

The Department of Corrections, Department of Social Services, Office of the Attorney General,
and Unified Judicial System’s SB70 Implementation Status

Department of Corrections
Senate Bill 70: An Act to Improve Public Safety
Implementation Status
February 2014

The Department of Corrections (DOC) has created a CJJ work plan and distributed the items of responsibility to implementation teams. This was done to organize the major components of the CJJ initiative that DOC has either implementation responsibilities for or will experience impacts as a result of the change/reform. The teams were each assigned a team lead, and that individual is responsible for selecting team members and organizing/distributing duties and responsibilities. Each team is tasked with creating a workgroup charter and providing monthly status reports.

Effective Date (Legislative)	“Real” Effective Date – DOC	Policy Area	January 2014 Updates
July 1, 2013	July 1, 2013	Earned Discharge Credits	<p>The seventh award of EDC occurred 02/15/14 for the month of 01/2014. Sixty-eight percent of the parolees received EDC on at least one transaction in the month of January. For July through January (cumulative) there was an unduplicated count of 3,506 parolees. Of these, 2,706 were awarded credits (77.2%) on at least one transaction for at least one of the months. 61,713 days of EDC were awarded for January. 466,543 days of credits have been awarded on 15,780 transactions (duplicated) for July, August, September, October, November, December, and January combined. Performance measures by parolee, and the percentage each month of eligible parolees who didn’t earn credits:</p> <p>July: 2,320 qualified; 347(15%) didn’t earn</p> <p>August: 2,339 qualified; 345 (14.7%) didn’t earn</p> <p>September: 2,262 qualified; 311 (13.7%) didn’t earn</p> <p>October: 2,213 qualified; 279 (12.6%) didn’t earn</p> <p>November: 2,203 qualified; 286 (13.0%) didn’t earn.</p> <p>December: 2,166 qualified; 295 (13.6%) didn’t earn</p> <p>January: 2,068 qualified; 317 (15.3%) didn’t earn</p>

			In August – January there were a total of 475 discharges with EDC.
July 1, 2013	February 1, 2014 \$250,000 in one time money	Tribal Pilot	The Tribe has provided their draft of the MOU. DOC will evaluate the proposed changes upon deliverance of information on costs.
July 1, 2013	July 1, 2013 \$23,000 one time (*connection with EBP for parole supervision)	Performance Measures	<p>Work continues on documenting baseline data for those performance measures where baseline comparisons are appropriate, which include the following:</p> <p>:</p> <ul style="list-style-type: none"> • Number of parolees by supervision level • Number and percent of parolees whose contacts were consistent with supervision level • Recidivism rates for parolees at the 1-year, 2-year, and 3-year marks • Number and percent of parolees who have reduced their supervision level at discharge • Number and percent of parolees by month with a policy driven response not including revocation proceedings • Number and percent of parolees by month with a parole revocation • Number and percent of parolees eligible and awarded earned discharge credits and the average amount of credits a parolee earns • New commitments and average sentence for crimes impacted by Senate Bill 70 • Discharges, average sentences, and average time served for crimes impacted by Senate Bill 70 <p>One performance goal has been developed for each of the DOC subjects in the performance measures document.</p>

July 1, 2013	September 2014 \$30,000 one time	Validate Risk and Needs Assessment (LSI-R, Community Risk Assessment and Community Risk Re-assessment)	Validation of the assessments continues by the consultant, includes work on the inter-rater reliability which is being developed initially in survey monkey for comparisons.
July 1, 2013	February 1, 2014 \$250,000 one time	CTP Alternative Housing Pilot	The RFP was issued in early February for the pilot transitional housing program for 8-10 parolees living in Sioux Falls.
July 1, 2013	January 1, 2014	EBP for Parole Supervision	The following work/activities continues to progress: <ul style="list-style-type: none"> • The possibility of a workload study for parole caseloads as part of Phase 2 of CJI to be completed by the Vera Institute. ○ Continued formulation of the group's road map on South Dakota's use of the Eight Principles for Evidence-Based Practice in Community Corrections as it relates to supervision of offenders and meeting the needs of SB 70. ○ Evaluation of the Parole Services Response to Violations Policy. ○ Discussion by the group on additional training for the Parole Services Trainers.
July 1, 2013	January 1, 2014 \$6,000 on going	EBP Training for Parole Agents	<ul style="list-style-type: none"> • Annual Spring Training has been set for parole agents. The agenda is being finalized, which will include training on evidenced-based practices, core-correctional practices, system/policy changes/updates as a result of CJI, introduction to EPICS concepts and an over-view of the training and certification process, and administrative updates. ○ Training curriculum is under review.
July 1, 2013	January 1, 2014 \$10,000 on going	EBP Training for Parole Board	<ul style="list-style-type: none"> • The new member curriculum was finalized. • The Board participated in the National Institute of Corrections

			E-Learning course, "Evidence Based Practices in the Corrections Field-Pre-Assessment and Course 1: Overview."
June 1, 2014	October 1, 2014 \$1,000,000 one time	Fiscal Notes	A protocol for what needs to be included in the fiscal notes has been approved by the Legislative Procedures Joint Committee. LRC is preparing the fiscal impact statements with assistance from the Rapid Response Team.
July 1, 2013	Summer, 2014 \$18,000 one time	Train the Trainer in EPICS for parole agents	o EPICS training will begin in April 2014 and end in February 2015.

