

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
December 2013

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. 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	Status as of 12/10/2013
July 1, 2013	July 1, 2013	Earned Discharge Credits	The fourth award of EDC occurred 11/15/13 for the month of 10/13. Seventy-three percent of the parolees received EDC on at least one transaction in the month of October. For July through October (cumulative) there was an unduplicated count of 3,149 parolees. Of these, 2,413 were awarded credits (76.6%) on at least one transaction for at least one of the months. 68,054 days of EDC were awarded for October. 277,008 days of credits have been awarded on 9,240 transactions (duplicated) for July, August, September and October combined. Performance measures by parolee and the percentage each month of eligible parolees who didn’t earn credits: 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 In August – October there were a total of 208 discharges with EDC.
July 1, 2013	February 1, 2014 \$250,000 in one time money	Tribal Pilot	On November 14 th Parole Regional Supervisor met with members of the Sisseton Whapeton Tribal Council to assist in the development of a sanction grid. DOC legal counsel met with members of

			the tribal council along with their attorney on November 21 st to discuss draft MOA. An initial budget was developed which has been added to the MOA.
July 1, 2013	July 1, 2013 \$23,000 one time (*connection with EBP for parole supervision)	Performance Measures	<p>A conference call was held with the Vera Institute to discuss performance measures.</p> <p>Work continues on documenting baseline data for performance measures:</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
July 1, 2013	September 2014 \$30,000 one time	Validate Risk and Needs Assessment (LSI-R, Community Risk Assessment and Community Risk Re-assessment)	<p>On November 26, DOC provided contract provider who is validating DOC risk and needs assessments with a sample of the data for review. This included a listing of data elements, a sample of individual specific information and associated LSI-R and CRA/CRR results for those individuals.</p> <p>On December 3rd, telephonic meeting to review the data and identify missing data and questions.</p>
July 1, 2013	February 1, 2014 \$250,000 one time	CTP Alternative Housing Pilot	DOC and Parole Board staff met with Minnehaha County officials to discuss inaccurate information. The leadership of

			the CTP workgroup is in the process of finalizing the identification of the target group, identifying the group's program needs and looking for alternative housing options in various communities.
July 1, 2013	January 1, 2014	EBP for Parole Supervision	<p>A meeting of the DOC workgroup assigned to this area was held November 26.</p> <p><u>EPICS:</u></p> <ul style="list-style-type: none"> ❖ Parole staff spoke to staff from the Vera Institute regarding potential technical assistance as part of Phase II of the CJI. ❖ DOC and UJS are working on identifying a process to complete certification for T4T. DOC and UJS working with UC regarding EPICS training (tentatively planning on training with UJS starting in March or April). ❖ EPICS Action Plan sheet is being used as a reference for creation of the case plan for offenders on supervision. ❖ Discussed how the EDC is reducing caseload sizes and EPICS can be re-implemented as agents have time for more meaningful contacts with offenders. The goal is to roll out the new EBP curriculum as part of the Spring Training with parole agents and CM staff. ❖ Discussion of the need for performance measures in EPICS implementation <p><u>TRAINING:</u></p> <ul style="list-style-type: none"> ○ The EPICS/MI agents trained the new hires on Core Correctional Practices, including modules on Evidence Based Practice and Cognitive Behavioral Interventions. Focused on skill building and role playing to translate information to the community setting. Considering implementing the NIC's <i>EBP in a</i>

