

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

Senate Bill 70: An Act to Improve Public Safety  
Implementation Status  
June 2014

Department of Corrections

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	Progress Updates
July 1, 2013	July 1, 2013	<b>Earned Discharge Credits</b>	<p>The tenth award of EDC occurred 05/15/14 for the month of 04/2014. Sixty-eight percent of the parolees received EDC on at least one transaction in the month of April. For July through April (cumulative) there was an unduplicated count of 3,845 parolees. Of these, 2,997 were awarded credits (77.9%) on at least one transaction for at least one of the months. 58,634 days of EDC were awarded for April. 636,895 days of credits have been awarded on 21,616 transactions (duplicated) for July, August, September, October, November, December, January, February, March, and April combined. Performance measures by parolee, and the percentage each month of eligible parolees who didn’t earn credits:</p> <p><b>July:</b> 2,320 qualified; 347(15%) didn’t earn  <b>August:</b> 2,339 qualified; 345 (14.7%) didn’t earn  <b>September:</b> 2,262 qualified; 311 (13.7%) didn’t earn  <b>October:</b> 2,213 qualified; 279 (12.6%) didn’t earn  <b>November:</b> 2,203 qualified; 286 (13.0%) didn’t earn  <b>December:</b> 2,166 qualified; 295 (13.6%) didn’t earn  <b>January:</b> 2,068 qualified; 317 (15.3%) didn’t earn</p>

			<p><b>February:</b> 2,027 qualified; 296 (15%) didn't earn  <b>March:</b> 2,014 qualified; 321 (16%) didn't earn  <b>April:</b> 2016 qualified; 307 (15.2%) didn't earn</p> <p>In August – April there were a total of 746 discharges with EDC.</p>
July 1, 2013	February 1, 2014 \$250,000 in one time money	<b>Tribal Pilot</b>	The Sisseton Wahpeton Tribe and DOC have signed the MOA. Program development and collaboration efforts will be forthcoming.
July 1, 2013	July 1, 2013 \$23,000 one time (*connection with EBP for parole supervision)	<b>Performance Measures</b>	Contact standards report and tool to track monthly progress was completed
July 1, 2013	September 2014 \$30,000 one time	<b>Validate Risk and Needs Assessment (LSI-R, Community Risk Assessment and Community Risk Re-assessment)</b>	Validation of the assessments continues by the consultant, with preliminary analysis underway.
July 1, 2013	February 1, 2014 \$250,000 one time	<b>CTP Alternative Housing Pilot</b>	The St. Francis House has been awarded the contract to provide the CTP Alternative Housing Pilot. Program development is in progress.
July 1, 2013	January 1, 2014	<b>EBP for Parole Supervision</b>	There has been a reduction in the number of warrants issued due to policy changes and a review process.
July 1, 2013	January 1, 2014 \$6,000 on going	<b>EBP Training for Parole Agents</b>	<ul style="list-style-type: none"> <li>• Annual Spring Training was a success. The EBP Agents were able to provide insights on the EBP training that is forthcoming as the implementation of EPICS rolls out. This was a good refresher and starting point for the agents as the division continues to move forward with Evidence Based Practices.</li> <li>○ June 2014 Desistance Training</li> </ul>
July 1, 2013	January 1, 2014 \$10,000 on going	<b>EBP Training for Parole Board</b>	<ul style="list-style-type: none"> <li>• Work continues to finalize the policy regarding compensation for the Board training.</li> <li>• Two Board members are registering for NIC's Orientation for New Parole Board Members training in July 2014 in Colorado.</li> </ul>

			<ul style="list-style-type: none"> <li>The Board discussed future training sessions: they would like sessions on Correctional Behavioral Health, SOMP, and High Risk/Psychopathy annually and leave all other sessions open to change.</li> <li>The Board discussed planning an 8-9 hour training session in the fall of every year. Staff will start planning for this for September 2014.</li> </ul>
June 1, 2014	October 1, 2014 \$1,000,000 one time	<b>Reinvestment Fund</b>	Updated data from UJS will be inserted in the projections spreadsheet to identify FY2014 projected adult probation counts. Work will continue on the content of the administrative rules.
July 1, 2013	Summer, 2014 \$18,000 one time	<b>Train the Trainer in EPICS for parole agents</b>	Three DOC Senior Agents were trained along with seven UJS staff on April 14-16 in EPICS. This training will be ongoing over the next nine months.

