

Annual Report

EDWARD BYRNE MEMORIAL STATE AND LOCAL LAW
ENFORCEMENT ASSISTANCE FORMULA GRANT PROGRAM

Period of July 1, 2002 - June 30, 2003



Submitted By:

Office of The Governor
State of South Dakota
M. Michael Rounds, Governor

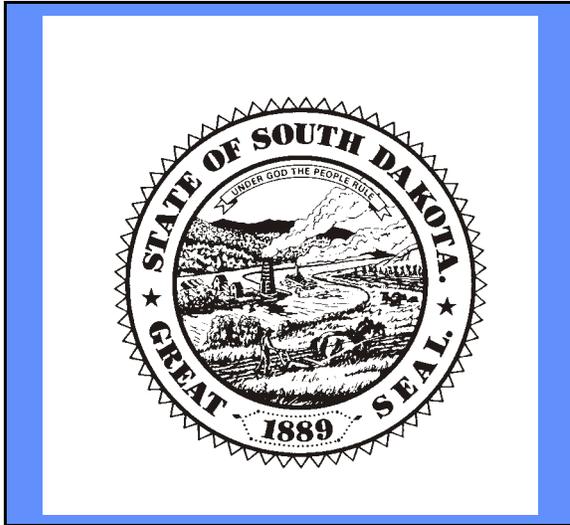
Attorney General's Task Force on Drugs
Office of The Attorney General
State of South Dakota
Larry Long, Attorney General

December 2003

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- A South Dakota Criminal Justice: A Study of Racial Disparities (August 2002)

EXECUTIVE SUMMARY

From the very beginning of the present drug and violent crime control program, initiated with the passage and funding of the Anti-Drug Abuse Act of 1986, South Dakota has used a coordinated resources approach in developing, implementing and monitoring the strategy. This approach requires coordination of not only Federal, State and local criminal justice system agencies, but also education and treatment to provide an overall picture of what is needed in the State to address the drug and violent crime problem.

It is important to emphasize that the South Dakota Statewide Strategy for Drug and Violent Crime Control is not viewed as a permanent document. Rather, it is a plan that is revised as additional information is gathered, funded projects attain specific goals and objectives and develop new ones; as Federal, State and local agencies continue to provide consultation as to the latest identification of problems; and as the Task Force on Drugs office takes all information under advisement in drafting revisions.

Listed below are the priorities for funding, as included in the FFY2001 Statewide Strategy (which did not change in the FY2002 or FY2003 required application materials), and the programs listed under each priority for the period 7/1/02 – 6/30/03:

1. Increase the manpower and other resources needed to address the drug and violent crime issues facing the law enforcement community in the state.
 - a. State Drug Task Force Program
 - b. Canine Drug Detection and Apprehension Program

1. Increase the manpower and other resources needed to address the drug and violent crime issues facing the prosecution community in the State.
 - a. Statewide Drug Prosecution Program

1. Provide institutional treatment programming for the chemically dependent offender.
 - a. Short Term Adolescent Relapse Treatment Program

1. Provide programming to meet the identified needs of adjudicated juveniles.
 - a. Transitional Program for Adjudicated Juvenile Offenders

2. Provide prison industry projects designed to place inmates in a realistic working and training environment that will enable them to acquire marketable skills.

- a. Prison Industry Program
- 2. Address criminal justice issues of Native Americans and other minorities.
 - a. Research Proposal – Arrest, Prosecution, and Sentencing in South Dakota: Does Race Make a Difference?

The priorities for funding under the Criminal Justice Records Improvement (CJRI) Plan are: 1) NIBRS (National Incident Based Reporting System) and 2) AFIS (Automated Fingerprint Identification System).

I. INTRODUCTION

The Statewide Strategy for Drug and Violent Crime Control has been developed to improve the functioning of the criminal justice system with an emphasis on drug trafficking, violent crime, and serious offenders; to assist State and local government in the enforcement of laws relating to the production, possession and transfer of controlled substances; improving the functioning of the criminal justice system; enhancing the capabilities at the State and local levels to effectively control violent crime and drug offenses; and to treat drug offenders.

The strategy addresses the major problems identified in law enforcement - namely the shortage of full-time officers and specialized equipment to conduct drug investigations. When the local multi-jurisdictional drug task forces were discontinued in 1995, the State Task Force and the Canine Drug Detection and Apprehension Programs were expanded to statewide coverage. These programs have lessened the problems of manpower and equipment shortages, while at the same time contributing to the increase in drug-related arrests leading to prosecution, and to the increase in assets seized and forfeited.

The program goal of the Statewide Drug Prosecution Program is to enhance the ability of State and local criminal justice agencies to investigate and prosecute multi-jurisdictional narcotics trafficking crimes, as well as to coordinate seizure and forfeiture procedures; to fill gaps in prosecutions at the local level; to develop new strategies and guidelines to increase the deterrent value of criminal prosecutions; to enhance a formal mechanism whereby investigative and prosecutorial resources can be allocated, focused, and managed against targeted drug traffickers; and to participate in a shared management system of intergovernmental law enforcement and prosecutorial resources.

