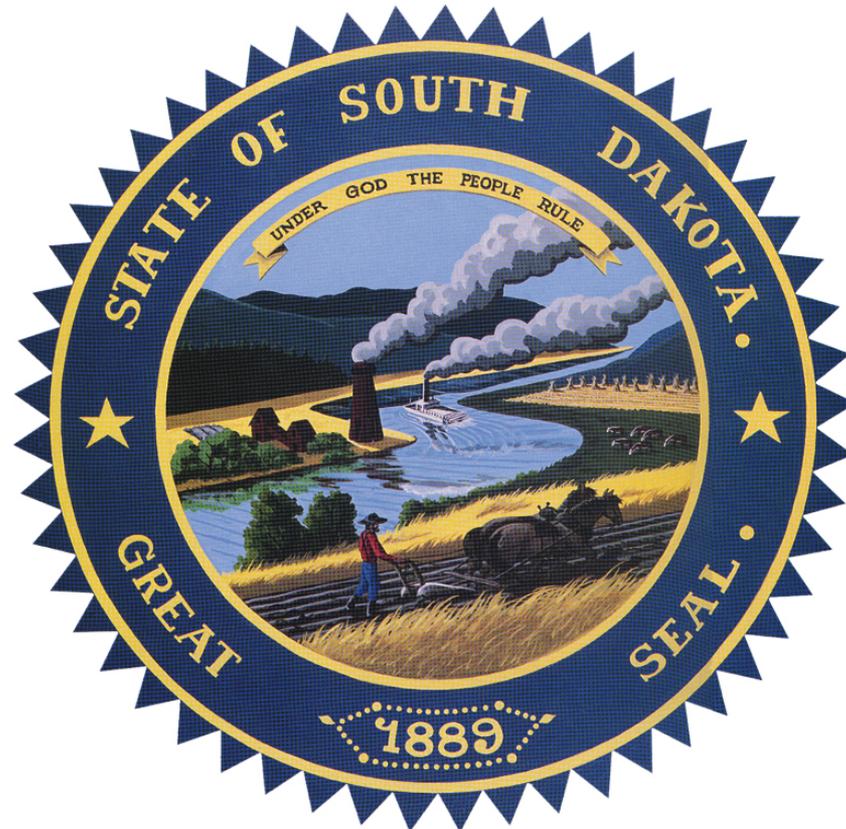


# South Dakota Juvenile Justice Reinvestment Initiative Work Group



# South Dakota Juvenile Justice Reinvestment Initiative Work Group

- Goals
  - Increase public safety by improving outcomes of youth and families and reducing juvenile recidivism.
  - Effectively hold juvenile offenders more accountable.
  - Reduce juvenile justice costs by investing in proven community based practices, preserving our residential facilities for serious offenders.
- The Work Group will not address:
  - Issues having to do with youth, or offenses, that result in a charge or transfer to the adult criminal justice system
  - The root causes of juvenile delinquency and federal legislation concerning the juvenile system, including the Indian Child Welfare Act.

