

# ***Council of Juvenile Services (CJS)***

## ***Proposed Meeting Agenda***

### **Rapid City Club for Boys**

320 North 4<sup>th</sup> Street  
Rapid City, SD 57701

**Call in #: 1-866-410-8397**

**Call in Passcode: 636 279 6441**

**Thursday, September 12, 2019:** Rapid City Club for Boys Meeting Room

**NOTE:** All times outlined below are approximate and may change during the course of the meeting.

- 11:30 AM MT Welcome, Introductions, and Review Agenda (Chair Beth O'Toole)
- 11:35 AM Conflict of Interest Discussion and Disclosures (Bridget Coppersmith)
- 11:40 AM Period for Public Comment (Chair O'Toole)
- 11:50 AM Approval of June 2019 Meeting Minutes (Chair O'Toole)
- 12:00 PM Budget Status Report and Subgrant Updates (Bridget Coppersmith & Heather Van Hunnik)
- 12:15 PM Compliance Update (Heather Van Hunnik)
- Data through June 2019
  - 2018 Audit Findings
- 12:30 PM Disproportionate Minority Contact (DMC) Funding Presentations (Heather Van Hunnik)
- Pennington County (Lutheran Social Services)
  - Minnehaha County (Lutheran Social Services)
  - Minnehaha County (Race and Ethnic Disparities)
  - Unconscious Bias One-Time Funding
- 1:00 PM Department of Corrections (DOC) Recommendations and Funding Actions on DMC Applications (Heather Van Hunnik)
- 1:15 PM Juvenile Justice Updates (Open to CJS Members)
- 1:20 PM Wrap-up and Adjourn (Chair O'Toole)  
Next Meeting: December 18<sup>th</sup> (Chamberlain or Pierre – weather permitting)

A tour of the Rapid City Club for Boys will be provided following the meeting for CJS Members and DOC Staff.

## **Commonly Used Acronyms at Council of Juvenile Services Meetings**

**CJS** - Council of Juvenile Services

**CY** - Calendar Year

**DMC** - Disproportionate Minority Contact

**DOC** - Department of Corrections

**DSO** - Deinstitutionalization of Status Offenders

**FFY** - Federal Fiscal Year

**GAN** - Grant Adjustment Notice

**JDAI** - Juvenile Detention Alternatives Initiative

**JJDPA** - Juvenile Justice Delinquency and Prevention Act

**JJRI** - Juvenile Justice Reinvestment Initiative

**NAP** - Native American Programs

**OJJDP** - Office of Juvenile Justice and Delinquency Prevention

**RED** - Racial and Ethnic Disparities

**SAG** - State Advisory Group

**SFY** - State Fiscal Year

**YTD** - Year to Date

**Meeting Minutes - *DRAFT***  
**South Dakota Council of Juvenile Services**

**June 13, 2019**

**Huron Event Center  
Huron, SD**

Thursday, June 13, 2019

**Council of Juvenile Services Members Present:** Beth O'Toole, Chair and Professor at the University of Sioux Falls; Sara McGregor-Okroi, Vice-Chair and Director of Alive-Roberts County; Keegan Binegar, Youth Member; Keith Bonenberger, Community Member; Kristi Bunkers, Director of Juvenile Services; Kim Cournoyer, Service Provider; Chuck Frieberg, Director of Court Services; Mike Leidholt, Former Hughes County Sheriff; Betty Oldenkamp, CEO of Lutheran Social Services; and Carol Twedt, Former Minnehaha County Commissioner.

**Council of Juvenile Services Members Absent:** Taniah Apple, Youth Member; Dadra Avery, School Counselor at Sturgis Brown High School; Judge Tami Bern, First Judicial Circuit Judge; Alexis Kohler, Youth Member; and Dave McNeil, Aberdeen Police Department Chief.

**Council of Juvenile Services Members Present on Conference Line:** Tiffany Glaser, Department of Social Services JJRI Program Manager; Doug Hermann, Executive Director of The Club for Boys; and Aaron McGowan, Minnehaha County States Attorney.