Great strides have been made in the past few years and the strategy continues to address the needs for rehabilitation and treatment within the correctional institutions and in the alternatives to incarceration programs. The Chemical Dependency Continuum of Services - Adults and Juveniles Program is a component of the statewide system of service provision of alcohol/drug services administered by the Division of Alcohol and Drug Abuse, Department of Human Services. Funding was provided during this time period for the Short Term Adolescent Relapse Treatment Program for juveniles on supervised release.

Many juvenile offenders come from dysfunctional families and many from no family base at all. Whether they face probation or aftercare situations, they need a healthy support base which would increase their chances for successfully fulfilling their probation/aftercare obligations, and which would help reduce their chances of returning to a lifestyle that led them initially into the juvenile justice system. The Transitional Program for Adjudicated Juvenile Offenders is designed to provide opportunities for the young men who have "graduated" from the juvenile correctional facilities, but are not able to return or have no home to return to, for a variety of reasons. The Watertown Home and School (for young women) closed on June 30, 2001.

For the past decade, the South Dakota Department of Corrections (SDDOC) has aggressively assessed for and provided corresponding services for inmates and youth with chemical dependency problems. With very few exceptions, all offenders are assessed for chemical dependency problems upon admission to the correctional system. A multitude of programmatic changes have taken place in the SDDOC, both in the adult and juvenile systems. Quality educational programs including strong partnerships with local school districts have been formed. Each adult and juvenile offender is required to participate in parenting courses. Intensive family services and mentoring programs have been attempted for juvenile offenders. All adult offenders without a GED or high school diploma are required to work toward their GED. A wide variety of inmate work programs have prospered including the nationally recognized Governor's Affordable Senior Housing project and the Wiring the Schools project. Byrne funding was used during this time period to continue the Custer Prison Industry Project.

According to published accounts of the South Dakota Advisory Committee to the U.S. Commission on Civil Rights, a significant number of South Dakota's Native American citizenry hold a strong perception that "there is a dual system of justice and that race is a critical factor in determining how law enforcement and justice functions are carried out." (Chapter 3, Native Americans in South Dakota: An Erosion in the Confidence in the Justice System). The Governmental Research Bureau at the University of South Dakota was awarded a contract to conduct a research proposal entitled "Arrest, Prosecution, and Sentencing in South Dakota: Does Race Make a Difference?" A report entitled "South Dakota Criminal Justice: A Study of Racial Disparities" was submitted to Governor Janklow in August of 2002.

The programs funded under the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program are the results of joint planning efforts involving the Office of the Governor, Office of Attorney General, Program Office of the South Dakota Attorney General's Task Force on Drugs, and other state departments and divisions.

II. EVALUATION PLAN AND ACTIVITIES

The State Agency has implemented process evaluations of all projects and the strategy addresses the continuation and enhancement of evaluation activities. Fiscal and programmatic monitoring of all funded projects also allows a timely means to identify problems, focus technical assistance, and respond to changing circumstances.

The goals and objectives of every funded project are included as part of the subcontract which outlines the responsibilities of the State and the Subcontractor. A section on evaluation, in accordance with State Program Office guidelines, is included as part of the required project reporting. The Project Directors are required to submit either monthly or quarterly project performance reports that include a synopsis of activities undertaken to meet each objective, accomplishments toward meeting each objective, and

to what extent these activities and accomplishments contribute to the overall goals of the project.

III. SUMMARY OF PROGRAMS, PERFORMANCE MEASURES, EVALUATION METHODS, AND EVALUATION RESULTS

A. Canine Drug Detection and Apprehension Program

Implementing Agency: South Dakota Department of Commerce and Regulation
Division of Highway Patrol

1. Program Overview

Program Title	Canine Drug Detection and Apprehension Program
Number of Subgrants	0
Number of Sites	11
Award Amount	\$111,789

2. Goals and Objectives

a. The goals of the Canine Drug Detection and Apprehension Program follow:

- ◆ Increase the narcotics detection capabilities of the South Dakota Department of Commerce and Regulation, Division of Highway Patrol
- ◆ Increase the drug-related apprehension capabilities of the Division of Highway Patrol
- ◆ Enhance the utilization of canines in detecting narcotics in South Dakota
- ◆ Provide specific training for individuals transporting illegal substances
- ◆ Utilize in-car video recorders for court cases and for officer training

b. The objectives of the Canine Drug Detection and Apprehension Program follow:

- ◆ Enhance the training of the existing canines for drug detection activities in South Dakota
- ◆ Enhance the capabilities of the Highway Patrol South Dakota State canines
- ◆ Continue to utilize mobile telephone equipment and pagers to expedite the use of the dogs in emergency and off-hour situations
- ◆ Maintain kennel facilities for the dogs
- ◆ Use canines at various high-risk locations, drug trafficking hubs, at airports, at post office facilities, at jails and courthouses, in public places
- ◆ Conduct a two-day seminar on drug interdiction training to increase effectiveness in apprehending individuals transporting illegal substances
- ◆ Utilize in-car video recorders for court cases and for officer training

- ◆ Increase the number of drug-related seizures
- ◆ Increase the number of drug-related arrests
- ◆ Increase the number of drug-related convictions

3. Program Activities/Components

The major goal of this project is to utilize eleven narcotic detection canines in roadside interdiction efforts to apprehend couriers or importers moving illegal drugs and substances into or through South Dakota. It is also intended to have more officers become involved in actively working to detect illegal shipments and to use video systems to document, for court purposes, what events did take place. The South Dakota Highway Patrol has fulfilled this goal by utilizing the canines and their handlers in a variety of roadside interdiction efforts such as:

- individual traffic stops on a suspicion or other legally acceptable basis
- use of canines at roadside traffic checks
- special criminal and narcotic interdiction efforts in conjunction with specific activities such as rock concerts and the Sturgis Motorcycle Classic
- motor carrier interdiction efforts - the South Dakota Highway Patrol is charged with the enforcement of all motor carrier laws and regulations, thus the canines will be utilized at fixed ports of entry as well as roving motor carrier checks to impact this method of drug movement
- documenting the events of an interdiction search for court purposes and for training less skilled officers

Efforts with the canines are extended to assist other law enforcement agencies on a request basis. Based upon established criteria to include location of call, availability of canine and handler, travel distance, urgency of need, nature of search, etc., the Highway Patrol attempts to assist as many police departments and sheriffs' offices as possible. Areas of need addressed by the request of local agencies include:

- roadside vehicle searches
- building searches based on search warrant or other legal probable cause
- municipal airport baggage or air freight areas
- post offices and parcel post facilities, again based upon request, agreement or probable cause
- assistance with searches at jails or the State Penitentiary

The Highway Patrol continues to maintain a high public profile by providing information and an education program regarding the canines and their handlers. Activities such as fair demonstrations, conventions, school programs, etc. are used to acquaint law enforcement and the public of the capabilities of the canines.

4. Performance Measures and Evaluation Methods

The Project Director of the Canine Drug Detection and Apprehension Program is required to submit a Quarterly Project Performance Report for each three month period of the project concerning the programmatic activities carried out under the goals and objectives of the project. The Quarterly Project Performance Report will include a synopsis of activities undertaken to meet each objective of the project, accomplishments toward meeting each such objective and to what extent these activities and accomplishments contribute to the overall goals of the project. The reports will also include a summary description of the project, data gathered based on approved goals and objectives, and a narrative assessment of impact and results of the project.

5. Program Accomplishments and Evaluation Results

a. Program Accomplishments

The reporting period for the Canine Drug Detection and Apprehension Program is October through September. For the time period covering October 1, 2002 through September 30, 2003, the canines have been involved in the following types of searches:

Canine Drug Detection and Apprehension Program Number and Type of Searches 10/1/02 – 9/30/03	
Vehicles	1459
Open Areas	33
Buildings	85
Freight Boxes	45
Luggage	14
Search Warrants	25
Correctional Facilities	5
Assist other Agencies	153
Assist other Troopers	199
Roadside Traffic/Truck Checks	141
Other	60

The canines were involved with 1,024 drug interdiction traffic stops. Canine searches have resulted in 406 drug-related seizures of substances. The estimated street value of drugs seized during this time period is \$4,442,556. In addition to drugs seized, the value of property seized was \$5,781,138 and money seized was \$1,094,151. Seizures included paraphernalia items, 19 vehicles, and 32 weapons. There were 820 arrests reported by the canine handlers. The multi-jurisdictional nature of the canine work renders it impossible to track specific convictions or dispositions.

As well as being used in an apprehensive capacity, the canines were also involved in 84 public demonstrations at civic groups, fairs, and local celebrations and 3 searches

were conducted in schools to acquaint law enforcement and the public with the capabilities of the dogs. Each team has participated in a ride along program with the Nebraska State Patrol to further drug interdiction methods and education. This program will continue on a once per year basis. Canine teams also continue to support federal, state, county, and local law enforcement.

b. Evaluation Activities

The canines are evaluated as per the standard operating procedures established for canines assigned to the South Dakota Highway Patrol. This is accomplished based upon training requirements as well as actual field performance measures with the direct input of the handlers and the Canine Program Supervisor. The handlers document each training episode and field search on departmental forms.

The canine handlers are evaluated as a specialist within the parameters of this field and the guidelines of the South Dakota Highway Patrol Policy Manual. The Program Supervisor maintains strict records of all training times, training performances, and field activities performed by the canine teams. Handler's performance is judged according to the German Police Standards and annual certification is by Officer David Huntimer of the Sioux Falls Police Department, Sioux Falls, SD. Officer Huntimer is a certified Police Service Dog Judge.

B. State Drug Task Force Program

Implementing Agency: Office of Attorney General
Division of Criminal Investigation

1. Program Overview

Program Title	Statewide Drug Task Force Program
Number of Subgrants	0
Number of Sites	8
Award Amount	\$720,646

2. Goals and Objectives

Project Goal - Statewide Drug Task Force: To reduce the overall problem of drug abuse and violent crime in the geographical area of the State of South Dakota. This overall goal will be met as a result of the below listed specific goals.

a. Specific Project Goals - Statewide Drug Task Force:

- ◆ To identify production and distribution sources of illicit drugs, marijuana, and controlled substances coming into the State;