Department of Social Services Impact of Senate Bill 70: South Dakota Public Safety Improvement Act (Criminal Justice Initiative)

Effective Date (Legislative)	Anticipated Operational Date	Policy Area	Status as of <u>2/18/14</u>
July 1, 2013	Completed	Rural Pilot Programs	Determine required programming to ensure use of evidence-based/evidence-informed services
July 1, 2013	Completed	Rural Pilot Programs	Determine geographic areas with greatest need according to UJS data
July 1, 2013	Completed	Rural Pilot Programs	Develop and release RFP
July 1, 2013	Completed	Rural Pilot Programs	Work with UJS and DOC to develop the referral process for substance abuse and criminal thinking services
July 1, 2013	April 2014	Rural Pilot Programs	Unable to select providers based on RFP responses. A provider workgroup has been convened to discuss expectations of the rural pilot. A meeting was held in February and another meeting is scheduled for March. It is anticipated that the RFP will be reissued in April.
July 1, 2013	Completed	Expanded Substance Abuse Services (additional 500 probationers/parolees)	Determine required programming to ensure use of evidence-based/evidence-informed services
July 1, 2013	Completed	Expanded Substance Abuse Services (additional 500	Determine geographic areas with greatest need according to UJS data

		probationers/parolees)	
July 1, 2013	Completed	Expanded Substance Abuse Services (additional 500 probationers/parolees)	Develop and release RFP
July 1, 2013	Completed	Expanded Substance Abuse Services (additional 500 probationers/parolees)	<p>Work with UJS and DOC to develop the referral process for substance abuse and criminal thinking services</p> <ul style="list-style-type: none"> • 11/14/13 -- Notified UJS and DOC of readiness to accept referrals • Dec 2013 -- DSS CJI staff contacted the Chiefs in all Court Services Offices notifying them of readiness to accept referrals • Dec/Jan 2013 -- DSS CJI staff participating in Court Services Office staff meetings to answer questions regarding the referral process • 2/18/14 -- 92 individuals have been referred for substance abuse services
July 1, 2013	Completed	Expanded Substance Abuse Services (additional 500 probationers/parolees)	<p>Providers selected based on RFP responses:</p> <p>Circuit Court District #1</p> <ul style="list-style-type: none"> • Lewis & Clark Behavioral Health • Dakota Counseling Inst. <p>Circuit Court District #2</p> <ul style="list-style-type: none"> • Glory House • Volunteers of America • Keystone Treatment Center • Carroll Inst. <p>Circuit Court District #3</p> <ul style="list-style-type: none"> • Community Counseling Services • Human Service Agency <p>Circuit Court District #4</p> <ul style="list-style-type: none"> • Compass Point <p>Circuit Court District #5</p> <ul style="list-style-type: none"> • Avera St. Lukes <p>Circuit Court District #6</p> <ul style="list-style-type: none"> • Capital Area Counseling <p>Circuit Court District #7</p> <ul style="list-style-type: none"> • City/County Alcohol & Drug • Addiction Recovery Center
	Completed	Expanded Substance Abuse Services (additional 500 probationers/parolees)	<p>Train providers in EBP curriculum</p> <ul style="list-style-type: none"> • 9/10/13 What Works with the Justice Involved Client • 10/1/13 – 10/3/13 Cognitive Behavioral Interventions for Substance Abuse