# Bipartisan, Inter-branch Process

**1**

**Goal Setting**

**2**

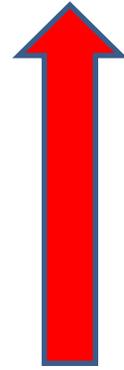
**Data Analysis/System Assessment**

**3**

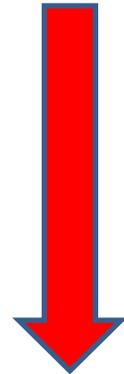
**Policy Development**

**4**

**Consensus Building**



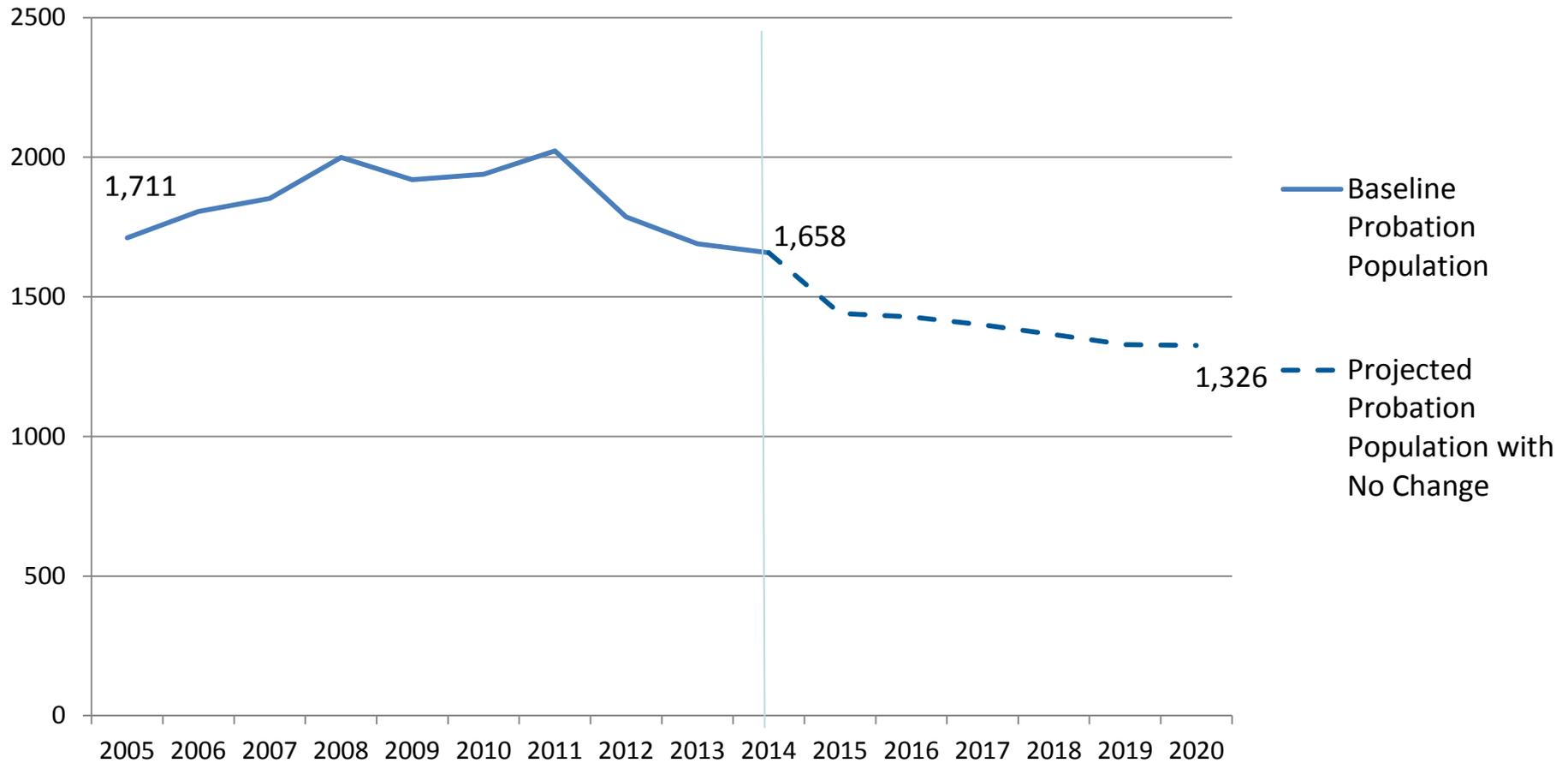
**Stakeholder Engagement**



## Baseline projections of probationers and DOC committed youth

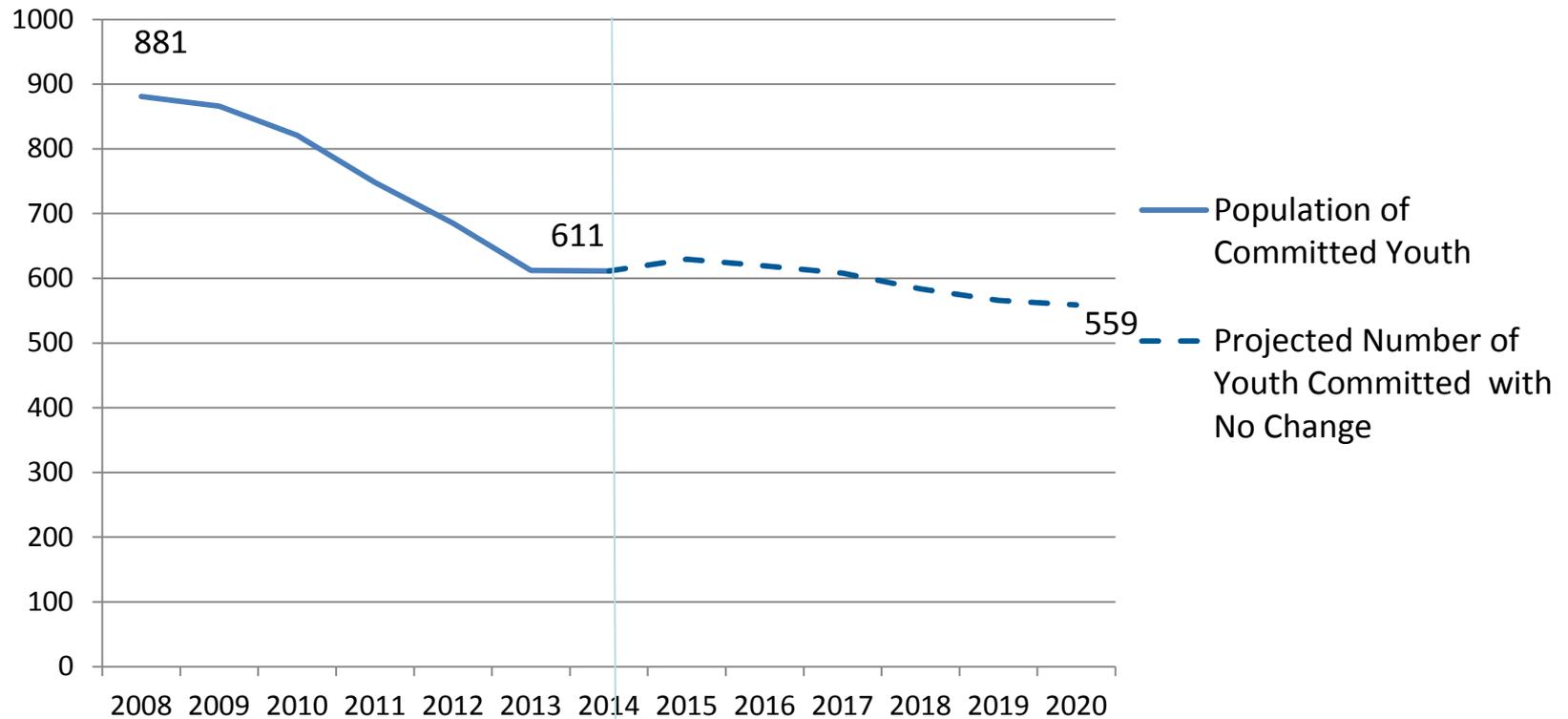
