice Summit in Sioux Falls on September 26th and 27th and encouraged all members to attend. NOTE: Since the adjournment of the meeting, Pierre was finalized as the location for the December 14th meeting.

13. WRAP-UP AND ADJOURN
At 11:14 PM, Vanessa Merhib moved to adjourn, Kim Cournoyer seconded. Motion carried unanimously.

Recorded by Bridget Coppersmith, Juvenile Justice Specialist
## December 2017 Budget Status Report

### FFY 2013 ($403,949) and FFY 2014 ($393,667) Formula Grant Awards (Approved End Date: 9/30/2018)

<table>
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<th>State Program Title</th>
<th>Federal Budget</th>
<th>Exp to Date (12/06/2017)</th>
<th>Current Balance (12/06/17)</th>
<th>Projected Expenses through 6/30/2018</th>
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| Delinquency Prevention                     | $290,000.00    | $200,963.27               | $89,036.73                  | $50,000.00                          | $39,036.73                  | - Close out Andes Central and Dell Rapids School Systems Year 1 Awards  
                                                                          - Evaluation Services                                                                                                                                 |
| Planning/Admin                             | $50,000.00     | $40,130.74                | $9,869.26                   | $9,869.26                           | $0.00                       | - Costs associated with Formula Grant Program implementation by DOC administration staff  
                                                                          - Cannot go negative in P&A Program Area                                                                                                                                 |
| Council of Juvenile Services               | $28,667.00     | $15,401.61                | $13,265.39                  | $5,500.00                           | $7,765.39                   | - December, March, and June Meetings  
                                                                          - Annual Report                                                                                                                                 |
| Deinstitutionalization of Status Offenders (DSO) | $42,000.00    | $24,517.59                | $17,482.41                  | $23,000.00                          | -$5,517.59                  | - County Reimbursement Program (close out 2017 program and start 2018 program)                                                                 |
| Separation                                 | $21,000.00     | $12,258.86                | $8,741.14                   | $11,500.00                          | -$2,758.86                  |                                                                                                                                                  |
| Jail Removal                               | $42,000.00     | $24,517.59                | $17,482.41                  | $23,000.00                          | -$5,517.59                  | - Costs associated with compliance monitoring by DOC administration staff - based on 2017 amounts                                                                                           |
| Compliance                                 | $40,000.00     | $25,113.83                | $14,886.17                  | $17,000.00                          | -$2,113.83                  |                                                                                                                                                  |
| Disproportionate Minority Contact (DMC)    | $160,000.00    | $83,672.69                | $76,327.31                  | $74,500.00                          | $1,827.31                   | - Two current subgrants  
                                                                          - Costs associated with DMC by DOC administration staff  
                                                                          - Minnehaha County RED Program in DC                                                                                                                                 |
| Native American Programs                   | $123,949.00    | $44,500.79                | $79,448.21                  | $25,400.00                          | $54,048.21                  | Close out American Horse School Year 1 Award                                                                                                                                 |
| **Total**                                  | **$797,616.00** | **$471,076.97**          | **$326,539.03**             | **$239,769.26**                     | **$86,769.77**              |                                                                                                                                                  |

### Supplemental Funding Strategies:

- Compliance
- Disproportionate Minority Contact
- Deinstitutionalization of Status Offenders
- Jail Removal
- Separation
### Juvenile Services Reimbursement Program 2016 and 2017 to Date Utilization

#### Claims Received for Calendar Year 2017 Services to Date (11/30/2017)

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#### Claims Received for Calendar Year 2016 Services

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*Pennington County claims reimbursement on behalf of Butte, Custer, Fall River, and Lawrence Counties*
The Three Year Plan

JJDP Act

42 U.S.C. 5633 [Sec. 223.] State plans
3-year plan: 2018 - 2020

FY18 Award
Project / budget period*: 10/1/18 – 9/30/21

FY19 Award
Project / budget period*: 10/1/19 – 9/30/22

FY20 Award
Project / budget period*: 10/1/20 – 9/30/23

* Exploring longer project/ budget periods
Requirements of the Three-Year Plan

• Statement of the problem:
  – Description of the structure & function of the JJ System
  – Youth crime analysis
  – State priority JJ needs / problem statements

• Coordination of state efforts

• Goals & objectives

• Implementation

• Program areas
Requirements of the Three-Year Plan

• Plan for compliance with the 4 Core Requirements
• SAG membership
• Program staff
• Partnering with non-justice system agencies
• Challenges
• Plans to improve coordination
• 28 statutory requirements of the JJDPA
Ongoing

• Evaluation of the plan and current progress
• The plan as a “living document”
  – Change of GAN scope if needed
• Continued engagement of the SAG
• Years 2 and 3 as update years
Where Do We Begin?

