

JUVENILE JUSTICE OVERSIGHT COUNCIL

SB 73

Tuesday, June 12, 2018

Room 412

State Capitol Building

Pierre, SD

ATTENDANCE: Chair Greg Sattizahn, Justice Steven Jensen, Kelly Marnette, Tiffany Wolfgang, Kristi Bunkers, Sarah Morrison, Dr. Kelly Glodt, Rep. Kevin Jensen, AJ Franken, Neil Von Eschen, Senator Alan Solano

On the Phone: Justice Janine Kern, Judge Scott Myren

Not Present: Representative Julie Bartling, Matt Kinney, Thomas Sannes, Senator Billie Sutton, Secretary Steve Emery

1. Call Meeting to Order:

Greg Sattizahn, Chair, called the meeting to order at 10:03 am. After roll call, a quorum was found to be present.

OLD BUSINESS:

2. Charles Mix County Deep Dive Update:

At a previous meeting, Charles Mix State's Attorney Steven Cotton reported there were some concerns about his county being disproportionate with the state performance numbers. A subgroup from the Council met with Charles Mix County officials and gathered information and researched the issue further. A "deep dive" for Charles Mix was conducted that mirrored the JJPSIA Annual Report. The analysis showed that there were some challenges present in Charles Mix that were not evident in the aggregate data, especially surrounding available resources.

The members of the subgroup created a plan that directed UJS and DOC to help connect the system to the services. Ron Freeman, Chief Court Service Officer from Charles Mix County, assisted by looking into additional possible resources for probation and diversion opportunities. Ron met with the Boys and Girls Club to discuss expanding their program to include more youth in their program. The County is eligible to receive \$250 per child for completing the diversion program. Mr. Freeman met with several other agencies in the area to find additional ways to connect kids with services earlier. They hope to see positive results in the near future. Kristi Bunkers from the Department of Corrections also toured Charles Mix County and is helping make the connection for the courts to approve the diversion programs being offered at the Boys and Girls Club.

Justice Jensen would like to see follow-up on progress in this county. Greg replied he would keep this item on the agenda as an outstanding item. The information gathered will also be shared around the state in counties that need additional help.

3. Behavioral Health Roadmap for Justice Professionals:

Tiffany Wolfgang, Department of Social Services, handed out a draft “Roadmap Quick Reference Guide” concerning behavioral health. This manual was created for use by new judges, court service officers and others for instruction on how behavioral health services and programs work in general. This manual includes funding possibilities, frequently asked questions and additional resources. Once the reference guide is completed, copies will be distributed and added to their website. Ms. Wolfgang requested all comments and suggestions for the reference guide be submitted within two weeks.

NEW BUSINESS:

4. Department of Education Update:

Donald Kirkegaard, Secretary of Education, along with Jacquie Larson, Director of Policy and Strategic Initiatives from the department, gave an update on a meeting held in March with school officials, DOC and DSS. They stated it was a productive meeting and several representatives of the JJPSI Council were there to participate and help answer to their school-related questions. The Secretary noted that school districts consider mental health issues as one of their biggest concerns.

One of the outcomes from the meeting was that Ms. Larson recently wrote a SAMHSA grant in partnership with DSS and submitted the grant request to the Federal Government which could award \$1.8 million per year for the next five years to help schools address mental health issues. This same group plans to meet again in the fall of 2018 for further discussions to include safety plans, more community-based programs for youth and more collaboration with mental health providers.

5. Agency Data Update:

Department of Corrections - Kristi Bunkers gave a presentation on juvenile commitment statistics through FY April 2018. First, she discussed some of the major data points. The total number of youth under the Department of Corrections has decreased from 520 to 246 youth, a 53 percent decrease. They expect a 60 percent reduction in the next fiscal year. Minnehaha County has the highest number of commitments, followed by Pennington. Second, she discussed the detention cost-sharing fund that was created by Senate Bill 73 to assist counties with detention costs. Counties are eligible for \$200 per day/per bed if their costs exceed their 3-year average. 15 counties received payments in 2017 compared to 12 in 2016.