# Projection of Youth on Probation

## Baseline and Projected Probation Population June 3, 2005-2020



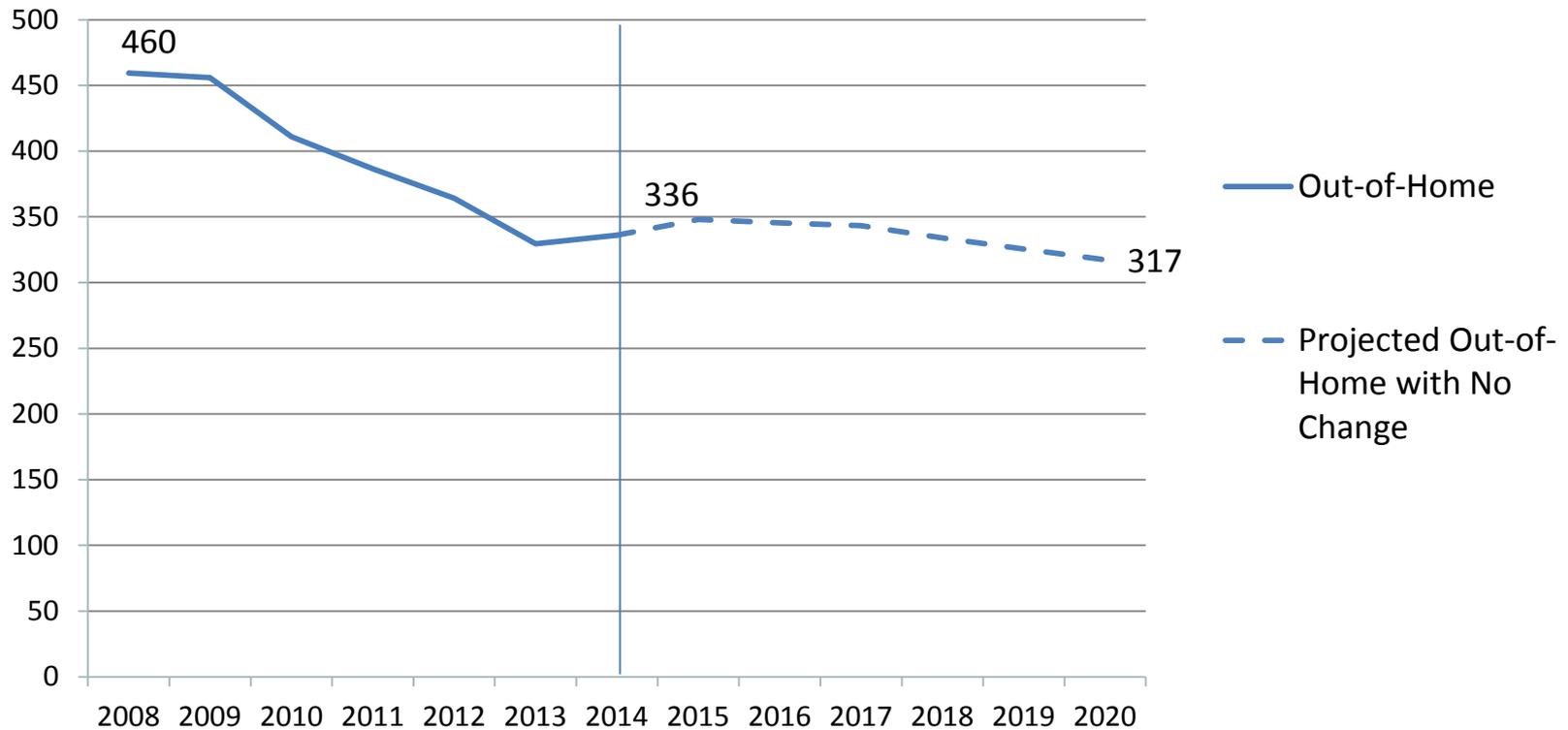
# Projection of Population of Committed Youth