			<ul style="list-style-type: none"> • 11/25/13 – 11/27/13 Cognitive Behavioral Interventions for Substance Abuse • 12/10/13 – Level of Service Inventory (LSI) Risk Assessment • 12/17/13 – 12/19/13 Cognitive Behavioral Interventions for Substance Abuse
July 1, 2013	Completed	Criminal Thinking Programs	Determine required programming to ensure use of evidence-based/evidence-informed services
July 1, 2013	Completed	Criminal Thinking Programs	Determine geographic areas with greatest need according to UJS data
July 1, 2013	Completed	Criminal Thinking Programs	Develop and release RFP
July 1, 2013	Completed	Criminal Thinking Programs	<p>Work with UJS and DOC to develop the referral process for substance abuse and criminal thinking services</p> <ul style="list-style-type: none"> • 11/14/13 -- Notified UJS and DOC of readiness to accept referrals • Dec 2013 -- DSS CJI staff contacted the Chiefs in all Court Services Offices notifying them of readiness to accept referrals • Dec/Jan 2013 -- DSS CJI staff participating in Court Services Office staff meetings to answer questions regarding the referral process • 2/18/14 -- 62 individuals have been referred for criminal thinking services
July 1, 2013	Completed	Criminal Thinking Programs	<p>Providers selected based on RFP responses:</p> <p>Circuit Court District #1</p> <ul style="list-style-type: none"> • Lutheran Social Services <p>Circuit Court District #2</p> <ul style="list-style-type: none"> • Volunteers of America <p>Circuit Court District #3</p> <ul style="list-style-type: none"> • Lutheran Social Services <p>Circuit Court District #4</p> <ul style="list-style-type: none"> • City/County Alcohol & Drug <p>Circuit Court District #5</p> <ul style="list-style-type: none"> • Volunteers of America <p>Circuit Court District #6</p> <ul style="list-style-type: none"> • Volunteers of America <p>Circuit Court District #7</p> <ul style="list-style-type: none"> • City/County Alcohol & Drug

	Completed	Criminal Thinking Programs	Train providers in EBP curriculum <ul style="list-style-type: none"> • 8/26/13 – 8/29/13 Moral Reconciliation Therapy • 9/10/13 What Works with the Justice Involved Client • 11/18/13 – 11/21/13 Moral Reconciliation Therapy • 12/10/13 – Level of Service Inventory (LSI) Risk Assessment
July 1, 2013	Completed	Hire Program Specialist Staff	Program specialist staff began their employment on September 9, 2013

**Unified Judicial System Impact of SB70: South Dakota Public Safety Improvement Act
(Criminal Justice Initiative)**

Effective Date (Legislative)	Anticipated Operational Date	Policy Area	Status as of 2/26/14
October 1, 2013	Ongoing; funding for FY13 and FY14 appropriated	Judicial and CSO Training on evidence-based practices, Core Correctional Practices	Judges Training; CSO Training; State Bar Informational Sessions NDCI Training September 2013; Fall Judicial Conference October 3-4, 2013; Collaborative training for EPICS with Dept of Corrections contract signed; December and January 2014 trainings on earned discharge and sanctions and incentives for court services officers.
July 1, 2013	July 1, 2013; Chief Justice has 4 appointments; Judge Davis; Judge Riepel; Bruce Hubbard and Greg Sattizahn	Oversight Council Appointed	First meeting held on September 5, 2013. Second December 16, 2013. Third meeting set for May 5, 2014 in Rapid City.
July 1, 2013	July 1, 2013	Criminal law revisions	Training and Summary Information provided to Judges and UJS Personnel on statutory changes. HB 1082 introduced during 2014 legislative session to support application of community based supervision and sanctions for probationers.
July 1, 2013	January 1, 2014	Earned Discharge; probationers with at least 6 months of probation to earn credit for compliance, non-revocable.	Court Rule adopted; Created stand-alone web based system to accommodate tracking until Odyssey system development; Performance measure and data points identified. Training held in

			<p>December 2013 on application of earned discharge credit. Training on the computer system held in January 2014.</p> <p>Earned Credits awarded for January:</p> <p>Cases eligible for EDC: 3658 Cases EDC awarded: 2751 Cases not awarded EDC: 907 Credit Earning Efficiency: 75.21%</p>
July 1, 2013	July 1, 2013	Presumptive Probation for Class 5 and Class 6 felony cases, with certain exceptions. Written finding on record to overcome presumption.	Modified presentence investigation form for Class 5 and 6 felonies adopted; Performance measures and data points identified.
July 1, 2013	July 1, 2013	Veteran's Project for Class 1 or Felony charges, identifying veterans; consideration of resources and treatment recommendations during sentencing.	<p>Workgroup established; Tip Sheet distributed; Coordination Handbook drafted; judges trained at Judges' Association CSOs identified 255 veterans currently on supervision.</p> <p>Presented to Veteran's Family Symposium and Veterans Services Officers on the process and update on Veterans Courts.</p>
July 1, 2013	Ongoing	Drug and DUI Court expansions: 2 nd Circuit DUI, Pennington County DUI, Davison County Drug	<p>I.P. Rules adopted by the Supreme Court concerning eligibility criteria and termination from Drug Courts; In-State NDCI training held September 2013, for 10 teams; Supreme Court rule adopted concerning key components for drug courts.</p> <p>Governor's Recommended Budget includes expansion of DUI Court in Minnehaha and Pennington Counties and Drug Court in Codington County.</p>
July 1, 2013	July 1, 2013	Preliminary Hearings for misdemeanors not required	Judicial training; notice to clerks/lay magistrates on changes to their advisement of rights protocol
July 1, 2013	July 1, 2013	Altered state-misprison	Judicial and staff training.
October 1, 2013	January 1, 2014	Evidence Based Practices- Probation; mandates use of validated risk assessment tool targeting probationer's risk factors and focusing resources on moderate or high risk offenders; UJS required to send case history and LSI-R results to DOC when person transferred	Risk assessment validated; Evidence-based trainings; Supreme Court Rule adopted in November 2013. Training for CSOs on evidence based practice Supreme Court rule and its application conducted December 2013. LSI-R training for judges provided.
October 1, 2013	January 1, 2014	Sanctions/Incentives Grid to provide for swift and certain responses by CSO for	Sanction/Incentive Grid adopted by the Supreme Court in November 2013. Training for CSOs held December 2013 on