- Review the last 3 year plan and the last two updates.
  - What did they purport to achieve?
  - Review goals, objectives, activities, outputs, and outcomes

- Are the goals still a priority?
  - Were any not accomplished?
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 shall receive developmentally and culturally appropriate services.
- All children shall have the same access to needed services regardless of family income, geography, gender, race, disability, 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.
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.

- 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.
Georgetown RED Certificate Program

JUDGE CUTLER, CAROLE JAMES, JASON LEACH, ANDREW ROBERTSON, AND ANNIE BROKENLEG
A Judge, a Prosecutor, a Police Officer, a Public Defender, and a Social Worker travel to D.C.....

And develop a plan to reduce racial and ethnic disparities in their community.
It was not all fun and cupcakes....

- Not the only community that struggles with disparities – however, our population is unique with Native American youth being overrepresented

- Developing Capstone- start small with plans to go bigger

- Lots of focus on diversion/school based arrests
Implicit bias thrives in JJ system
- Complex decision making under pressure
- Imperfect information
- Cognitively taxing environments

Implicit bias - key driver of disparities
- Essence of Innocence (2014) - impact of dehumanizing black children
- Adultification of black children

“Blind Spot” believing others have bias but we do not.. Leaves us more susceptible
Capstone Project

“Low-hanging fruit”- *start small*
- Runaway to “Pre-Arrest” Diversion
- Charges comprised high amount of juvenile arrests
- Runaway/ Disorderly Conduct charges have high disparities for YOC
- Implement culturally responsive alternative programming as diversion option for disorderly conduct youth

**Diversion Coordinator**
- Assessment with youth/family to determine what, if any, services needed
- Track outcomes/data
- Work closely with SAO and SFPD
- Central contact for families as they navigate the JJ system
- Goal- Youth/Families will have more access to services and more options for Diversion
  - Benefit ALL youth
Capstone Project cont.

- Build upon School-Justice Partnership MOU
  - Start with Runaway charges to “Pre-Arrest” diversion
  - If youth does not successfully complete or refuses programming, will not qualify for Pre-Arrest diversion again
  - Look at adding additional charges, disorderly conducts, to “Pre-Arrest” diversion
- Important to use existing services/programs in the community but also...
- Explore other alternatives (i.e. Talking Circles, Restorative Justice model- evidenced based)
Capstone Timeline

- Buy in from stakeholders (REF work group, SFPD, SFSD, County, local service providers)
  - Present Capstone idea- 02/01/2018
- Hire/Train Diversion Coordinator
  - Secure funding for position-03/01/2018
- Research and implement Diversion alternative programming for disorderly conduct/runaway youth
  - Talking Circle- restorative justice- 08/01/2018
    - Leverage funding
    - Identify service provider to implement program
- Track and Measure data/outcomes
  - Obtain MOU between SFPD, SFSD, Service Provider, and County to share necessary data relevant to tracking successful/unsuccessful outcomes of Pre- Arrest Diversion- 08/01/2018 (ongoing)
Change is not easy, but it is necessary
Questions?
State of South Dakota
Council of Juvenile Services
State Fiscal Year 2017
Annual Report
Message from the Chairperson:

The Council of Juvenile Services (Council) oversees the State’s participation in the Juvenile Justice and Delinquency Prevention Act (JJDPA) of 1974, as amended, Formula Grants Program. The Council is required to make an annual report to the Governor and Legislature on the State’s progress in meeting the requirements of the JJDPA and is also responsible, pursuant to SDCL 1-15-30(8), for making an annual report to the Governor, Chief Justice, and the Legislature on the status of Children in Need of Supervision (CHINS). This report serves to meet both of these reporting requirements.

The Council has worked diligently over the past fourteen years to enhance juvenile justice services in the state. The following pages of the Annual Report are a condensed summary of the accomplishments over the past year. I believe you will be proud of the critical and relevant work that has been done in our state since South Dakota came into compliance with the JJDPA in 2003. Furthermore, Federal Fiscal Year 2017 Formula Grant Application was submitted and approved by the Office of Juvenile Justice and Delinquency Prevention. This grant will provide $400,478 for juvenile justice planning and projects in South Dakota in the next few years. If you find you would like more information regarding the Council’s achievements over the past years or regarding the Formula Grants Program, please review the comprehensive Three-Year Plan located electronically on the Department of Corrections webpage: doc.sd.gov.