- ◆ To target all production and distribution sources, and via “beefed-up” investigative efforts, arrest and prosecute all parties associated with these activities;
- ◆ To reduce the number of drug-related crimes within the State;
- ◆ To enable law enforcement agencies to more adequately provide services to the public in response to the illicit drug, marijuana, and controlled substances problem;
- ◆ To identify and document the resources required by local communities to improve the quality of information concerning drug use availability to bail-setting magistrates;
- ◆ To implement services necessary to monitor the pretrial activity of those arrestees identified as drug users;
- ◆ To create a significant impact on the incoming supply of illicit drugs, marijuana, and controlled substances and thereby reducing the market demand;
- ◆ To augment the ability of local law enforcement agencies to effectively control organized trafficking operations; and
- ◆ To create a multi-jurisdictional market impact on the production, distribution, consumption, and abuse of drugs.

b. Overall Objectives - Statewide Drug Task Force: The overall objectives of the Statewide Drug Task Force coincide with those objectives developed for the South Dakota “Statewide Drug Task Force Program” designed for implementation by the South Dakota Attorney General’s Task Force on Drugs, which follow:

- ◆ To enhance a unit to accept, catalog, file and disseminate information concerning the use, sale and distribution of illicit drugs, marijuana and controlled substances statewide, which shall be shared with local law enforcement.
- ◆ To arrange for sharing and exchange of information between City, County, State, and Federal law enforcement agencies concerning the use, sale and substances, trafficking of illicit drugs, marijuana, and controlled substances.
- ◆ To provide assistance to local law enforcement agencies in the State to gather evidence of criminal violations relating to the production, possession and trafficking of illicit drugs, marijuana, and controlled substances, and investigation of related criminal activity.
- ◆ To enhance investigation, prosecution, and conviction of multi-jurisdictional illicit drug, marijuana, and controlled substances conspiracies and conspirators.
- ◆ To reduce fractional and duplicative investigations and prosecutions.
- ◆ To increase use of civil remedies to recover assets traceable to criminal activity.

Specific Objectives - Statewide Drug Task Force: The specific objectives of the project are as follows:

- ◆ To continue the activities of the Control Group for the project made up of representatives from the criminal justice system;
- ◆ To continue to identify the sources of illicit drugs, marijuana, and controlled substances in the State, and to evaluate and assess identified sources to determine the size/scope of the operations' involvement with organized crime;
- ◆ To continue to initiate proactive investigations to effect apprehension of those individuals involved in the illicit drugs, marijuana, and controlled substances trafficking;
- ◆ To continue increasing the number of investigations, prosecutions, and convictions among those individuals involved with illicit drugs, marijuana, and controlled substances;
- ◆ To reduce the duplication of investigations among the criminal justice system agencies working within the State;
- ◆ To increase the number of drug arrests, and in turn help curb the spin-off of crime that is related to drug trafficking;
- ◆ To increase the recovery of assets that would not normally be recovered through single agency efforts;
- ◆ To continue staffing support for local law enforcement officials who are charged with the task of investigating, arresting, and convicting parties involved with drug-related activities;
- ◆ To continue collecting intelligence information and having the capabilities of sharing such information with other law enforcement agencies;
- ◆ To increase the networking capabilities with local law enforcement agencies to enable the sharing of intelligence information that will have a "results-oriented" impact on drug trafficking;
- ◆ To impact the market supply of illicit drugs, marijuana, and controlled substances in the State;
- ◆ To continue an apprehension prevention procedure through the usage of drug testing;
- ◆ To continue (1) a pretrial drug detection program, (2) to suppress drug usage on work release/trustee programs, (3) to assist Court Services with probation programs, and Parole Services with intensive supervision parole programs, and (4) to enhance driving while under the influence of marijuana, or controlled substances detection capabilities; and
- ◆ To assist local law enforcement in aspects of their investigation, intelligence, and prosecution activities.

Through the continuation of the above, it is anticipated that there will continue to be an increase in the number of investigations, arrests, prosecutions, and convictions related to the use, sale, and distribution of illicit drugs, marijuana, and controlled substances. This should also result in an increase in the recovery of assets traceable to criminal activity, as well as having a positive impact on other crime related to drug trafficking in the area.

3. Program Activities/Components

The successful implementation of the Statewide Drug Task Force Program's activities has incorporated the development of an overall enforcement strategy which includes the active participation of those criminal justice agencies in geographical areas of the State, and jointly prioritizes the illicit drug and marijuana trafficking, as well as conspiracies for enforcement action. All law enforcement personnel feasible and the technical resources available will continue to be included in the enforcement strategy required to pursue the investigation and prosecution of individuals involved in illicit drug and marijuana trafficking or conspiracies uncovered.

In order to avoid a fragmented, duplicative, or less than adequate response to addressing the seriousness of the drug problem, the Statewide Drug Task Force formalizes joint operations by those participating law enforcement agencies and effects the sharing of crime fighting resources and capabilities. The Office of Attorney General, the Statewide Drug Task Force personnel, and personnel of the Statewide Drug Prosecution Component establish policies to select cases to be investigated; allocate, focus, and manage project resources; and provide oversight of project investigations.

Drug-related intelligence information is compiled by local law enforcement agencies and furnished to the intelligence component of the Statewide Drug Task Force. The South Dakota Law Enforcement Information Network (LEIN) will continue to be used to facilitate the identification of drug traffickers across the State.

The purpose of the Statewide Drug Task Force Program is to provide support to law enforcement and prosecution agencies in developing multi-agency projects to investigate and prosecute narcotics traffickers and conspirators. The program is intended to develop successful cases against offenses, which require unique, time consuming investigative techniques and where coordination among law enforcement agencies is essential.