## Baseline and Projected Population of Committed Youth June 30, 2008-2020



# Projection of Population of Committed Youth in Out-of-Home Placement

## Baseline and Projected Out-of-Home Population DOC June 30, 2008-2020



Discussion Items

# **OPTIONS TO CREATE REINVESTMENT DOLLARS**

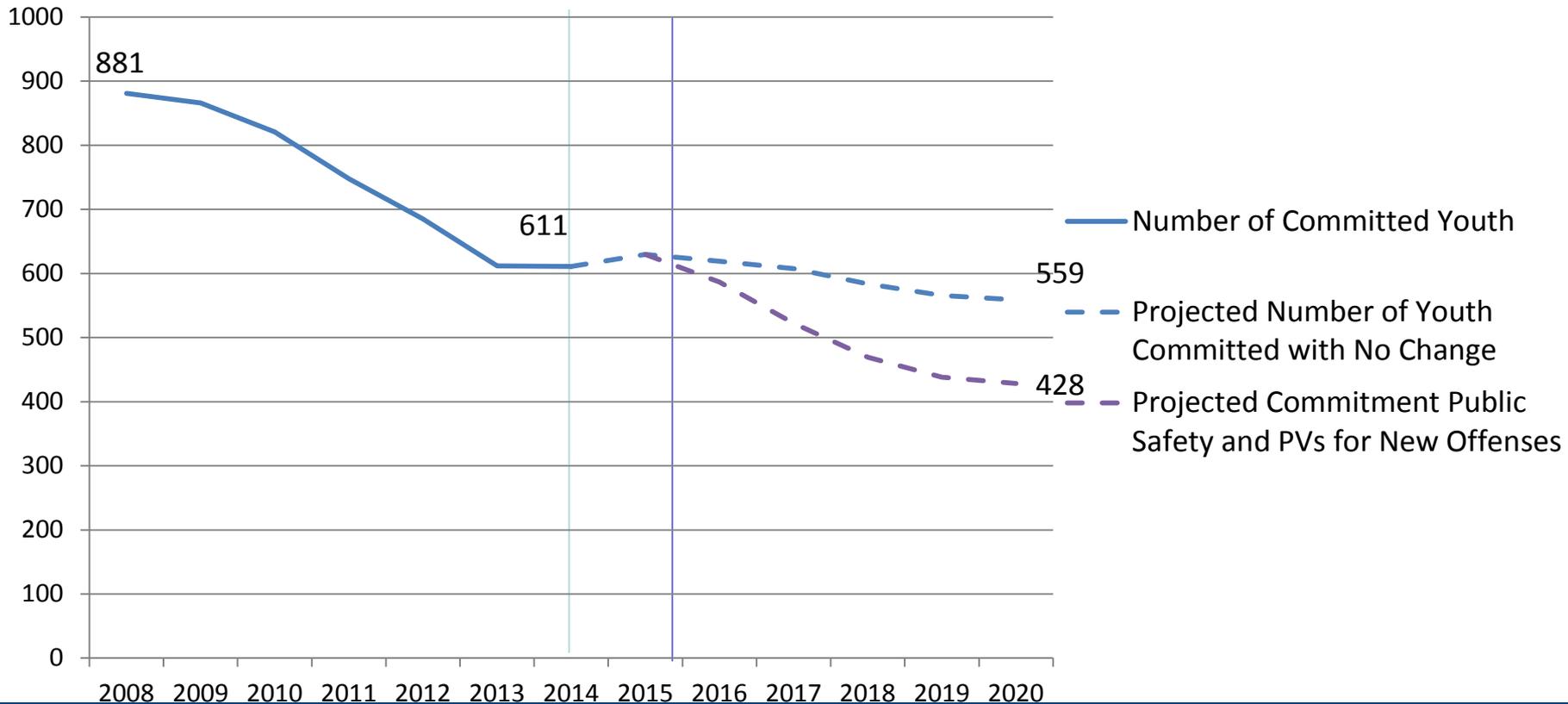
## Require probation be the most restrictive alternative for youth adjudicated delinquent

- Should the findings of fact for commitment to DOC include 4 priors?
- Should the CART be piloted or broadly implemented across the state?
- Which way should “new law violation” be defined?
  - Delinquent conduct and Violations of Title 32; or
  - Delinquent conduct and DUIs

## Impact projections of DOC committed youth

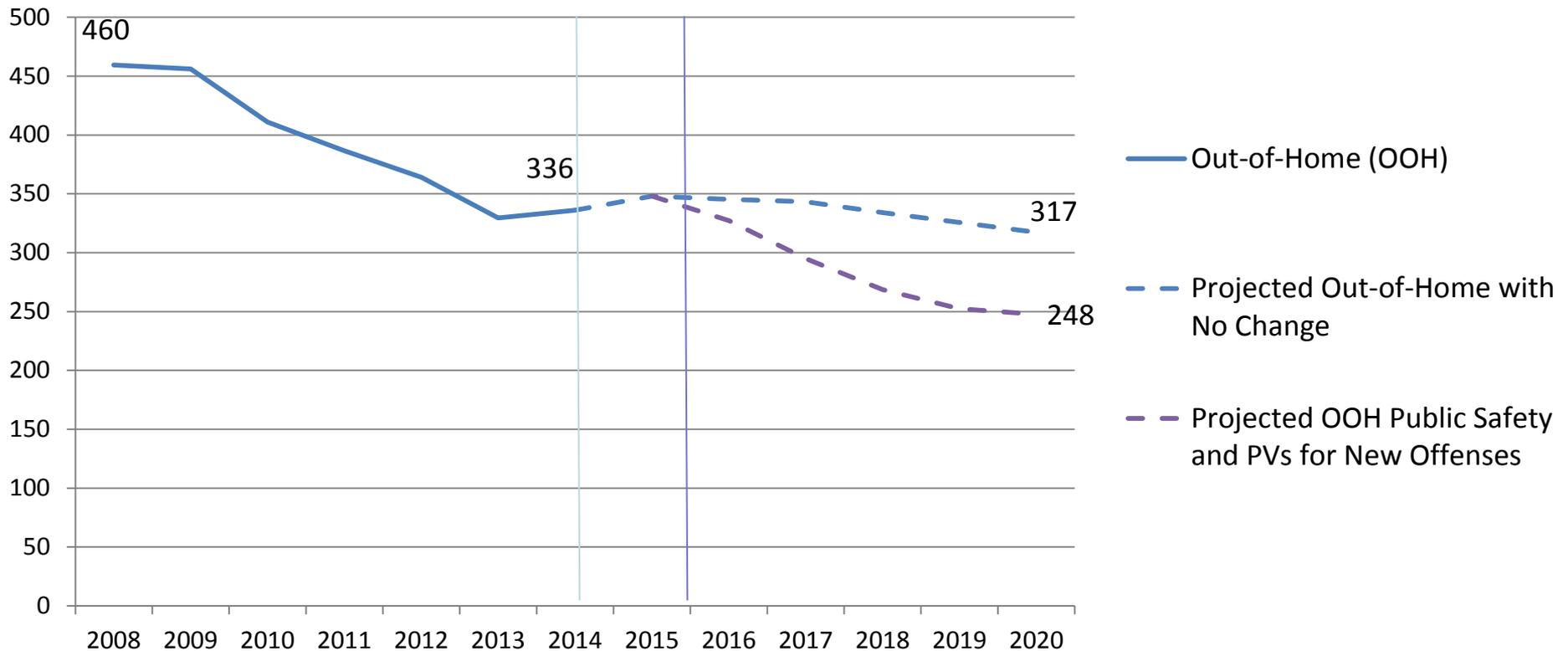
# Commitments: Assuming Youth Committed 75% of the Time When Eligible, No CHINS, and Probation Violation Commitment Only Upon New Law Violations