I thank you for your support and I look forward to working with you on behalf of South Dakota’s children.

Very Best Regards,

Betty Oldenkamp, Chairperson
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4 | Council Values
5 | JJDPA Core Requirements
6 | Formula Grant Expenditures
7 | Youth Served
8 | DSO, Jail Removal, and Separation
9 | Native American Programs
10 | Delinquency Prevention
11 | Disproportionate Minority Contact
12 | Compliance Monitoring
13 | 2015 Census of Juveniles in Placement
14 | Children in the Juvenile Justice System
15 | Children in Need of Supervision

Council Members at the Close of State Fiscal Year (SFY) 2017

• Betty Oldenkamp, Chair and CEO of Lutheran Social Services
• Beth O'Toole, Vice-Chair and Professor at the University of Sioux Falls
• Taniah Apple, Youth Member
• Dadra Avery, School Counselor at Sturgis Brown High School
• Austin Biers, Youth Member
• Keegan Binegar, Youth Member
• Keith Bonenberger, Community Member
• Kristi Bunkers, Director of Juvenile Services
• Kim Cournoyer, Service Provider
• Charles Frieberg, Director of Trial Court Services
• Renee Gallagher, Youth Member
• Judge Steven Jensen, First Judicial Circuit Presiding Judge
• Sheriff Mike Leidholt, Hughes County Sheriff
• Aaron McGowan, Minnehaha County States Attorney
• Sara McGregor-Okroli, Director of Alive-Roberts County
• Vanessa Merhib, Executive Director of Boys & Girls Club of Brookings, Moody, and Yankton Counties
• Lyndon Overweg, Mitchell Chief of Public Safety
• Miskoo Petite, Rosebud Sioux Tribe Juvenile Facility Administrator
• Carol Twedt, Former Minnehaha County Commissioner
• Virgina Wieseler, Director of Division of Child Protection Services
The Council was established to fulfill the responsibilities of a state advisory group as directed by Section 223(a)(3) of the Juvenile Justice and Delinquency Prevention Act (JJDPA) of 1974 and as outlined under SDCL 1-15-30.

The Council reviews juvenile justice policy, advises and advocates on juvenile justice issues, and strives to keep South Dakota in compliance with the requirements of the Formula Grant Program authorized by the JJDPA. State fiscal year (SFY) 2017 represents the fourteenth year of the State’s renewed participation in the Formula Grants Program.

In SFY 2017, the Council met four times and approved the Formula Grant State Three-Year Plan Application for federal fiscal year (FFY) 2017. South Dakota’s Three-Year Plan can be found on the DOC grant webpage at doc.sd.gov/about/council.

Meeting, Budget, and Annual Reports on SD Boards and Commissions Website: http://boardsandcommissions.sd.gov/Meetings.aspx?BoardID=59

Information on DOC Website: http://doc.sd.gov/about/council/
The Council of Juvenile Services values that all children shall:

- Receive developmentally and culturally appropriate services.
- Have the same access to needed services regardless of family income, geography, gender, race, disability, or jurisdiction.
- Have the right to be safe in the community in which they live.
- Receive evidence-based services consistent with the needs of the child in the least restrictive community-based environment available.
- Demonstrate accountability in the development and provision of services for the youth along with parents, communities, and the juvenile justice system.
- Receive early intervention services that are evidence-based.
- Receive services that are family-based and family-centered.
- Receive culturally appropriate justice which is essential to effectively address Disproportionate Minority Contact.
- Have access to early and effective legal representation, including an assessment of competence and a timely and just legal process.
The JJDPA, as amended, establishes four core requirements with which participating states and territories must comply in order to receive juvenile justice funding under the JJDPA.

- **Deinstitutionalization of Status Offenders (DSO)**
  The removal of status offenders and non-offenders from secure juvenile detention and correctional facilities, jails, and lockups for adult offenders.

- **Sight and Sound Separation**
  Providing separation between adults and juveniles in secure settings.

- **Jail Removal**
  The removal of juveniles from adult jails and lockups.