The overall goal of this project is consistent with the "Statewide Drug Task Force Program" designed for implementation by the South Dakota Attorney General's Task Force on Drugs, which is:

"to enhance through jointly managed operations, the ability of City, County, State and Federal criminal justice agencies to remove targeted narcotics traffickers and conspirators through investigation, arrest, prosecution, and conviction. The program will formally structure and jointly coordinate multi-jurisdictional activities, resources, and functions of law enforcement and prosecution agencies in the successful investigation and prosecution of multi-jurisdictional drug crimes and their perpetrators."

Methamphetamine abuse continues to pose problems to South Dakota communities and neighboring states. The Upper Midwest has been designated as a High

Intensity Drug Trafficking Area (HIDTA). In January 1997, the State Division of Criminal Investigation was awarded federal funding as part of the Midwest HIDTA project. The HIDTA project has been modeled to be administrated by the Statewide Drug Task Force in a similar manner as the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program. The work of the HIDTA project is performed by two analysts in Pierre, and one agent in each of the following counties: Minnehaha, Pennington, Union, and Yankton County.

The following table represents HIDTA (covering 33 counties as of November 2003) methamphetamine cases for 1997, 1998, 1999, 2000, 2001, 2002, and January-November 2003:

Methamphetamine Statistics for South Dakota HIDTA Initiatives

	CY 1997	CY 1998	CY 1999	CY 2000	CY 2001	CY 2002	2003 (Jan- Nov)
Methamphetamine labs seized	2	2	3	9	18	31	34
Number of methamphetamine arrests	206	368	300	352	356	467	440
Number of persons charged State	146	xxx	257	313	332	448	409
Number of persons charged Federal	36	xxx	43	39	24	19	31

Meth trends noted by the South Dakota HIDTA :

- ◆ Quantities of meth seized/purchased:
 - calendar year 1997 = 14.4 pounds
 - calendar year 1998 = 10.2 pounds
 - calendar year 1999 = 25.2 pounds
 - calendar year 2000 = 16.02 pounds
 - calendar year 2001 = 17.21 pounds
 - calendar year 2002 = 39.301 pounds
 - January-November 2003 = 13.536 pounds
- ◆ The Interstate 29 pipeline continues to flow into the eastern side of South Dakota from Sioux City, Iowa.
- ◆ Hispanic meth traffickers are known to deal and seek refuge among the Native American population in South Dakota.
- ◆ Theft of the agricultural fertilizer anhydrous ammonia for illegal use in making methamphetamine remains a threat statewide.
- ◆ Meth trafficking has historically flourished at the annual Sturgis Motorcycle Rally & Races held in western South Dakota. Outlaw motorcycle gangs are a source of investigative activity on a year-round basis.

- ◆ The purity of meth remains extremely high west river. On average, meth seized is returning purity levels of 90% to 95%.

4. Performance Measures and Evaluation Methods

The Project Director is required to submit a Quarterly Project Performance Report for each quarter of the project, concerning the programmatic activities carried out under the goals and objectives of the project. The Quarterly Project Performance Reports will include the Division of Criminal Investigation Weekly Summary of Agents' Cases report, the Division of Criminal Investigation's Agents' Totals Report and copies of the time sheets for the agents funded through the Byrne funds. The Weekly Summary of Agents' Cases report gives information pertaining to the number of cases opened by each agent, the type of case, the subject of the investigation and a brief synopsis of each case. The Agents' Totals Report addresses the number of cases opened, the number of narrative reports generated, the number of assists performed, the number of arrests made and the number of cases canceled for the given time periods. The time sheets detail information such as the number of hours devoted to each case, case type, and hours spent on the following: report preparation, intelligence, professional relations, public relations, training given, training received, court, administration, travel and leave.

Information is also collected from the Unified Judicial System pertaining to charges filed, convicted charges and sentences; the Criminal History Database addressing arrest information; and the Lab Data Collection Form regarding laboratory submissions. These data sources, in addition to the Quarterly Project Performance Reports, are used to monitor the Statewide Drug Task Force's performance.

5. Program Accomplishments and Evaluation Results

a. Program Accomplishments

Ten Division of Criminal Investigation agents are funded through Byrne funds. The map illustrates the number of cases in each county these ten agents have devoted to drug and violent crime offenses.

The following graph depicts the total number of drug-related arrests and charges for the given time periods. These numbers represent activity for the entire State of South Dakota.

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following graph indicates an increase in the percentage of drug-related inmates on hand as compared to the total population in the penitentiary:

b. Evaluation Activities

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ion to regular reporting and evaluation requirements, the project will have on-site monitoring visits during the subcontract period by the State Program Office staff, South Dakota Attorney General’s Task Force on Drugs.