## Committed Youth - Public Safety Option June 30, 2008-2020



# Out-of-Home Placement: Assuming Commitment of 75% of DOC Eligible Youth, No CHINS, and Probation Violation Commitment for Only New Law Violations

## Committed Youth in Out-of-Home Placement - Public Safety Option June 30, 2008-2020



## Reduce lengths of stay in out-of-home placement

- Reduce length of stay in PRTF/IRT
  - DOC-led review 3 months from admission to determine if public safety goals are met.
  - Default position is release and placement on aftercare following review.
  - DOC Secretary may approve extension in PRTF/IRT of up to 3 months, with DOC-review every 90 days.
  - Maximum stay of 12 months.
    - Exception: If sex offender treatment is needed, stay may be for a period of up to 18 months.

## Reduce lengths of stay in out-of-home placement

- Limit the duration of Group Care and STAR
  - Duration is limited to 4 months.
  - If a youth is transferred in the 4-month period, the time limitation applies to the total out-of-home time in these types of placements.
  - DOC Secretary may approve extension for a total stay up to 6 months with a timeline and plan for release.
  - If step-up to PRTF/IRT, the 4-month limitation is tolled.
  - Exceptions to the 4-month period:
    - Specialized transition services
    - Youth with developmental disabilities
    - Sex offenders