- **Disproportionate Minority Contact (DMC)**
  The reduction of minority over-representation where it exists within the juvenile justice system.
The table below outlines the amount of FFY2012 and FFY2013 Formula Grant Funds spent during SFY2017 and a description of how the funds were utilized.

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<th>Program Area</th>
<th>SFY2017</th>
<th>Description</th>
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<td>Council of Juvenile Services</td>
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<td>Deinstitutionalization of Status Offenders (DSO)/Sight and Sound Separation/Jail Removal</td>
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<td>Native American Programs</td>
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<td>Delinquency Prevention</td>
<td>$189,762.10</td>
<td>2 Local Subgrants, Evaluation Services, and Positive Action Training</td>
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<td>Disproportionate Minority Contact (DMC)</td>
<td>$57,245.58</td>
<td>2 Local Subgrants and Formula Grant Staff at the DOC</td>
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<tr>
<td><strong>Total:</strong></td>
<td><strong>$374,457.50</strong></td>
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Youth Served During SFY2017

983 Total Youth Served
Since 2005, a reimbursement system has been in place to provide financial support to counties and arresting entities that lack appropriate temporary custody options for youth. It has been the goal of the Council to work to eventually decrease dependence on the reimbursement programs and to help counties and arresting entities develop alternatives to detention and alternative funding sources.

The chart to the left shows how the 248 youth served during SFY2017 were reimbursed by program category.

- 66% of the youth claimed by counties and arresting entities for reimbursement were from transporting the youth to and from approved juvenile facilities outside of their jurisdiction.
- Shelter care reimbursement was used slightly more than detention with 14% of the reimbursements being for shelter care youth.

More information regarding the program can be located at: [http://doc.sd.gov/about/grants/compliance.aspx](http://doc.sd.gov/about/grants/compliance.aspx)
The Formula Grants Program requires participating states to pass through a specified portion of their funds to Native American Tribes. The amount South Dakota was required to pass with their FFY2012 Formula Grant award was $32,184 and $32,954 under their FFY2013 Formula Grant award.

Under the FFY2012 award, $38,377.67 was passed through to Native American Tribes through local projects. Through SFY 2017, $20,000 had been passed through of the required $32,945 for the FFY2013 award. The reminder of the requirement will be passed through in SFY 2018 as the federal award does not end until September 30, 2018.

During SFY2017, a total of $46,992.48 was reimbursed to fifteen counties and arresting entities for services rendered to a total of 248 youth.

### Arresting Entity

<table>
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<tr>
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<th>Youth Served</th>
<th>Total Reimbursed</th>
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<td>Yankton</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>248</strong></td>
<td><strong>$46,992.48</strong></td>
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</table>

*Pennington County claims reimbursement on behalf of Butte, Custer, Fall River, and Lawrence Counties

In SFY2017, the Council approved one award to the Cheyenne River Sioux Tribe for a Juvenile Probation Officer who supervised 72 youth.
Delinquency Prevention

Starting in SFY2014, the Council turned its focus to prevention and early intervention programs. Subgrants in the City of Watertown and Meade County were awarded for a third year of services during SFY2017 to implement the evidence based programs “Project SUCCESS” and “Positive Action” in their original sites and to expand to supplemental sites in their regions. $170,000 was awarded between the two subgrants and 147 new youth were served in SFY2017 in addition to 77 youth carried over from the previous year.

- Upon completion of the program, 60 new participants took the student satisfaction survey during SFY2017.
- Over 88% of program participants reported that the program was “Good” or Excellent”.
- Two questions from the pre and post tests are displayed to the left.
- There were substantial changes in reporting of the ability of youth to both make good decisions and make positive changes in their lives.
- Summary data provided by Mountain Plains Evaluation, LLC.
Disproportionate Minority Contact (DMC)

To comply with DMC requirements, states are responsible for ongoing monitoring of the juvenile justice system for overrepresentation of minority youths for any group that comprise at least 1% of the juvenile population.

In addition to monitoring for DMC, the Council supported two $35,000 projects. DMC efforts in Minnehaha and Pennington Counties focused on providing case management services for pre-adjudicatory youth under Lutheran Social Services of South Dakota in SFY2017. While the focus was on pre-adjudicatory youth, any minority youth needing the assistance of the case manager received services. The case manager assisted youth and their families in understanding the importance of attending hearings, complying with diversion recommendations, overcoming barriers, and connecting them with community supports and services.