C. Statewide Drug Prosecution Program

Implementing Agency: Office of Attorney General
Drug Prosecution Unit

1. Program Overview

Program Title	Statewide Drug Prosecution Program Component
Number of Subgrants	0
Number of Sites	3
Award Amount	\$403,223

2. Goals and Objectives

a. The goal of the Statewide Drug Prosecution Program Component is to enhance enforcement and prosecution efforts in their assistance to State and local law enforcement agencies, on a statewide basis, while bringing the full impact of State law to bear on offenders; to fill gaps in prosecutions at the local level; to develop new strategies and guidelines to increase the deterrent value of criminal prosecutions; to enhance a formal mechanism whereby investigative and prosecutorial resources can be allocated, focused, and managed against targeted drug traffickers; and to participate in a shared management system of intergovernmental law enforcement and prosecutorial resources.

b. Program Objectives

- ◆ To continue and enhance a specialized unit of the Attorney General’s Office known as the Drug Prosecution Unit comprised of a Statewide Drug Prosecutor and four full-time Assistant Drug Prosecutors. This unit has been assigned to coordinate and prosecute only drug cases and litigate asset forfeiture cases statewide. Under State law, Assistant Attorney Generals have concurrent authority with the local States Attorney to prosecute criminal cases. This authority shall be exercised through cooperation with local prosecutors at the county level. Additionally, the Attorney General’s Office is the only agency with statutory authority to file civil asset forfeiture cases.
- ◆ To reduce the duplication of investigations and prosecutions by cooperation between the Statewide Drug Task Force, other law enforcement agencies, local prosecutors, and the Statewide Drug Prosecutors.
- ◆ To assist in the coordination of activities with the Statewide Drug Task Force and other law enforcement agencies in the sharing of their crime

fighting resources and capabilities. Increased prosecutions, larger narcotics seizures and more asset forfeitures are expected to occur as a consequence of the Statewide Drug Task Force and the additional prosecutors, which will result in the overall reduction in the number of major traffickers and the availability of illicit drugs.

- ◆ To examine the feasibility of the regional drug prosecutors staffed by Assistant Attorney Generals who work with the Statewide Drug Task Force and other agencies within their respective geographic region. Two prosecutors are located in the central portion of South Dakota, three are located in southeastern South Dakota (the most heavily populated area in the State), and one in the western portion of the state.
- ◆ To increase the use of conspiracy charges against those involved in the illicit distribution of controlled substances across county lines.
- ◆ To increase the exchange of intelligence information between city, county, State and Federal criminal justice agencies concerning the use, sale, and trafficking of illicit drugs, marijuana and controlled substances. Intelligence received by the offices of Program Coordinator, Attorney General's Task Force on Drugs, and the Statewide Drug Prosecution Program, shall be shared with the Intelligence Analyst at the South Dakota Division of Criminal Investigation and vice versa.
- ◆ To increase asset and conveyance forfeitures to serve as a deterrent and to provide a remedial measure for the cost of apprehending and prosecuting those involved in the transportation, sale, receipt or possession of controlled drugs or substances.
- ◆ To provide training for prosecutors and/or law enforcement officers across the State to insure that they are trained and motivated toward an active role in drug prosecutions. This training should center on the use of investigative grand juries, conspiracy indictments and strategies to move up the drug supply ladder.
- ◆ To draft and recommend legislation to the Attorney General for laws strengthening the criminal penalties for possession and distribution of Schedule III and IV controlled drugs as defined in SDCL 34-20B. Legislation requesting the increase in penalties for cultivation and possession of large quantities of marijuana with intent to distribute such marijuana will also be requested. Prosecutors will seek the advice of other law enforcement entities as to other drug legislation needed.
- ◆ To provide advanced training workshops for agents and detectives statewide on such topics as Search and Seizure, Miranda, and Interrogations.
- ◆ To provide legal assistance and guidance to the Highway Patrol Canine Drug Detection and Apprehension Program as requested. Additionally, the Statewide Drug Prosecution Team hopes to assist the Canine Unit in obtaining favorable precedent as cases move through the Circuit Courts.
- ◆ To provide legal assistance and guidance to law enforcement officers in the area of consent search law and obtain favorable precedent from the courts.

- ◆ To provide assistance and training in all areas of drug enforcement with the Statewide Drug Task Force. Ten (10) agents are placed in strategic locations throughout the state and will be focusing on distributors and large-scale traffickers.

3. Program Activities/Components

The Statewide Drug Prosecution Program Component created a specialized unit responsible solely for prosecuting drug cases and coordinating seizure and forfeiture procedures. This allows the attorneys the opportunity to be available to take part in extensive and often time consuming drug investigations and prosecutions throughout the State. These attorneys can be called in to take over cases or assist local State's Attorneys during major drug cases. The attorneys in the Statewide Drug Prosecution Program Component are also available to follow cases up-the-chain of drug supply. This special unit enables South Dakota to better force or negotiate the testimony of convicted drug felons or defendants against their source of supply. The special unit also provides investigative assistance in handling wiretaps, search warrants and investigative grand juries.

The Statewide Drug Prosecution Program Component will use investigative grand juries. The prosecutors have made a concerted effort to require all defendants to cooperate with law enforcement as a term of all plea bargain agreements. After jury trial, defendants refusing to cooperate with law enforcement will be brought before the grand jury and questioned regarding their source of supply and customers. If they refuse to answer, the State will file motions to have them held in contempt of the grand jury.

The formation of this specialized unit has led to greatly improved communication and coordination between State and Federal agencies. The Attorney General's Office and the United States Attorney's Office now work together on a regular basis analyzing which office can most effectively handle both criminal prosecutions and asset forfeitures which arise as a result of State, Federal and local investigations.