**Others Present:** Bridget Coppersmith, and Heather Van Hunnik, South Dakota Department of Corrections (DOC); Betty Leidholt, spouse of Council Member Mike Leidholt; Annie Brokenleg, Unified Judicial System; Rachel Kippley, Brown County Commissioner; Jim Miskimins, Davison County State's Attorney; and Liz Christenson and Louis Canfield, Watertown Boys and Girls Club.

**1. WELCOME, INTRODUCTIONS AND AGENDA REVIEW**

Chair Beth O'Toole welcomed everyone to the meeting at 8:30 AM on June 13, 2019 and introductions were made. Bridget Coppersmith introduced Doug Herrmann as the newest member appointed to the Council. Herrmann filled the slot of Vanessa Merhib who moved out of state earlier in the year. Coppersmith explained that Miskoo Petite had also resigned from the Council due to moving out of state and that his spot would be filled along with other slots up for consideration this fall.

**2. DISCLOSURE OF CONFLICTS OF INTEREST**

Bridget Coppersmith explained that the funding decisions coming before the Council at the meeting were regarding the Andes Central School District, Dell Rapids School District, Sisseton-Wahpeton Oyate Court, and Brown, Codington, and Davison Counties.

Coppersmith asked if any Council Members had conflicts of interest with the proposed agenda to disclose. The following conflicts were disclosed:

Kristi Bunkers - Brown County; Codington County; Davison County  
Chuck Frieberg - Brown County; Codington County; Davison County  
Mike Leidholt - All funding actions due to current position as Secretary of Corrections.  
Betty Oldenkamp - Brown County

**3. PERIOD FOR PUBLIC COMMENT**

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

#### 4. APPROVAL OF DECEMBER 2018 CJS MEETING MINUTES

Chair O'Toole provided an overview of the December 2018 Meeting Minutes. Chair O'Toole highlighted the full expenditure of the federal fiscal year (FFY) 2013 and 2014 Formula Grant Awards, the compliance monitoring report, and the approval of the FFY2019 Three Year Plan.

*Keith Bonenberger moved to approve the December 2018 meeting minutes, Kim Cournoyer seconded. Motion carried unanimously.*

#### 5. BUDGET STATUS REPORT AND SUBGRANT UPDATES

Coppersmith provided an overview of expenditures under the FFY2015 Formula Grant Award. Coppersmith noted that as of June 3, 2019, there was a total balance of \$153,534.15 remaining of the \$393,667.00 award that needed to be spent prior to the end date of September 30, 2019. Based on the activity of current subgrants under the program areas of delinquency prevention, Native American programs, and disproportionate minority contact (DMC) and the established spending patterns under the program areas of planning and administration, the Council of Juvenile Services, deinstitutionalization of status offenders (DSO), sight and sound separation, jail removal, and compliance, Coppersmith anticipates that the award should be fully expended by the concrete end date. To ensure the award is fully expended, DOC staff will submit a budget amendment to move \$60,000 between approved budget categories. The movement is due to one less delinquency prevention subgrant, one less Council Meeting and meetings being held via video conferencing, and the addition of the Race and Ethnic Disparities Program under DMC. Coppersmith added that an extension will be submitted to OJJDP regarding the FFY2016 award to extend the current end date of September 30, 2019 to September 20, 2020.

Coppersmith and Heather Van Hunnik provided an overview of current subgrant progress and explained that all subgrants were implementing their programs in accordance with their approved awards. Coppersmith noted that the delinquency prevention and Native American programs subgrants were closing out their current awards and applications for continued funding would be discussed later in the meeting. Van Hunnik announced that an understanding unconscious bias training will be held in Pierre on July 22<sup>nd</sup> and feature Dr. Booker Hodges as the contracted presenter. The target audience for the training is law enforcement entities, county detention centers, DOC, and UJS. Van Hunnik explained that all Council members were welcome to attend the training.