			<p><i>Correctional Setting</i> e-learning course for future new hire training as a prerequisite.</p> <ul style="list-style-type: none"> ○ Annual parole training – Planning on Spring 2014 – primary focus on EBP and Core Correctional Practices ○ Reentry Manager held two LSI-R introductory sessions, one in Rapid City and one in Sioux Falls, for community partners
July 1, 2013	January 1, 2014 \$6,000 on going	EBP Training for Parole Agents	<p>See <u>Training</u> subsection under “EBP for Parole Supervision” policy area.</p> <ul style="list-style-type: none"> ○ As curriculum is developed, Parole Services training OM will be updated to outline what is actually being taught/learned, how the curriculum is being implemented, how the subject matter is broken down, how much time is spent on the subject matter, and how it is documented that training is complete.
July 1, 2013	January 1, 2014 \$10,000 on going	EBP Training for Parole Board	<p>A meeting of the DOC workgroup assigned to this area was held on November 26.</p> <p>Board Corrections Specialist participated in NIC’s E-learning course: <i>Evidence-Based Practices in the Corrections Field</i>. There are 6 courses that log 8 hours of training. The first course is an overview of EBP (90 minutes) and was added to the draft curriculum for new member training. The entire course will continue to be reviewed for possible use for staff training.</p> <ul style="list-style-type: none"> ❖ New-member training curriculum was drafted and is under review ❖ The major areas of the curriculum include: <ul style="list-style-type: none"> • Use of validated risk/need assessments and the use of data guided by evidence-based practices for making parole decisions

			<ul style="list-style-type: none"> • A review of Board and DOC policies, procedures, missions, goals and objectives • Mentoring with the Chair or Vice Chair • Encouraged participation in NIC’s <i>Orientation for New Parole Board members</i> (within first year of appointment) • Participation in NIC’s E-learning Course 1: <i>Evidence based Practices in the Corrections Field</i> (90 minute self paced e-course that gives overview of EBP in corrections) <ul style="list-style-type: none"> ❖ DSS Correctional Behavioral Health staff provided training to the Board on <i>Correctional Behavioral Health – Programming, Assessments, and Evidence Based Responsivity</i> on November 6, 2013. ❖ Board member training is being tracked in an Access training database, and members have accumulated between 5-9 hours of training (June-November).
June 1, 2014	October 1, 2014 \$1,000,000 one time	Reinvestment Fund	The Reinvestment Fund workgroup met in October and reviewed the average annual percent increase trend line projection. This was tested on FY 08- FY12 data to project FY 13 end of year probation numbers. Next steps include projecting tentative FY 14 probation numbers based on FY 09 to FY 13 data, sharing data with UJS and checking for completeness.
July 1, 2013	Summer, 2014 \$18,000 one time	Train the Trainer in EPICS for parole agents	<p>A meeting was held November 26.</p> <p>See <u>EPICS</u> subsection under “EBP for Parole Supervision” policy area.</p> <ul style="list-style-type: none"> ○ Discussed creating/revising PDR policy to include incentives for positive behavior of offenders.

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>12/13/13</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	December 2013	Rural Pilot Programs	Unable to select providers based on RFP responses. A provider workgroup will be convened to discuss expectations of the rural pilot, and the RFP will be reissued.
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)	Work with UJS and DOC to develop the referral process for substance abuse and criminal thinking services <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 2013--DSS CJI staff participating in Court Services Office staff meetings to answer questions regarding the referral process

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
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	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 • 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
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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

			<p>contacted the Chiefs in all Court Services Offices notifying them of readiness to accept referrals</p> <ul style="list-style-type: none"> • Dec 2013--DSS CJI staff participating in Court Services Office staff meetings to answer questions regarding the referral process
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 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 12/13/13
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; collaboration with DOC to be established on EPICS training; December 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. Next meeting December 16, 2013.
July 1, 2013	July 1, 2013	Criminal law revisions	Training and Summary Information provided to Judges and UJS Personnel on statutory changes.
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 December 2013 on application of earned discharge credit. Training on the computer system to be held in January 2014.
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.	Workgroup established; Tip Sheet distributed; Coordination Handbook drafted; judges trained at Judges' Association CSOs identified 255 veterans currently on supervision. Presented to Veteran's Family Symposium and Veterans Services Officers on the process and update on Veterans Courts.
July 1, 2013	Ongoing	Drug and DUI Court expansions: 2 nd Circuit DUI, Pennington County DUI, Davison County Drug	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. Governor's Recommended Budget includes expansion of DUI Court in Minnehaha and Pennington Counties and Drug Court in Codington County.
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-misprision	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. Review committee to be 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.
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	Workgroup appointed/ working to find outside facilitator and gathering information on collections practices.
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.

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>10/17/13</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	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	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.