4. Performance Measures and Evaluation Methods

The Project Director for the Statewide Drug Prosecution Program is required to submit a Quarterly Project Performance Report for each three-month period of the project concerning the programmatic activities carried out under the goals and objectives of the project. The quarterly reports include a synopsis of activities undertaken to meet each objective of the project, accomplishments toward meeting each such objective and to what extent these activities and accomplishments contribute to the overall goals of the project. The reports will also include a summary description of the project, data gathered based on approved goals and objectives and a narrative assessment of impact and results of the project. The Statewide Drug Prosecutor will call periodic meetings with the drug prosecutors and support staff to address any problem areas or changing legal principles.

5. Program Accomplishments and Evaluation Results

a. Program Accomplishments

The graph below depicts the number of convictions obtained through the Statewide Drug Prosecution Program for the given time periods. Please note that the FY2003 data is unavailable at the time of this report due to the loss of the support staff.

In addition to prosecuting drug cases, the Statewide Drug Prosecution Program is also actively involved in asset seizures and forfeitures. The information below portrays the dollar amount of assets from forfeiture cases initiated through the Prosecution Program:

b. Evaluation Activities

Evaluation criteria for this project have been developed in conjunction with the State Program Office of the South Dakota Attorney General’s Task Force on Drugs. The Project Director is required to submit a Project Performance Report concerning the programmatic activities carried out under the goals and objectives of the project. The Quarterly Project Performance Reports will include a synopsis of activities undertaken to meet each objective of the project, accomplishments toward meeting each such objective, and to what extent these activities and accomplishments contribute to the overall goals and objectives of the project. The report will include a summary description of the project, data gathered based on approved goals and objectives, and a narrative assessment of impact and results of the projects.

D. Short-Term Adolescent Relapse Treatment Program

Implementing Agency: South Dakota Department of Human Services
Division of Alcohol and Drug Abuse

1. Program Overview

Program Title	Short-Term Adolescent Relapse Treatment Program
Number of Subgrants	0
Number of Sites	1

Award Amount	\$133,875
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2. Goals and Objectives

The purpose of the program is to assist adolescents in re-establishing their recovery program and in making vital community connections to support recovery.

a. Goals

- ◆ Provide an intense, short-term residential alcohol and drug treatment program through Our Home, Inc. for adjudicated adolescents involved in the Department of Corrections who have a dependency diagnosis, been through treatment once and relapsed while on aftercare in the community.
- ◆ Provide Case Management Programming for all adjudicated adolescents eligible to receive this level of care.
- ◆ Decrease the number of arrests and aftercare/probation violations.

b. Objectives

- ◆ Clients will meet admission criteria upon entering the Short Term Adolescent Relapse Treatment Program. Up to 50 adolescents will meet admission criteria.
- ◆ Provide short term relapse treatment services for all adjudicated adolescents meeting the program admission criteria. 90% of admissions will successfully complete the program.
- ◆ Refer all adjudicated adolescents that have completed the program to local community resources. The primary counselor will assure that the youth contacts community resources prior to the youth's discharge from treatment. Resources may include but are not limited to the following: Aftercare Counselor, School contact (Guidance Counselor, Principal), Mentor, AA/NA Sponsor.
- ◆ Provide continuing care services for all adjudicated adolescents eligible to receive this level of care. All adjudicated adolescents that complete the short-term adolescent relapse treatment program will establish a Continued Care Plan prior to discharge. The primary counselor will transport the youth to the home community in order to establish a connection to community resources and review the youth's continued care plan.
- ◆ Provide Case Management for all adjudicated adolescents eligible for education/vocational services. Individual attendance and performance at school or vocational training will increase 20% one year post-treatment.
- ◆ Provide Case Management for all adjudicated adolescents eligible to begin employment. Individual attendance and performance at work will increase 20% one-year post-treatment.

- ◆ The number of arrests and aftercare/probation violations will decrease by 20% one-year post-treatment.

3. Program Activities/Components

The Our Home, Inc. Short Term Relapse Treatment Program is an intensive 7-18 day program for adjudicated adolescents involved in the Department of Corrections. This program is designed for adolescents with a diagnosis of alcohol and other drug dependence, and who have successfully completed drug and alcohol treatment at least once. The individual must have relapsed while living in the community. The purpose of the program is to assist adolescents in re-establishing their recovery program and in making vital community connections to support recovery. Therefore, the treatment process places a focus on identifying primary relapse “triggers”, relapse prevention and developing a continued care plan. An emphasis is placed on family involvement as well as involvement from the Department of Corrections and other community support providers.

The specific program philosophy and approach taken by the Rediscovery Program toward the treatment of the direct substance abuse disorders is specified in the following philosophy statement. In conjunction with the treatment philosophy, there are Standard Tasks established that all adolescents experience during the course of the program. These tasks are identified in a Master Treatment Plan. The adolescents participating are also assigned specific individualized tasks specific to their circumstance.

Treatment Philosophy

The Our Home Rediscovery Program Philosophy is based on the belief that chemical dependency is a chronic and progressive illness and that the illness affects the individual in a wholistic sense. The primary goal of treatment is for the individual to achieve sustained abstinence. However, programmatic experience is that relapse during recovery is not an uncommon event, especially among adolescents. Therefore, it is the philosophy of this program that early and intense intervention in relapse episodes can help arrest the relapsing condition and re-direct the individual toward recovery. Criminal thinking patterns are commonly present in youth that are involved in the Department of Corrections system. A treatment approach that challenges criminal thinking has been proven successful. Finally, it is also a critical belief that a philosophical sound support system increases the likelihood of recovery outside of a residential treatment setting.