South Dakota DMC Reduction Activities
- DOC employs a state-level staff designated as a part-time DMC Coordinator.
- DMC Coordinator and Formula Grant Staff:
  - Collect race data for all nine contact points in the juvenile justice system;
  - Update data annually in South Dakota’s Formula Grant Application;
  - Monitor relative rate index trends over time; and
  - Monitor DMC subrecipient performance measures on a quarterly basis
- The Council has invested in two targeted local DMC reduction sites.

Ongoing DMC Reduction Site Activities
- DMC Case Manager in Pennington and Minnehaha Counties
- Juvenile Detention Alternatives Initiative (JDAI) implementation in Minnehaha and Pennington Counties with local JDAI DMC Workgroups
- County-level DMC Coordinator in Minnehaha County
- Minnehaha County was selected to participate in the Reducing Racial and Ethnic Disparities Certificate Program through the Center for Justice Reform and Georgetown University in November 2017 at Georgetown University in Washington, DC.
States participating in the JJDPA Formula Grants Program must provide for an adequate system of monitoring jails, detention facilities, correctional facilities, and non-secure facilities to ensure that the core requirements are met at each step within the juvenile justice system.

The South Dakota Compliance Monitoring System is set up in order to ensure that the juveniles of the state are being held in appropriate placement according to state and federal law and can be found in South Dakota’s Compliance Manual at: http://doc.sd.gov/documents/about/grants/ComplianceMonitoringManualMarch2009.pdf

- 1,635 juveniles were admitted to juvenile detention facilities in SFY 2017.
- 64% of admissions were reported from the regional detention centers in Minnehaha and Pennington Counties.
- 36% of admissions were from the collocated facilities (a juvenile facility that is in the same building or on the same grounds as an adult jail or lockup) in Beadle, Brown, Codington, Day, Hughes, Roberts, and Walworth Counties.

Compliance Violations: For the FFY2016 reporting period, South Dakota was found in full compliance with the Separation requirement and in de minimis compliance with the Deinstitutionalization of Status Offenders (rate of 15.14 violations per 100,000 population under 18) and Jail Removal (rate of 14.20 violations per 100,000 population under 18) requirements. While the rates of violations for the FFY2016 reporting period exceeded prior years, the rates did not place South Dakota in a state of non-compliance and the facility responsible for the bulk of the violations implemented policy change to prevent future violations.
The Census of Juveniles in Residential Placement was first administered by the Bureau of the Census for the Office of Juvenile Justice and Delinquency Prevention in 1997 to facilitate independent analysis of national data on the characteristics of youth held in residential placement facilities.

The chart to the right shows that historically, South Dakota’s rate has been as high as 660 and at times double the national average.

In 2015, South Dakota’s rate decreased to 254 and placed South Dakota at the 5th highest rate in the country which is an improvement from being in the top three since 1997.

Information regarding juvenile justice initiatives impacting the decreasing rate for South Dakota can be found at the following sites:


https://www.ojjdp.gov/ojstatbb/ezacjrp/
Children in the Juvenile Justice System

South Dakota’s juvenile justice system impacts thousands of youths and their families annually. The table below provides a summary of juvenile justice, child protection activities, and alcohol and drug services as referenced in the 2013-2017 South Dakota Kids Count Factbook Publications and provided by the DOC.

<table>
<thead>
<tr>
<th></th>
<th>SFY 2013</th>
<th>SFY 2014</th>
<th>SFY 2015</th>
<th>SFY 2016</th>
<th>SFY 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjudicated Action</td>
<td>4,533</td>
<td>4,311</td>
<td>4,050</td>
<td>4,220</td>
<td>5,475</td>
</tr>
<tr>
<td>Non-Adjudicated Action</td>
<td>828</td>
<td>1,013</td>
<td>705</td>
<td>727</td>
<td>602</td>
</tr>
<tr>
<td>New DOC Commitments*</td>
<td>276</td>
<td>240</td>
<td>205</td>
<td>118</td>
<td>103</td>
</tr>
<tr>
<td>Child Abuse &amp; Neglect Initial Assessments (Children)</td>
<td>4,499</td>
<td>4,736</td>
<td>4,764</td>
<td>4,394</td>
<td>4,631</td>
</tr>
<tr>
<td>Children Requiring a Safety Response</td>
<td>1,541</td>
<td>1,458</td>
<td>1,362</td>
<td>1,210</td>
<td>1,726</td>
</tr>
<tr>
<td>Alcohol and Drug (juvenile admission to treatment)</td>
<td>1,083</td>
<td>1,069</td>
<td>924</td>
<td>862</td>
<td>864</td>
</tr>
</tbody>
</table>

* DOC commitment data is provided by the DOC. Data only accounts for the number of new juveniles who receive a disposition of commitment to DOC. These numbers do not include youths already under the jurisdiction of the DOC who are remanded following a new adjudication.