		probation violations; requires performance measures	application of sanctions/incentives response grid. Computer training in January 2014. Sanction and Incentive Review committee appointed by the Chief Justice.
January 1, 2014	January 1, 2014	HOPE Pilots for intensive, random drug testing w/sanctions; 1 rural court, 1 urban court	Pilot locations selected; procedures handbook being drafted; internal discussions and research on pilot setups/fees/phone system requirements. Rural Pilot operational in Walworth County on January 2, 2014 with 6 participants. Minnehaha County is working toward operational status.
January 1, 2014	January 1, 2014	Financial Accountability/ Collections System (FACS): money-only cases where all other conditions of probation/parole met; sanctions to be developed for non-compliance; performance measures required	. A workgroup has been established including representatives from the UJS, DOC and State's Attorney offices. This group will be facilitated by Barbara Pierce Parker from the Crime and Justice Institute. There were individual phone calls with each group member to answer questions, field concerns and work to identify some of the challenges to implementation prior to the first whole workgroup meeting on February 6, 2014. Group met for a second time on February 25, 2014 and are working on draft recommendations.
July 1, 2014	July 1, 2014	SAVIN victim notification system managed by Attorney General	UJS involvement includes representation on SAVIN Advisory Committee and I/T collaboration.
June 1, 2014	July 1, 2013	Fiscal Notes	UJS has provided data and support to LRC for draft Fiscal Notes. 34 Fiscal Notes prepared for 2014 legislative session

Office of the Attorney General Impact of Senate Bill 70: South Dakota Public Safety Improvement Act (Criminal Justice Initiative)

Effective Date (Legislative)	Anticipated Operational Date	Policy Area	Status as of <u>1/13/14</u>
July 1, 2013	May, 2013	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	Meeting with representative groups to determine their needs in implementing a SAVIN system that correlates to statutory mandates; implement SAVIN technology and hire supporting staff for correct administration.
July 1, 2013	June 1, 2013	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	Jamie Freestone appointed as SAVIN Program Administrator. Posted job opening for ATG/DCI Programmer for SAVIN project.
July 1, 2013	June 27, 2013	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	Initial meeting with SAVIN Advisory Commission (SAC) to begin discussions for implementing a SAVIN system that correlates to statutory mandates.
July 1, 2013	July 31, 2013	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	Second meeting with SAC to continue discussions for implementing a SAVIN system that correlates to statutory mandates.
July 1, 2013	August 8, 2013	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	Signed Joint Powers Agreement with Indiana DOC to receive their SAVIN application at no cost and for joint efforts in tailoring for South Dakota needs.
July 1, 2013	September 19, 2013	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	September Meeting with representative groups and National SAVIN representative for ongoing discussion on needs in implementing a SAVIN system that correlates to statutory mandates.
July 1, 2013	September, 2013	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	Purchased the Microsoft Dynamics CRM Software, the underlying software for the SAVIN solution.
July 1, 2013	October 30, 2013	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	Met with UJS and DSS for discussion of UJS Odyssey SAVIN implementation and funding through the STOP grant.
July 1, 2013	October, 2013	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	Drafting legislative changes with DOC to update current statutes regarding victim notifications.
July 1, 2013	November 19, 2013	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	ATG and UJS finalized the project scope for UJS Odyssey SAVIN implementation with Tyler Technologies.
July 1, 2013	November, 2013	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	Worked with BIT to setup SAVIN TEST environment, Installation of MS Dynamics CRM in test environment.
July 1, 2013	January, 2014	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	Signed SAVIN PSA with UJS and Tyler Technologies for Odyssey SAVIN Interface.

July 1, 2013	February, 2014	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	Beta testing for Zuercher Technologies Jail Management System SAVIN data feed and notifications
July 1, 2013	July, 2014	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	Beta testing for UJS Odyssey system SAVIN data feed and notifications
July 1, 2013	Ongoing	SAVIN Statewide Automated Victim Information and Notification (SAVIN) System	Tech meetings with IT from ATG, BIT and Indiana DOC to determine best practice and setup for new SAVIN Program. Meetings with DOC and UJS and their vendors regarding implementation of data sharing from their systems into the SAVIN program.