### 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	Progress Updates
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	June 2014	Rural Pilot Programs	Unable to select providers based on RFP responses. A provider workgroup was convened to discuss expectations of the

			rural pilot. Two meetings were held in February and March. The RFP was released in April and proposals were due May 27, 2014. Proposals will be scored and providers selected based on RFP responses.
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 probationers/parolees)	Determine geographic areas with greatest need according to UJS data
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"> <li>• 11/14/13 -- Notified UJS and DOC of readiness to accept referrals</li> <li>• Dec 2013 -- DSS CJI staff contacted the Chiefs in all Court Services Offices notifying them of readiness to accept referrals</li> <li>• Dec 3013/Jan 2014 -- DSS CJI staff participating in Court Services Office staff meetings to answer questions regarding the referral process</li> <li>• <u>Referrals for substance abuse services by month:</u></li> <li>• December 2013 -- 5 individuals</li> <li>• January 2014 -- 45 individuals</li> <li>• February 2014 -- 56 individuals</li> <li>• March 2014 -- 48 individuals</li> <li>• April 2014 --24 individuals</li> <li>• May 2014 -- 93 individuals</li> </ul>
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"> <li>• Lewis &amp; Clark Behavioral Health</li> <li>• Dakota Counseling Inst.</li> </ul> <p>Circuit Court District #2</p> <ul style="list-style-type: none"> <li>• Glory House</li> <li>• Volunteers of America</li> <li>• Keystone Treatment Center</li> <li>• Carroll Inst.</li> </ul>

			<p>Circuit Court District #3</p> <ul style="list-style-type: none"> <li>• Community Counseling Services</li> <li>• Human Service Agency</li> </ul> <p>Circuit Court District #4</p> <ul style="list-style-type: none"> <li>• Compass Point</li> </ul> <p>Circuit Court District #5</p> <ul style="list-style-type: none"> <li>• Avera St. Lukes</li> </ul> <p>Circuit Court District #6</p> <ul style="list-style-type: none"> <li>• Capital Area Counseling</li> </ul> <p>Circuit Court District #7</p> <ul style="list-style-type: none"> <li>• City/County Alcohol &amp; Drug</li> <li>• Addiction Recovery Center</li> </ul>
--	--	--	--

	Completed	Expanded Substance Abuse Services (additional 500 probationers/parolees)	<p>Train providers in EBP curriculum</p> <ul style="list-style-type: none"> <li>• 9/10/13 What Works with the Justice Involved Client</li> <li>• 10/1/13 – 10/3/13 Cognitive Behavioral Interventions for Substance Abuse</li> <li>• 11/25/13 – 11/27/13 Cognitive Behavioral Interventions for Substance Abuse</li> <li>• 12/10/13 – Level of Service Inventory (LSI) Risk Assessment</li> <li>• 12/17/13 – 12/19/13 Cognitive Behavioral Interventions for Substance Abuse</li> <li>• 3/10/14 – 3/12/14 Cognitive Behavioral Interventions for Substance Abuse</li> <li>• 3/24/14 – 3/26/14 Cognitive Behavioral Interventions for Substance Abuse</li> <li>• 4/21/14 – 4/24/14 Cognitive Behavioral Interventions for Substance Abuse: Training-for-Trainer</li> </ul>
--	-----------	--	---

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"> <li>• 11/14/13 -- Notified UJS and DOC of readiness to accept referrals</li> </ul>

