

# Building on Success: Juvenile Justice Reform

Following the early success of the 2013 Public Safety Improvement Act (SB 70), the Governor and Chief Justice established the 17 member Juvenile Justice Reinvestment Initiative (JJRI) Work Group to study the juvenile justice system and develop policy options to increase public safety, reduce recidivism, enhance accountability and reduce juvenile justice costs.

## WHAT THE WORK GROUP FOUND

- Communities lack evidence-based interventions for juveniles.
- Fewer youth are committed to the DOC, but stay longer.
- Most are committed for misdemeanors, Child in Need of Supervision (CHINS) violations, and probation violations.
- Probation admissions are down, but length of probation supervision is up.
- New probationers are increasingly lower risk and nonviolent.
- Pre-court diversion is inconsistently used around the state.

After seven meetings and discussions with more than 200 stakeholders, the JJRI Work Group is **unanimously** recommending a comprehensive set of policies to achieve better outcomes for youth, their families, and the community at less taxpayer expense.

## JJRI WORK GROUP'S POLICY RECOMMENDATIONS

### **Focus expensive residential placements on youth that pose a public safety risk.**

- Reserve commitments for youth posing a significant risk of physical harm to others, giving all others the chance to succeed on probation.
- Establish resource teams for judges (called Community Alternatives Response Teams, or CARTs) to assist the court in finding viable, community-based alternatives for adjudicated youth.
- Establish clear guidelines for determining appropriate lengths of stay in DOC residential placements.

### **Prevent youth committing lower level offenses from sinking deeper into the juvenile justice system.**

- Provide diversion incentive funds at the local level.
- Consistently offer diversion to youth with no prior adjudications referred for a CHINS violation or a non-violent misdemeanor.
- Create a new class of lower-level, ticketable offenses to be processed like tobacco and curfew violations.

### **Improve outcomes for youth supervised in the community.**

- Develop an array of evidence-based interventions for youth in the justice system, including a graduated response matrix for probationers.
- Establish clear guidelines for probation term lengths.
- Ensure youth in rural areas have access to effective interventions and develop a pilot program to improve outcomes for Native American youth.

### **Ensure the quality and sustainability of reforms.**

- Appoint an oversight council to monitor and evaluate reforms.
- Collect data and create a cost-sharing mechanism for detention stays by probation violators, as needed.

## EXPECTED IMPACT\*

- Residential placements would decline by an estimated 64 percent by 2020.
- The probation population would decline by 29 percent.
- Savings would be reallocated into evidence-based, community interventions and infrastructure to support training and quality control.

*\* Impact requires implementation of full set of policy recommendations.*

## **SB 70: Protecting Public Safety, Holding Offenders Accountable, and Reducing Corrections Spending**

In 2013, South Dakota's legislature passed, Governor Dennis Daugaard signed, and the Unified Judicial System adopted court rules codifying the **Public Safety Improvement Act (Senate Bill 70)**.

### **WHY SB 70?**

SB 70 was criminal justice reform legislation aimed at:

- Improving public safety by investing in programs, practices, and policies that have been proven to reduce recidivism;
- Holding offenders more accountable by strengthening community supervision; and
- Reducing corrections spending by focusing prison space on violent, chronic, and career criminals.

### **EARLY, POSITIVE RESULTS**

#### **New prison construction avoided, \$36 million saved.**

**BEFORE** the reforms, the state was planning to build a new women's prison in 2015 at a cost of \$36 million.

**NOW** the prison population has not grown as projected, **eliminating the need** for this new, costly facility.

#### **More offenders successfully completing parole and probation.**

From FY '13 to '14:

- The percentage of offenders **successfully completing parole rose** from 45 to 60 percent.
- **Parole violators** slightly **declined** as a percentage of all admissions to the Department of Corrections.
- The percentage of probationers who were unsuccessful, had probation revoked, or were sent to the penitentiary or local jail decreased to an **all-time low of 4.4 percent**.

#### **A more effective criminal justice system.**

- Improved supervision practices;
- Incentives and sanctions allowing for swift and certain responses;
- Large investments in evidence-based behavioral health services; and
- Greater availability of drug and DUI courts.