

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
July 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)	Anticipated Operational Date	Policy Area	Progress Updates
July 1, 2013	July 1, 2013	Earned Discharge Credits	<p>The twelfth award of EDC occurred 07/15/14 for the month of 06/2014. Sixty-seven percent of the parolees received EDC on at least one transaction in the month of June. For July through June (cumulative) there was an unduplicated count of 4,085 parolees. Of these, 3,203 were awarded credits (78.4%) on at least one transaction for at least one of the months. 58,306 days of EDC were awarded for June. 758,348 days of credits have been awarded on 25,642 transactions (duplicated) for July, through June 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 August: 2,339 qualified; 345 (14.7%) didn't earn September: 2,262 qualified; 311 (13.7%) didn't earn October: 2,213 qualified; 279 (12.6%) didn't earn November: 2,203 qualified; 286 (13.0%) didn't earn December: 2,166 qualified; 295 (13.6%) didn't earn January: 2,068 qualified; 317 (15.3%) didn't earn February: 2,027 qualified; 296 (15%) didn't earn</p>

			<p>March: 2,014 qualified; 321 (16%) didn't earn</p> <p>April: 2016 qualified; 307 (15.2%) didn't earn</p> <p>May: 2,037 qualified; 350 (17.2%) didn't earn</p> <p>June: 2,048 qualified; 1697 (82.9%) earned and 351 (17.1%) didn't earn</p> <p>In August – June there were a total of 915 discharges with EDC.</p>
July 1, 2013	February 1, 2014 \$250,000 in one time money	Tribal Pilot	The Sisseton Wahpeton Tribe is in the process of hiring a Tribal Parole Agent, and is continuing to work with DOC on logistics.
July 1, 2013	July 1, 2013 \$23,000 one time (*connection with EBP for parole supervision)	Performance Measures	Work continued on the development of a summary report for Parole Agent contact standards compliance and the adult recidivism annual update. The Performance Measure Workgroup met and discussed preparation for end of fiscal year 2014 performance data.
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, with a final report being briefed in the very near future.
July 1, 2013	February 1, 2014 \$250,000 one time	CTP Alternative Housing Pilot	Four participants were placed in the alternative housing program at the St. Francis House during June. Three additional participants were also scheduled.
July 1, 2013	January 1, 2014	EBP for Parole Supervision	<ul style="list-style-type: none"> • Since the beginning of the calendar year, there has been a reduction in the number of warrants issued due to policy changes and a review process. • DOC is also working with a consultant on a workload time study for parole agents.
July 1, 2013	January 1, 2014 \$6,000 on going	EBP Training for Parole Agents	<ul style="list-style-type: none"> • The Desistance Training occurred in June with several DOC staff. The trainers also trained community providers in Motivation Enhancement Therapy.
July 1, 2013	January 1, 2014 \$10,000 on going	EBP Training for Parole Board	The Board discussed holding an annual training session in the fall which may include topics such as assessments of offenders, 10 Target Practices from the

			National Parole Resource Center (NPRC), gender responsivity, classification, cultural awareness, and other relevant areas.
June 1, 2014	October 1, 2014 \$1,000,000 one time	Reinvestment Fund	A review of adult felony probation data by county and FY14 projections was conducted with Greg Sattizahn from UJS and a discussion on the scope and content of the administrative rules and alternative projection methods was held. Mountain Plains Evaluation conducted another round of trend line projections utilizing updated data.
July 1, 2013	Summer, 2014 \$18,000 one time	Train the Trainer in EPICS for parole agents	<ul style="list-style-type: none"> • Three DOC Senior Agents continue to meet with the contractor for coaching sessions in relation to being certified to be a trainer in EPICS. • There is also a sustainability plan in draft format for the long term use of EPICS and Desistance Training in community supervision.