			<ul style="list-style-type: none"> <li>• Dec 2013 -- DSS CJI staff contacted the Chiefs in all Court Services Offices notifying them of readiness to accept referrals</li> <li>• Dec 3013/Jan 2014 -- DSS CJI staff participating in Court Services Office staff meetings to answer questions regarding the referral process</li> <li>• <u>Referrals for criminal thinking services by month:</u></li> <li>• December 2013 -- 5 individuals</li> <li>• January 2014 -- 34 individuals</li> <li>• February 2014 -- 48 individuals</li> <li>• March 2014 -- 36 individuals</li> <li>• April 2014 -- 18 individuals</li> <li>• May 2014 -- 55 individuals</li> </ul>
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"> <li>• Lutheran Social Services</li> </ul> <p>Circuit Court District #2</p> <ul style="list-style-type: none"> <li>• Volunteers of America</li> </ul> <p>Circuit Court District #3</p> <ul style="list-style-type: none"> <li>• Lutheran Social Services</li> </ul> <p>Circuit Court District #4</p> <ul style="list-style-type: none"> <li>• City/County Alcohol &amp; Drug</li> </ul> <p>Circuit Court District #5</p> <ul style="list-style-type: none"> <li>• Volunteers of America</li> </ul> <p>Circuit Court District #6</p> <ul style="list-style-type: none"> <li>• Volunteers of America</li> </ul> <p>Circuit Court District #7</p> <ul style="list-style-type: none"> <li>• City/County Alcohol &amp; Drug</li> </ul>
	Completed	Criminal Thinking Programs	<p>Train providers in EBP curriculum</p> <ul style="list-style-type: none"> <li>• 8/26/13 – 8/29/13 Moral Reconciliation Therapy</li> <li>• 9/10/13 What Works with the Justice Involved Client</li> <li>• 11/18/13 – 11/21/13 Moral Reconciliation Therapy</li> <li>• 12/10/13 – Level of Service Inventory (LSI) Risk Assessment</li> <li>• 3/5/14 – 3/6/14 Advanced Moral Reconciliation Therapy</li> </ul>
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	Progress Updates
October 1, 2013	Ongoing; funding for FY13 and FY14 appropriated	<b>Judicial and CSO Training</b> 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. Spring training events for EBP and PSIA Implementation for Judges and CSOs conducted.  FY 14 EBP Training:  144.5 Hours of training; 1294 participants
July 1, 2013	July 1, 2013; Chief Justice has 4 appointments; Judge Davis; Judge Riepel; Bruce Hubbard and Greg Sattizahn	<b>Oversight Council</b> Appointed	First meeting held on September 5, 2013. Second December 16, 2013. Third meeting held May 5, 2014 in Rapid City.
July 1, 2013	July 1, 2013	<b>Criminal law revisions</b>	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	<b>Earned Discharge;</b> 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 December 2013 on application of earned discharge credit. Training on the computer system held in January 2014.  Earned Credits awarded for January:  Cases eligible for EDC: 3658 Cases EDC awarded: 2751 Cases not awarded EDC: 907 Credit Earning Efficiency: 75.21%  Earned Credits awarded for February:

			<p>Cases eligible for EDC: 3784  Cases EDC awarded: 2830  Cases not awarded EDC: 954  Credit Earning Efficiency: 74.79%</p> <p>Earned Credits awarded for March:</p> <p>Cases eligible for EDC: 3988  Cases EDC awarded: 2920  Cases not awarded EDC: 1068  Credit Earning Efficiency: 73.22%</p> <p>Earned Credits awarded for April:</p> <p>Cases eligible for EDC: 4031  Cases EDC awarded: 2946  Cases not awarded EDC: 1085  Credit Earning Efficiency: 73.08%</p>
July 1, 2013	July 1, 2013	<b>Presumptive Probation</b> 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	<b>Veteran's Project</b> 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</p> <p>Presented to Veteran's Family Symposium and Veterans Services Officers on the process and update on Veterans Courts.</p> <p>Codington County Veterans Court will begin operation on July 1, 2014.</p>
July 1, 2013	Ongoing	<b>Drug and DUI Court expansions:</b> 2 <sup>nd</sup> 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. Developing statewide training for September 2014.</p> <p>FY 15 Budget includes expansion of DUI Court in Minnehaha and Pennington Counties and Drug Court in Codington County.</p>
July 1, 2013	July 1, 2013	<b>Preliminary Hearings</b> 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	<b>Altered state-misprison</b>	Judicial and staff training.

October 1, 2013	January 1, 2014	<b>Evidence Based Practices- Probation</b> ; 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	<b>Sanctions/Incentives Grid</b> to provide for swift and certain responses by CSO for probation violations; requires performance measures	Sanction/Incentive Grid adopted by the Supreme Court in November 2013. Training for CSOs held December 2013 on 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	<b>HOPE Pilots</b> 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 8 participants.  Minnehaha County is working toward operational status.
January 1, 2014	January 1, 2014	<b>Financial Accountability/ Collections System (FACS)</b> : money-only cases where all other conditions of probation/parole met; sanctions to be developed for non-compliance; performance measures required	. A workgroup was established including representatives from the UJS, DOC and State's Attorney offices. This group is 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 is working on draft recommendations. Workgroup met April 16, 2014 and studied other state collection practices and identified necessary data to understand the scope of court debt statewide and by county. Currently working to develop reports and provide model information from other states prior to next meeting.
July 1, 2014	July 1, 2014	<b>SAVIN</b> victim notification system managed by Attorney	UJS involvement includes representation on SAVIN Advisory Committee and I/T

		General	collaboration.
June 1, 2014	July 1, 2013	<b>Fiscal Notes</b>	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	Progress Updates
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	Drafting legislative changes with DOC to

		Victim Information and Notification (SAVIN) System	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.