Adjudicated Action—Action that occurs as the result of the filing of a CHINS or delinquent petition in formal court. These actions include petition sustained, petition not sustained, petition dismissed, suspended imposition of adjudication, transfer to adult court, and interstate compact to South Dakota.

Non-Adjudicated Action—Action that is referred to another agency or handled by court services as an informal diversion as an alternative to adjudication. The non-adjudicatory actions do not include those diversions initiated by State’s Attorneys.
Children In Need of Supervision (CHINS)

Children in Need of Supervision (CHINS) are low risk and high needs youth who historically were often placed in secure detention or committed to the DOC due to lack of appropriate alternatives. There is a concern whether commitment to the DOC is the appropriate manner in which to provide residential services to CHINS.

The chart above page was obtained from DOC and identifies CHINS commitments to the DOC during SFY2011 through SFY2017. The chart shows that there has been a significant decrease in the commitment of CHINS following efforts to bring the state into compliance with the JJDPA and through the implementation of statewide juvenile justice reform.
South Dakota
Council of Juvenile Services
State Fiscal Year 2017 Annual Report

Printed by Pheasantland Industries at the South Dakota State Penitentiary
250 copies of this report were published at a cost of $3.17 per copy.

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OJJDP Vision & Mission

Vision

• Our children, youth are healthy, educated, and free from crime & violence
• Contact with JJ system should be just & beneficial

Mission

• National leadership, coordination, resources to prevent, respond to delinquency & victimization
• Supports effective, coordinated prevention and intervention programs
• Help improve JJ system & thereby protect public safety, ensure accountability & provide tailored treatment & rehabilitative services
Office of Juvenile Justice and Delinquency Prevention

Administrator

Senior Policy Advisor

Senior Advisors to the Administrator

Deputy Administrator

Budget and Administration Division

Innovation and Research Division

Core Protections Division

Policy Advisor Team

Grants Management Team

Deputy Administrator

State and Community Development Division

Juvenile Justice System Improvement Division

Youth Development, Prevention, and Safety Division
State and Community Development

• Administers Title II Formula Grant Program

• Coordinates internally to support field

• Helps Tribes, States* (including SAGs), local grantees & jurisdictions prevent delinquency, reduce violence, build capacity to ensure safety & developmental needs of youth are met, particularly those in/at risk of system involvement

* State encompasses commonwealths, territories and DC
Core Protections Division

- Makes determinations of State, territory compliance with JJDPA
- Conducts audits to assess compliance monitoring system adequacy
- Provides guidance, specialized assistance on compliance-related issues
- Coordinates with OJJDP staff and TTA providers on assistance
- Manages PREA grant program
SAG Roles and Responsibilities – JJDP Act

• SHALL participate in development of 3 year/annual plan updates

• SHALL be given opportunity to review/comment on sub grant applications

• SHALL advise designated state agency on compliance with core requirements
SAG Roles and Responsibilities – JJDP Act

• SHALL submit annual report to governor and state legislature re: compliance with core requirements

• SHALL contact and seek regular input for youth under JJ system jurisdiction

• MAY review progress/accomplishments of subgrantees
Roles and Responsibilities—SAG & JJ Specialists

Importance of strong working relationship between SAG Chair and JJ Specialist

• Identify and recommend SAG members for appointment

• Staff and organize SAG meetings
  • Prepare agenda and minutes

• Educate SAG members

• Work with SAG to assure State compliance with core requirements

• Work with SAG to collaborate with the planning process for 3-year plans

• Coordinate subcommittee development
A Word About SAG Membership Requirements

- Tightened enforcement of 28 JJDPA Title II fund eligibility requirements
- Must all be met at application, including SAG membership conditions
- States that did not meet SAG conditions in FY17 application, must submit by 12/31/17 either:
  - (1) Documentation of SAG membership compliance
  - (2) Plan to meet SAG membership conditions by August 1, 2018
- Failure to do so will make the State ineligible for an FY 2017 formula grant award, and the award may be terminated
- Anticipate in FY 18, requirements must be met prior to acceptance of award (by 45 days after award is made)
## Compliance Report