#### 6. COMPLIANCE MONITORING REPORT

Van Hunnik presented the compliance monitoring report for October 1, 2018 – March 31, 2019. Van Hunnik explained that 972 records were submitted and all but 23 had been cleared prior to the meeting. Zero violations under DSO, jail removal, and separation were found after full review of 949 records. Van Hunnik noted that the 23 records were still under review due to needing information beyond what the detention centers provided and were not flagged as potential violations at the time of the meeting.

#### 7. OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (OJJDP) UPDATE AND JJDP REAUTHORIZATION OVERVIEW

Coppersmith explained that financial staff under the Office of Justice Programs will be in Pierre on July 23<sup>rd</sup> to conduct a financial audit regarding Department of Justice grant programs. The audit will be followed by an enhanced programmatic desk review with South Dakota's OJJDP representative in August. Coppersmith added that she would be attending the Coalition for Juvenile Justice Annual Conference in Washington, DC June 19-21 and that the next OJJDP training is scheduled for September in Kansas City. DOC staff were still waiting on their findings from their August 2018 compliance audit.

Coppersmith provided an overview of the key changes to the Juvenile Justice and Delinquency Prevention Act (JJDP) through the Juvenile Justice Reform Act of 2018. Coppersmith explained that DOC staff had received little guidance on how the new requirements will be implemented and staff are hopeful for guidance at the OJJDP fall training. In the meantime, staff will continue to investigate how the new requirements may impact South Dakota and outline steps that may need to be taken to remain in compliance with the Act.

## 8. ALTERNATIVES TO DETENTION APPLICATION PRESENTATIONS AND ACTION

Representatives from Brown, Codington, and Davison Counties provided overviews of their county's applications for funding under the Alternatives to Detention Support Subgrant.

Brown Commissioner Rachel Kippley described the need for a youth diversion coordinator to expand diversion services, alternatives to detention, and staff Juvenile Detention Alternative Initiative (JDAI) implementation in Brown County at a cost of \$61,919. Commissioner Kippley added that the county was also asking for assistance in contracting with New Beginnings Center for one bed dedicated for Brown County youth as the shelter care is often full. The bed cost of \$65,459.10 would be split evenly between the subgrant and the Brown County Commission at \$32,730 each.

Davison County State's Attorney Jim Miskimins explained the need for a youth diversion/JDAI coordinator in Davison County to collect and analyze data to see how to expand the continuum of services available in Davison County to benefit the youth at all decision points within the juvenile justice system. The requested amount to support the Davison County position was \$60,862.76.

Liz Christenson and Louis Canfield of the Watertown Boys and Girls Club provided an overview of the application on behalf of Codington County. If awarded, the county would be the recipient of the award and Boys and Girls Club staff would be charged with implementing the project and employing the requested youth diversion coordinator. In addition to duties described regarding the coordinator in Brown and Davison Counties, the Codington County coordinator would also assist with implementation of the Codington County Teen Court which would have otherwise been left unfilled and unimplemented due to funding decreases. The requested cost of services supporting the position in Codington County was \$64,012.63

Discussion ensued regarding the importance of having a diversion/JDAI coordinator in each of the counties and the requirement of that position collecting and providing data. The consideration of the additional shelter care services in Brown County focused on the potential frequency of utilization of the bed and data to support the contract. The County Reimbursement Program for Brown County was also discussed as the county was excluded from receiving shelter care reimbursement due to having services within their geographic jurisdiction.