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	Completed	Rural Pilot Programs	Unable to select providers based on RFP

			<p>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 were scored and providers were selected based on RFP responses:</p> <ul style="list-style-type: none"> • Lutheran Social Services • Volunteers of America
--	--	--	--

--	--	--	--

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"> • 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 3013/Jan 2014 -- DSS CJI staff participating in Court Services Office staff meetings to answer questions regarding the referral process • <u>Referrals for substance abuse services by month:</u> • December 2013 -- 5 individuals • January 2014 -- 45 individuals • February 2014 -- 56 individuals • March 2014 -- 48 individuals • April 2014 --24 individuals • May 2014 -- 93 individuals • June 2014 -- 63 individuals

July 1, 2013	Completed	Expanded Substance Abuse Services (additional 500 probationers/parolees)	Providers selected based on RFP responses: Circuit Court District #1 <ul style="list-style-type: none"> • Lewis & Clark Behavioral Health • Dakota Counseling Inst. Circuit Court District #2 <ul style="list-style-type: none"> • Glory House • Volunteers of America • Keystone Treatment Center • Carroll Inst. Circuit Court District #3 <ul style="list-style-type: none"> • Community Counseling Services • Human Service Agency Circuit Court District #4 <ul style="list-style-type: none"> • Compass Point Circuit Court District #5 <ul style="list-style-type: none"> • Avera St. Lukes Circuit Court District #6 <ul style="list-style-type: none"> • Capital Area Counseling Circuit Court District #7 <ul style="list-style-type: none"> • City/County Alcohol & Drug • Addiction Recovery Center
--------------	-----------	--	---

	Completed	Expanded Substance Abuse Services (additional 500 probationers/parolees)	Train providers in EBP curriculum <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 • 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 • 3/10/14 – 3/12/14 Cognitive Behavioral Interventions for Substance Abuse • 3/24/14 – 3/26/14 Cognitive Behavioral Interventions for Substance Abuse • 4/21/14 – 4/24/14 Cognitive Behavioral Interventions for Substance Abuse: Training-for-Trainer
--	-----------	--	--

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 3013/Jan 2014 -- DSS CJI staff participating in Court Services Office staff meetings to answer questions regarding the referral process • <u>Referrals for criminal thinking services by month:</u> • December 2013 -- 5 individuals • January 2014 -- 34 individuals • February 2014 -- 48 individuals • March 2014 -- 36 individuals • April 2014 -- 18 individuals • May 2014 -- 55 individuals • June 2014 -- 36 individuals
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	<p>Train providers in EBP curriculum</p> <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

			<ul style="list-style-type: none"> Reconciliation Therapy 12/10/13 – Level of Service Inventory (LSI) Risk Assessment 3/5/14 – 3/6/14 Advanced Moral Reconciliation Therapy
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	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. Spring training events for EBP and PSIA Implementation for Judges and CSOs conducted. FY 14 EBP Training: 182.5 Hours of training; 1333 participants
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 held 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	Court Rule adopted; Created stand-alone web based system to accommodate

		<p>months of probation to earn credit for compliance, non-revocable.</p>	<p>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.</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> <p>Earned Credits awarded for February:</p> <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> <p>Earned Credits awarded for May:</p> <p>Cases eligible for EDC: 4065 Cases EDC awarded: 2891 Cases not awarded EDC: 1174 Credit Earning Efficiency: 71.12%</p> <p>Earned Credits awarded for June:</p> <p>Cases eligible for EDC: 4056 Cases EDC awarded: 2773 Cases not awarded EDC: 1283 Credit Earning Efficiency: 68.37%</p>
July 1, 2013	July 1, 2013	Presumptive Probation for Class 5 and Class 6 felony cases, with certain exceptions.	Modified presentence investigation form for Class 5 and 6 felonies adopted; Performance measures and data points

		Written finding on record to overcome presumption.	<p>identified.</p> <p>FY 14 Class 5 and Class 6 Felony Dispositions Statewide:</p> <p>Probation: 65%</p> <p>Directly to Penitentiary: 32%</p> <p>Other: 3%</p> <p>“Other” includes any case not sentenced to probation or the penitentiary.</p>
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</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 began operation on July 1, 2014.</p> <p>FY 14 Veterans Identified Having Contact with the Court System Statewide: 1423</p> <p>369 Veterans on Probation Statewide</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. 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> <p>Drug Courts: 112 participants admitted in FY 14. Graduation Rate: 46.15%</p> <p>DUI Courts: 61 participants admitted in FY 14. Graduation Rate: 52.94%</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 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	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 9 participants. Urban Pilot in Minnehaha County has entered into a contract with Glory House for testing HOPE participants. Developing web-based computer system for tracking HOPE Participants. Procedural Manual drafted. Expected operational date is August 1, 2014.
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 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. Work group met on July 2, 2014 and divided into subcommittees to tackle various areas related to court collections. Working with DOC to develop transfer protocols to the UJS for enforcement of court-ordered financial information.
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	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 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.