

# JJPSIA Oversight Council Meeting

October 6, 2020

ZOOM Meeting

## Present

- Greg Sattizahn
- Judge Scott Myren
- Judge Joni Clark
- Kelly Marnette
- Tiffany Wolfgang
- Kristi Bunkers
- Angela Shute
- Dr. Kelly Glodt
- Lindsey Riter-Rapp
- Senator Wayne Steinhauer
- Senator Craig Kennedy
- Rep. Kevin Jensen
- Rep. Kelly Sullivan
- Katie Hruska
- David Flute
- Chuck Frieburg
- Bryan Harberts

## Absent

- Justice Janine Kern
- Commissioner Neil Von Eschen

## Call to Order

Chairman Greg Sattizahn called the meeting to order at 11:15am He introduced the new members. Judge Joni Clark, who replaced Justice Steven Jensen, and Katie Hruska, who replaced Tom Hart.

## Annual Report

Before walking through each page of the annual report, Mr. Sattizahn noted that with a few exceptions, the COVID-19 pandemic had not greatly impacted the outcomes from FY 2020. The outcomes appeared to be relatively normal compared to previous years.

### *Petitions Filed by Type*

Mr. Sattizahn pointed out that while both the misdemeanor and CHINS petitions had decreased, the felony petitions were at the highest level since before FY 2014. Further analysis showed that the top drivers between the felony petitions data was due to controlled substances, burglary, and receiving a stolen vehicle. These three offenses are not a surprise, and had been the topic of discussion at previous meetings. Mr. Sattizahn added that he intended to have his staff add a small chart showing the highest offenses.

### *Youth Adjudicated while on Supervision and Recidivism (probation)*

The number of youth adjudicated while on probation was low in FY 20. Mr. Sattizahn identified this as one of the areas that may have been impacted by COVID-19. He also highlighted the recidivism numbers for the past year, and pointed out that the first year recidivism numbers were also lower than previous years. If a youth does recidivate, the first year is generally when it happens.

Representative Jensen asked Judge Clark if she had any insight as to why the numbers might be lower than previous years. Judge Clark responded that in April, out-of-custody cases were rescheduled; however, if there was contact with law enforcement then the case was expedited. Otherwise, the youth's case was set out a month to see if the youth was able to follow community supervision or release. If the youth was successful, then the state was generally dismissing the cases. She added that this process worked well, but was not sure if it impacted recidivism in March-June. It was treated as a pre-adjudication trial period.

Judge Myren added that it depended on the circuit. In the 5<sup>th</sup> circuit, there were not changes for how cases were handled, heard, or process for juveniles. The recidivism numbers originating from the 5<sup>th</sup> circuit will not be impacted by COVID.

Ms. Shute responded that there was a quiet period for her county. Many of the out-of-custody youth proceedings were pushed out, which led to many dismissals. For about 3 months, her county only dealt with in-custody children. Additionally, she dismissed a lot of truancy cases because the children were not in school anyways. This past month cases serious crimes have increased, but the lower level crimes usually coming from the schools have decreased.

#### *Department of Corrections Slides*

Before explaining the Department of Corrections slides, Ms. Bunkers shared that she would be presenting at a Georgetown University's juvenile justice initiative about South Dakota's length of stay to several entities across the country. She would be giving an overview of South Dakota's initiatives, as well as what the state has accomplished in this area.

There were no questions from the members about the DOC pages.

#### *Department of Social Services Slides*

Ms. Wolfgang reviewed the slides related to the Department of Corrections. Additionally, she provided the council with additional materials about service outcomes. She directed the members to the DSS webpage, where they could also review outcomes related to each service provider.

There were no questions from the members about the DSS pages.

#### **Dual Status Youth Initiative**

Over the past several months, UJS, DSS, and DOC had been discussing ways to address the youth who were present in both the criminal justice system, as well as the child welfare system because there is a pattern of youth being present in both system. The UJS applied to a grant through the State Justice Institute to procure a technical assistance provider to help analyze the current system and provide recommendations. A few weeks ago, the UJS was notified that the grant application was successful. Consultants from the Robert F. Kennedy National Resource Center for Juvenile Justice will be assisting in these efforts, which will begin taking place at the end of this year.

#### **Comments**

Representative Sullivan agreed that it would be important to add the top three offenses to the petitions page. She thought it was noteworthy that controlled substances was number one. She also asked if it would be possible to find out if youth were recidivating on the same type of offenses, or new offenses.

#### **Public Input**

No public input

#### **Next Steps**

The next meeting will occur in the spring of 2021, unless there is an earlier need.

#### **Adjourn**

Ended at 12:42pm