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Beadle County JDC</td>
<td>22</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Brookings County Jail</td>
<td>66</td>
<td>0</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Brown County JDC</td>
<td>235</td>
<td>43</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Codington County JDC</td>
<td>56</td>
<td>9</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Day County JDC</td>
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<td>0</td>
<td>4</td>
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<tr>
<td>Hughes County JDC</td>
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<td>53</td>
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<tr>
<td>Minnehaha County JDC</td>
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<td>116</td>
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<tr>
<td>Pennington County JDC</td>
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<td>123</td>
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<td>Roberts County JDC</td>
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<tr>
<td>Spearfish Police Department</td>
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<tr>
<td>Walworth County JDC</td>
<td>9</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Yankton County Jail</td>
<td>146</td>
<td>28</td>
<td>14</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1381</strong></td>
<td><strong>408</strong></td>
<td><strong>19</strong></td>
<td><strong>6</strong></td>
</tr>
</tbody>
</table>
JJRI FISCAL INCENTIVE DIVERSION PROGRAM

FY2017 SUMMARY
PROGRAM OVERVIEW

Section 5 of Senate Bill 73 from the 2015 Legislature requires the Department of Corrections to develop and administer a program to incentivize and support county use of court-approved diversion programs.

The DOC will pay a county up to $250 for every juvenile referred to and completing a court approved diversion program beginning in fiscal year 2016.

Applications for reimbursement for the second year of funding were received in September and payment has been processed.
## FY 2017 JJRI Fiscal Incentive Diversion Program Submission Summary

<table>
<thead>
<tr>
<th>County</th>
<th>Total Completers*</th>
<th># Successful</th>
<th># Unsuccessful</th>
<th>Payment Amount (Prorated amount of $227.07 per successful completer)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beadle</td>
<td>3</td>
<td>3</td>
<td>0</td>
<td>$681.21</td>
</tr>
<tr>
<td>Bennett</td>
<td>7</td>
<td>6</td>
<td>1</td>
<td>$1,362.42</td>
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<tr>
<td>Brookings</td>
<td>54</td>
<td>39</td>
<td>15</td>
<td>$8,855.73</td>
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<tr>
<td>Brown</td>
<td>65</td>
<td>42</td>
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<td>$9,536.94</td>
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<tr>
<td>Brule</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>$227.07</td>
</tr>
<tr>
<td>Butte</td>
<td>37</td>
<td>29</td>
<td>8</td>
<td>$6,585.03</td>
</tr>
<tr>
<td>Codington</td>
<td>27</td>
<td>22</td>
<td>5</td>
<td>$4,995.54</td>
</tr>
<tr>
<td>Fall River</td>
<td>4</td>
<td>4</td>
<td>0</td>
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</tr>
<tr>
<td>Gregory</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>$227.07</td>
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<tr>
<td>Hughes</td>
<td>62</td>
<td>26</td>
<td>36</td>
<td>$5,903.82</td>
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<tr>
<td>Jackson</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>$227.07</td>
</tr>
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<td>Lake</td>
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<td>5</td>
<td>1</td>
<td>$1,135.35</td>
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<tr>
<td>Lawrence</td>
<td>81</td>
<td>77</td>
<td>4</td>
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<td>Lincoln</td>
<td>67</td>
<td>44</td>
<td>23</td>
<td>$9,991.08</td>
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<tr>
<td>McCook</td>
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<td>4</td>
<td>0</td>
<td>$908.28</td>
</tr>
<tr>
<td>Meade</td>
<td>12</td>
<td>11</td>
<td>1</td>
<td>$2,497.77</td>
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<tr>
<td>Mellette</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>$0.00</td>
</tr>
<tr>
<td>Minnehaha</td>
<td>347</td>
<td>169</td>
<td>178</td>
<td>$38,374.83</td>
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<tr>
<td>Moody</td>
<td>6</td>
<td>4</td>
<td>2</td>
<td>$908.28</td>
</tr>
<tr>
<td>Pennington</td>
<td>600</td>
<td>539</td>
<td>61</td>
<td>$122,390.73</td>
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<tr>
<td>Roberts</td>
<td>19</td>
<td>19</td>
<td>0</td>
<td>$4,314.33</td>
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<td>Stanley</td>
<td>10</td>
<td>7</td>
<td>3</td>
<td>$1,589.49</td>
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<tr>
<td>Tripp</td>
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<tr>
<td>Union</td>
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<td>21</td>
<td>3</td>
<td>$4,768.47</td>
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<td>$2,270.70</td>
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<td>Yankton</td>
<td>22</td>
<td>14</td>
<td>8</td>
<td>$3,178.98</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>1475</strong></td>
<td><strong>1101</strong></td>
<td><strong>374</strong></td>
<td><strong>$250,004.07</strong></td>
</tr>
</tbody>
</table>

