

Juvenile Justice Oversight Council

Meeting

January 5, 2018
4pm Central
Via Conference Call

Call to Order

At 4pm on January 5, 2018, Chairman Greg Sattizahn called the Juvenile Justice Public Safety Improvement Act (JJPSIA) Oversight Council to order.

Members Present

- Greg Sattizahn
- Justice Janine Kern
- AJ Franken
- Patrick Weber
- Sheila Weber
- Kelly Marnette
- Kristi Bunkers
- Judge Scott Myren
- Senator Alan Solano
- Senator Billie Sutton
- Rep. Kevin Jensen

Members Excused

- Justice Steven Jensen
- Tiffany Wolfgang
- Sarah Morrison
- Dr. Kelly Glodt
- Thomas Sannes
- Matt Kinney
- Commissioner Neil Von Eschen
- Rep. Julie Bartling
- Secretary Steve Emery

Non-Voting Participants

- Tessa Upin, Crime and Justice Institute
- Nate Ellens, Department of Social Services
- Chuck Freiberg, Unified Judicial System
- Sadie Stevens, Unified Judicial System

After determining a quorum existed, Chairman Sattizahn moved into the main order of business.

Subgroup Report

The purpose of the meeting was to discuss the recommendations of the 2017 JJPSIA Subgroup. The subgroup was appointed at the November 2 Oversight Council meeting to look at county specific data for Charles Mix and determine if the Oversight Council should make recommendations that the legislature add 3rd degree burglaries to the list of committable offenses.

Members who participated in the subgroup include the following:

- Senator Alan Solano
- Sarah Morrison
- Kristi Bunkers
- AJ Franken
- Justice Steven Jensen
- Justice Janine Kern
- Judge Scott Myren
- Greg Sattizahn

The subgroup unanimously recommended no changes to the legislation. After reviewing the data, the subgroup determined that a path to the Department of Corrections already exists for juveniles committing 3rd degree felonies if the judge feels that the youth is a danger to the community. Specifically, Judges have statutory authority to enter findings demonstrating the “youth presents a significant risk of physical harm to another person” and the data show there are circumstances when judges enter these findings to support committing a youth to the Department of Corrections.

Recommendations

After highlighting the data presented to the subgroup, Chairman Sattizahn opened the floor for discussion. Justice Kern noted that the educational outcome data for Charles Mix was concerning and should be addressed, but not through changes to the commitment statute. Justice Kern agrees with the subgroup recommendation that the Oversight Council should recommend no changes to the legislation.

Hearing no additional discussion, Judge Myren made a motion that no changes be made in the legislation, and the motion was seconded by Patrick Weber. Chairman Sattizahn opened the floor for discussion on the vote. Hearing none, he called for a roll-call vote. The JJPSIA Oversight Council unanimously voted to recommend no legislative changes to the current law.

Discussion

Following the vote, Chairman Sattizahn opened the floor for additional comments. Senator Sutton expressed concern that not enough Department of Social Services resources existed for the youth in Charles Mix and asked about the Lewis and Clark programming. Chairman Sattizahn discussed how the small number of eligible juveniles in the community makes it difficult to sustain programming, but that there have been recent efforts to enhance programming in that area. Additionally, there are discussions about potentially utilizing existing tribal programming. Justice Kern noted that Charles Mix is a unique county, and how previous programs like Connecting Points could be a successful fit for that area of the state.

Representative Jensen expressed concerns that he has heard that not enough resources and program options were available to the schools. Patrick Weber and Nate Ellens described the available services in the area and the path a school takes to access the services. They also indicated that this is an area they will continue to monitor and the group should continue to engage the schools on these concerns.

With no additional comments, the meeting concluded shortly before 5pm.

The next Oversight Council meeting will be in Spring 2018.