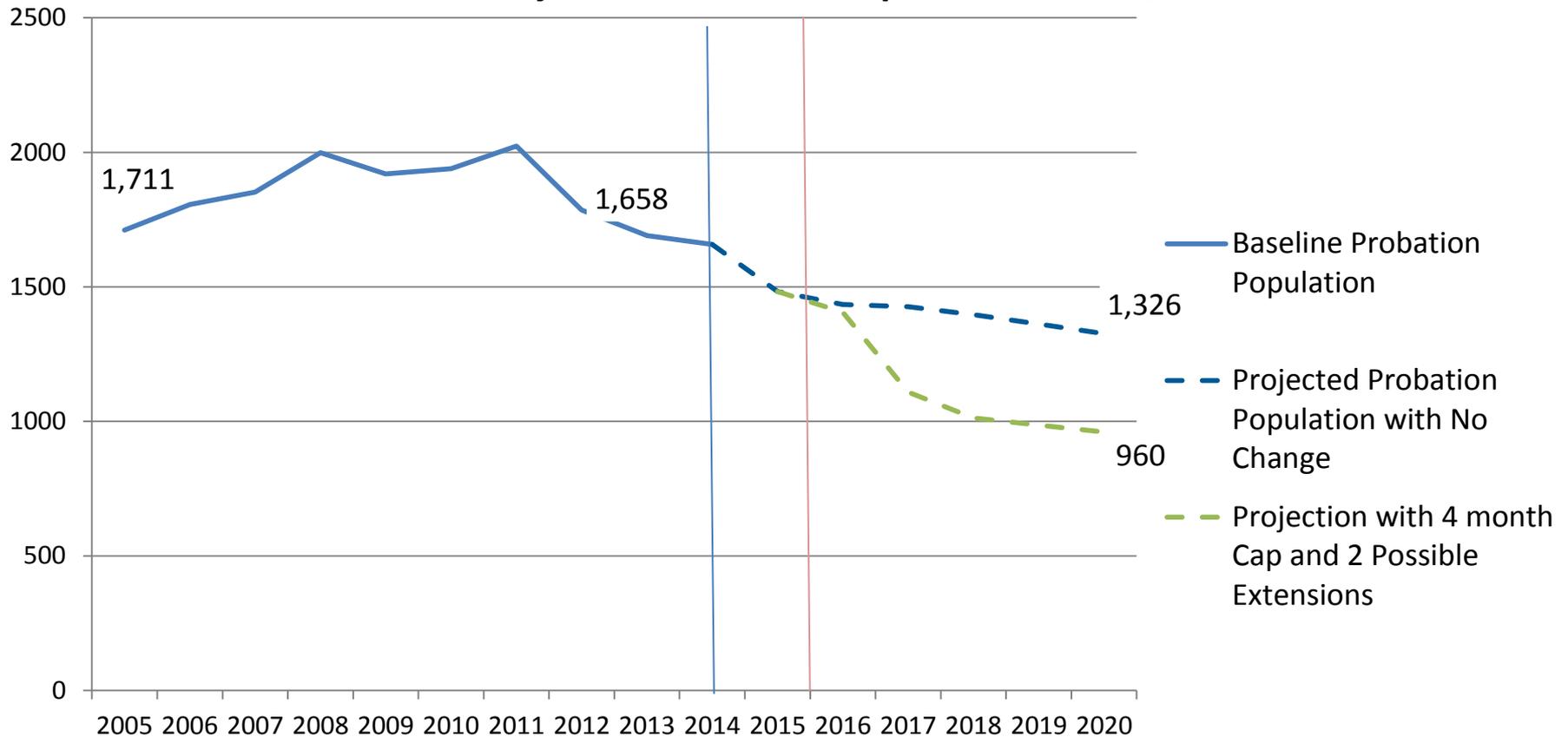
## Cap the duration of probation

- When a youth violates probation, does the 4-4-4 rule still apply? Will the maximum duration of probation still be one year from initial adjudication/disposition? Or should the judge be able to restart the clock upon violation?

## Impact projections of probationers

# Impact of a 4-Month Probation Cap with Two Possible Extensions

## Baseline and Projected Probation Population June 3, 2005-2020



Discussion Items

# **COMMUNITY BASED INTERVENTIONS**

## Develop a Native American pilot

- Does the group want to propose a specific pilot?
- Or, recommend a study group convene and return recommendations in a specified timeframe?
  - Coordinated by the Department of Tribal Relations, examine the issues impacting court-involved youth in border counties and recommend practices to improve outcomes for those youth.
  - The study group would involve UJS, DOC, educators and other key stakeholders and would need to make recommendations within one year to any juvenile justice oversight body associated with this initiative.

Discussion Items

# **PRE-COURT AND ALTERNATIVE DISPOSITION OPPORTUNITIES**

## Designate offenses as magistrate offenses

- Which offenses should be included?
  - Petty theft in the Second Degree (under \$400) 22-30A-17.3
  - Intentional Damage to Property in the Third Degree (under \$400) 22-34-1
  - Purchase, Possession, or Consumption of Beverage by Person Under Twenty-one Years Prohibited 35-9-2
  - Truancy (CHINS) 26-8B-2(1)
- Should these offenses always be ticketed offenses or should some number of repeat violations be sent to circuit court?
  - Ticket 1st and 2nd offenses.
  - After 2nd offense, State's Attorney has discretion to ticket, divert, or petition.

# SUSTAINABILITY

## Sustainability questions

- Is a Juvenile Justice Oversight council a good idea? If yes, which stakeholder groups should be on the council?
- How should performance measurements be developed? Who should be involved?
- How often and to whom (e.g., Oversight Council? Legislature?) should performance measures be reported? Semi-annually? Annually?

**NEXT MEETING: NOVEMBER 13**