Department of Social Services - Tiffany Wolfgang reported that telehealth services continue to expand, serving youth in rural areas and youth that have challenges accessing in-person groups. DSS continues to offer Moral Reconciliation Therapy (MRT) via telehealth, and Aggression Replacement Training, ART, will also be available via telehealth starting July 9. In 2018, total JJRI referrals increased by approximately 10%. Systems of Care was implemented in rural communities which offers additional resources. Ms. Wolfgang reported that data and outcomes for FY18 were being finalized.

Justice Jensen reiterated telehealth is significant with rural counties and asked if there has been a study done to show the success rates utilizing telehealth services. Ms. Wolfgang answered that national reports are showing positive results, but it's too early to compare South Dakota's data with national data. Greg reported that South Dakota and UJS is on the cutting edge of telehealth services and other states are looking to follow our lead.

Unified Judicial System - Greg Sattizahn started his presentation by reviewing the juvenile probation statistics. The number of juveniles on probation has decreased. In 2008 the number of juveniles on probation peaked at 3,119. The number is now 1,671, a dramatic decrease, which was one of the goals of SB 73. Another goal was to spend more time dealing with medium and high-risk level kids. Juveniles are given more sanctions and incentives. CHINS cases have increased by 33 percent so this will be continued to be monitored. Additionally, probation extension requests have decreased partly due to extending the 4-month probation period limit to 6 months.

6. Crisis Response Teams (CRT):

Ron Freeman, Chief Court Service Officer in the First Circuit, explained how the Crisis Response Team is working in their circuit. The intent and purpose of this team is for the community members on the team to provide input and helpful information to the Courts for disposition. Ron reported they have 5 CRT teams in the 1st Circuit in Charles Mix, Yankton, Clay, Turner and Union Counties. The CRT teams find community resources to help rehabilitation of children rather than placement with DOC. This saves residential facility resources for the more violent offenders. Members of the team consist of court service officers, law enforcement, social workers, DOC, school representatives, mental health agencies and sometimes tribal representatives. The team provides a formal report to the judge within seven days, in which the judge can accept or just take under advisement.

Judge Myren made a motion to expand the CRT teams into more circuits where they do not presently have a CRT. Following a brief discussion, the motion passed unanimously by roll-call vote.

7. School-Justice Partnership Updates:

Judge Joni Cutler described the School-Justice Partnership in Minnehaha County to address racial and ethnic disparity issues. Minnehaha County has 38 percent of the juvenile caseload in the state with increasing diversity. Judge Cutler and Erin Srstka, along with 3 others, formed a team to focus on the issue. They worked with Judge Teske, a juvenile justice expert from Georgia, to formulate a plan for the partnership. They are working with Minnehaha County and have sent out offers for membership in their ethnic disparity program. They have hired a diversion coordinator in Minnehaha County and will have meetings in July to develop the particulars. Judge Teske will be returning in August to work on a memorandum of understanding written for the next school year. The county has funding available to offer implicit bias training.

Sarah Morrison, Pennington County State's Attorney, described many of the programs that are occurring in Pennington county. The county is hopeful to work with the school district in two years when they revamp their discipline matrix.

They are working with court services and mental health service agencies to improve the truancy issue, as well as to revisit the school discipline matrix. To help combat the problem, the county invited Judge Teske to come speak. Pennington County also has a CRT-like group that meets monthly in Ms. Morrison's office consisting of representatives from several entities involved with juvenile justice. Additionally, the school district has started a victim offender conferencing program which will help a child before involving the judicial system. United Way is involved with the school district to help with services for juveniles. The Rapid City Police Department is utilizing positive measures with youth and have started an after-school program in a church in North Rapid. Officers volunteer their time by playing basketball with the youth and participating in other activities modeled around law enforcement training.

8. **Public Input:** No comments from the public.
9. **Next Meeting:** A scheduler will be sent out for a meeting in the fall where the annual report will be approved.
10. **Adjourned:** A motion to adjourn was made by Senator Solano and seconded by Neil Von Eschen. Motion passed by voice vote. Meeting concluded at 12:13 pm.