***Carol Twedt moved to approve the Brown County application except for the requested contracted bed at New Beginnings Center and the added ability for Brown County to request reimbursement for shelter care stays in accordance with the County Reimbursement Program, Keith Bonenberger seconded. Motion carried unanimously with Bunkers, Frieberg, Leidholt, and Oldenkamp abstaining from discussion and action.***

***Sara McGregor-Okroi moved to approve the Davison County application as written, Kim Cournoyer seconded. Motion carried unanimously with Bunkers, Frieberg, and Leidholt abstaining from discussion and action.***

***Keegan Binegar moved to approve the Codington County application as written, Betty Oldenkamp seconded. Motion carried unanimously with Bunkers, Frieberg, and Leidholt abstaining from discussion and action.***

## 9. DOC RECOMMENDATIONS FOR FUNDING DELINQUENCY PREVENTION APPLICATIONS

Coppersmith explained that applications for a third year of delinquency prevention programming were submitted from the Andes Central and Dell Rapids School Districts. Coppersmith provided an overview of each of the applications and explained the accomplishments each site experienced in their second year of implementing delinquency prevention services. The Andes Central School District applied for \$50,000 to implement Positive Action curriculum in grades six through ten and Positive Behavior Interventions and Supports (PBIS) in grades six through twelve. Coppersmith noted that their budget

included personnel services, school assembly events, and operating expenses for after school tutoring, family nights, and supplies. The Dell Rapids School District applied for \$30,328.50 to implement Positive Action curriculum in their elementary school for pre-kindergarten through fourth grade students. Coppersmith added that the budget included personnel services and additional curriculum materials from Positive Action.

***Chuck Frieberg moved to approve both the Andes Central and Dell Rapids School Districts applications, Kristi Bunkers seconded. Motion carried unanimously with Leidholt abstaining form discussion and action.***

#### 10. DOC RECOMMENDATIONS FOR NATIVE AMERICAN PROGRAMS APPLICATION

Coppersmith provided an overview of the Native American Programs application for the Sisseton-Wahpeton Oyate Court. The requested amount of \$50,000 would continue to support a juvenile probation/diversion officer which started in state fiscal year 2019. Coppersmith explained that the applicant implemented their 2019 award in accordance with their previous application and the position is currently supervising 40 youth and working closely with the Tribe's schools to address truancy.

***Kim Cournoyer moved to approve the Sisseton-Wahpeton Oyate Court application, Keegan Binegar seconded. Motion carried unanimously with Leidholt abstaining form discussion and action.***

#### 11. JUVENILE JUSTICE UPDATES

Chair O'Toole expressed her appreciation to DOC staff for their consistently strong work and commitment. Discussion ensued regarding the recent news surrounding Plains Academy in Plankinton.

#### 12. NEXT MEETING AND ADJOURN

The next meeting is scheduled for September 12<sup>th</sup> and is anticipated to be in the Rapid City area.