* Completers only includes those youth who were referred and completed (either successfully or unsuccessfully) a court approved diversion program in FY 2017.
## COMPLETIONS BY SEX AND YEAR

<table>
<thead>
<tr>
<th></th>
<th>Male</th>
<th>Female</th>
<th>Total Completers</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FY16 Successful</strong></td>
<td>802 (68%)</td>
<td>613 (31%)</td>
<td>1,415 (69%)</td>
</tr>
<tr>
<td><strong>FY16 Unsuccessful</strong></td>
<td>256 (26%)</td>
<td>581 (24%)</td>
<td>1,475 (31%)</td>
</tr>
<tr>
<td><strong>FY17 Successful</strong></td>
<td>661 (74%)</td>
<td>894 (76%)</td>
<td></td>
</tr>
<tr>
<td><strong>FY17 Unsuccessful</strong></td>
<td>233 (32%)</td>
<td>75%</td>
<td></td>
</tr>
</tbody>
</table>

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FY16 Successful</strong></td>
<td>546</td>
<td>424</td>
<td>970</td>
</tr>
<tr>
<td><strong>FY16 Unsuccessful</strong></td>
<td>256</td>
<td>189</td>
<td>445</td>
</tr>
<tr>
<td><strong>FY17 Successful</strong></td>
<td>661</td>
<td>440</td>
<td>1101</td>
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<tr>
<td><strong>FY17 Unsuccessful</strong></td>
<td>233</td>
<td>141</td>
<td>374</td>
</tr>
</tbody>
</table>
COMPLETIONS BY RACE AND YEAR

<table>
<thead>
<tr>
<th>Race</th>
<th>FY16 Successful</th>
<th>FY16 Unsuccessful</th>
<th>FY17 Successful</th>
<th>FY17 Unsuccessful</th>
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</thead>
<tbody>
<tr>
<td>Asian*</td>
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<td>5</td>
<td>4</td>
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<tr>
<td>Black*</td>
<td>55</td>
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<td>14</td>
<td>3</td>
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<tr>
<td>Native American*</td>
<td>278</td>
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<tr>
<td>Other*</td>
<td>7</td>
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<td>16</td>
<td>3</td>
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<td>Unknown</td>
<td>3</td>
<td>172</td>
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<td>3</td>
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<tr>
<td>White*</td>
<td>542</td>
<td>211</td>
<td>663</td>
<td>172</td>
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<tr>
<td>Hispanic</td>
<td>72</td>
<td>23</td>
<td>69</td>
<td>29</td>
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</tbody>
</table>

* Non-Hispanic
COMPLETIONS BY AGE

% of Total Referrals by Age Groups
- 12 & Under
- 13-15
- 16 & 17

FY2017 Completers by Age

<table>
<thead>
<tr>
<th>Age</th>
<th>Unsuccessful</th>
<th>Successful</th>
<th>% Successful</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
<td>9</td>
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<tr>
<td>10</td>
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<tr>
<td>11</td>
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<tr>
<td>12</td>
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<td>13</td>
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<td>14</td>
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<td>15</td>
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<td>94</td>
<td>76.0%</td>
</tr>
<tr>
<td>16</td>
<td>0</td>
<td>94</td>
<td>76.1%</td>
</tr>
<tr>
<td>17</td>
<td>0</td>
<td>82</td>
<td>65.9%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Age</th>
<th>Unsuccessful</th>
<th>Successful</th>
<th>% Successful</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
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<td>6</td>
<td>100.0%</td>
</tr>
<tr>
<td>7</td>
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</tr>
<tr>
<td>16</td>
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<td>94</td>
<td>76.1%</td>
</tr>
<tr>
<td>17</td>
<td>0</td>
<td>82</td>
<td>65.9%</td>
</tr>
</tbody>
</table>

% Unsuccessful
- 0.0% for all ages