***At 10:35 AM, Keith Bonenberger moved to adjourn, Keegan Binegar seconded. Motion carried unanimously.***

*Recorded by Bridget Coppersmith, Juvenile Justice Specialist*

## September 2019 Budget Status Report

### FFY 2015 Formula Grant Award (Approved End Date: 9/30/2019)

State Program Title	Federal Budget	Exp to Date (9/3/2019)	Current Balance (9/3/19)	Projected Expenses through 9/30/2019	Projected Balance 9/30/2019	Budget Narrative
<b>Delinquency Prevention</b>	\$95,000.00	\$79,043.13	<b>\$15,956.87</b>	<b>\$5,000.00</b>	<b>\$10,956.87</b>	- Andes Central and Dell Rapids School Systems Year 2 and 3 Awards - Evaluation Services
<b>Planning/Admin</b>	\$20,000.00	\$19,804.41	<b>\$195.59</b>	<b>\$195.59</b>	<b>\$0.00</b>	- Costs associated with Formula Grant Program implementation by DOC administration staff - Cannot go negative in P&A Program Area
<b>Council of Juvenile Services</b>	\$3,667.00	\$3,217.96	<b>\$449.04</b>	<b>\$3,000.00</b>	<b>-\$2,550.96</b>	- Quarterly Meetings - Annual Report
<b>Deinstitutionalization of Status Offenders (DSO)</b>	\$28,000.00	\$27,761.89	<b>\$238.11</b>	<b>\$7,000.00</b>	<b>-\$6,761.89</b>	- County Reimbursement Program (No program or county cap)
<b>Separation</b>	\$14,000.00	\$17,520.87	<b>-\$3,520.87</b>	<b>\$3,500.00</b>	<b>-\$7,020.87</b>	
<b>Jail Removal</b>	\$28,000.00	\$16,155.21	<b>\$11,844.79</b>	<b>\$7,000.00</b>	<b>\$4,844.79</b>	
<b>Compliance</b>	\$20,000.00	\$17,773.47	<b>\$2,226.53</b>	<b>\$4,000.00</b>	<b>-\$1,773.47</b>	- Costs associated with compliance monitoring by DOC administration staff
<b>Disproportionate Minority Contact (DMC)</b>	\$115,000.00	\$104,536.85	<b>\$10,463.15</b>	<b>\$12,680.03</b>	<b>-\$2,216.88</b>	- Two current subgrants - Costs associated with DMC by DOC administration staff - Minnehaha County RED Program - DMC Training
<b>Native American Programs</b>	\$60,000.00	\$52,203.67	<b>\$7,796.33</b>	<b>\$10,000.00</b>	<b>-\$2,203.67</b>	- American Horse School Year 2 Award - SWO Year 1 and 2 Awards
<b>Juvenile Justice System Improvement</b>	\$10,000.00	\$0.00	<b>\$10,000.00</b>	<b>\$8,000.00</b>	<b>\$2,000.00</b>	Alternatives to Detention Subgrants in Brown and Codington Counties.
<b>Total</b>	<b>\$393,667.00</b>	<b>\$338,017.46</b>	<b>\$55,649.54</b>	<b>\$60,375.62</b>	<b>-\$4,726.08</b>	

### FFY 2016 Formula Grant Award (Requested End Date: 9/30/2020)

	Federal Budget	Exp to Date	Balance
<b>Delinquency Prevention</b>	\$150,000.00	\$0.00	\$150,000.00
<b>Planning/Admin</b>	\$20,000.00	\$0.00	\$20,000.00
<b>Council of Juvenile Services</b>	\$15,000.00	\$0.00	\$15,000.00
<b>DSO</b>	\$20,000.00	\$0.00	\$20,000.00
<b>Separation</b>	\$10,000.00	\$0.00	\$10,000.00
<b>Jail Removal</b>	\$20,000.00	\$0.00	\$20,000.00
<b>Compliance</b>	\$20,000.00	\$0.00	\$20,000.00
<b>DMC</b>	\$75,000.00	\$0.00	\$75,000.00
<b>Native American Programs</b>	\$60,000.00	\$0.00	\$60,000.00
<b>Juvenile Justice System Improvement</b>	\$10,336.00	\$0.00	\$10,336.00
<b>Total</b>	<b>\$400,336.00</b>	<b>\$0.00</b>	<b>\$400,336.00</b>

**Compliance Report For 10/01/2018 - 06/30/2019**

	Records Submitted	# of records submitted Oct. 2018 - Mar 2019	# of records submitted April - June 2019	Records Under Review	Potential DSO Violations	Potential Jail Removal Violations	Potential Separation Violations
Beadle County JDC	73	48	25	0	0	0	0
Brown County JDC	143	107	36	0	0	0	0
Codington County JDC	26	14	12	0	1	0	0
Day County JDC	10	7	3	0	0	0	0
Hughes County JDC	108	78	30	0	0	0	0
Minnehaha County JDC	425	296	129	1	0	0	0
Pennington County JDC	451	289	162	0	0	0	0
Roberts County JDC	91	69	22	0	0	0	0
Spearfish Police Department	20	17	3	0	0	0	0
Walworth County JDC	4	3	1	0	0	0	0
Yankton County Jail	62	44	18	0	0	0	0
<b>Total</b>	<b>1413</b>	<b>972</b>	<b>441</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>

\*The Codington County has a potential violation as it appears a status offender was held securely beyond 24 hours.