Admission Criteria

The Our Home Rediscovery Program will accept individuals based upon the following admission criteria:

- ◆ Applicants must be between the ages of 13 through 18 years of age.

- ◆ Applicants must meet the DSM IV diagnostic criteria for substance dependence disorders and have successfully completed treatment at least once.
- ◆ Applicants shall not require detoxification services.
- ◆ Payment arrangements must be established prior to admission through the Division of Alcohol and Drug Abuse.

Admission Process

- ◆ The primary Juvenile Correction Agent makes the primary referral to the Division of Alcohol and Drug Abuse.
- ◆ A decision regarding placement and funding will then be made. Upon approval, the Division of Alcohol and Drug Abuse will contact the Program Coordinator of Our Home, Inc. Rediscovery Program, and the adolescent can be admitted into the program.
- ◆ The youth may be extended beyond the 18-day period with approval from the Division of Alcohol and Drug Abuse and the Juvenile Correction Agent.

4. Performance Measures and Evaluation Methods

a. Performance Measures

The Adolescent Relapse Treatment Program will base discharges on the specific criteria summarized below:

1. Satisfactory completion of the treatment plan
 - Completion of Standard Tasks
 - Completion of Individualized Tasks
2. Develop a Continued Care Plan suitable to the client's needs and situation.
3. Assessed readiness for transfer to lesser level of care according to ASAM.
4. Completion of face to face community contact with pre-planned support system providers.

For clients that are identified as inappropriate for program services, the following conditions must be met prior to or as part of a client being discharged under this classification:

5. Clinical treatment team consensus as to discharge or retention is required, along with specific approval of the Program Coordinator.
6. Notification of Juvenile Correction Agent.

7. Referral to other more appropriate resources when applicable; and
 8. The availability of safe transportation to the appropriate locations.
- b. Evaluation Methods

Discharge planning is a vital component to assure that the youth is connected to the resources in their community. The process of connecting the youth and the community resources is summarized below:

1. The primary counselor will assure that the youth contacts community resources prior to the youth's discharge from treatment. Resources may include, but are not limited to the following:
 - Aftercare counselor
 - School contact (Guidance Counselor, Principal)
 - Mentor
 - AA/NA Sponsor
 2. A Continued Care Plan will be established prior to discharge. This plan may include but is not limited to the following:
 - Relapse triggers with basic intervention plans
 - Denote appointments and aftercare dates
 - Times and frequency of AA/NA meetings
 - Support systems and phone numbers
 - List of supportive peers
 - List of supportive activities
 3. The primary counselor will transport the youth to the home community in order to establish a connection to community resources and review the youth's Continued Care Plan.
 4. The aftercare meeting should also include the youth's Juvenile Correction Agent and parent(s)/guardians.
5. Program Accomplishments and Evaluation Results
- a. Program Accomplishments

A total of 41 clients have been admitted into the Short Term Adolescent Relapse Treatment Program. By June 30, 2003, there were 37 clients discharged; 34 clients successfully completed all of the treatment requirements; and 3 clients completed some but less than the majority of the treatment requirements or were identified as needing a greater level of care.

There were 7 clients placed in a transitional care (half-way house type) facility. This was arranged prior to the clients entering the Program. One went to Job Corps and 29 returned home.

Follow-up checks are conducted every three, six, and twelve months on each client that completed the program. Information is obtained from the Juvenile Corrections Agent, client, and parents. During the fourth quarter, there were 11 three-month, 6 six-month, and 12 twelve-month follow-up checks. Thirteen clients were going to school, 7 had their GED, and 1 had been discharged from DOC. Five of the clients were not in school, there were two clients that the JCA had not had contact with due to possibly being on the run, and one client had been discharged from DOC. Ten clients had a job and 15 did not. During these follow-up checks, the Juvenile Corrections Agents reported that 13 clients had been arrested, 15 had not been arrested, and one had been discharged from DOC.

b. Evaluation Activities

The Project Director submitted the required Project Performance Reports that addressed the goals and objectives as outlined in the Subcontract. Project monitoring was conducted via the submission of the reports. Other evaluative measures include completing the assessments within the first three days of admission; creating a treatment plan identifying problem areas and goals; and clients assisting in the development of their continued care plan. Records are maintained to meet the objectives that: 90% of admissions will successfully complete the program; individual attendance and performance at school or vocational training and work will increase 20% one year post-treatment; and the number of arrests and aftercare/probation violations will decrease by 20% one year post-treatment.

E. Prison Industry Program

Implementing Agency: South Dakota Department of Corrections

1. Program Overview

Program Title	Custer Prison Industry Program State Fair Prison Industry Program
Number of Subgrants	2
Number of Sites	2
Award Amount	\$436,335 Custer (8/01-12/02) \$649,990 Custer (1/03-12/03) \$ 71,865 State Fair (4/02-11/02)

2. Goals and Objectives

The goal is to establish and operate a seasonal prison industry in Custer State Park and at the State Fairgrounds that will provide a realistic working and training environment that enables the inmates to develop marketable skills, good work habits and prepares them for employment in their community upon release.

Program Objectives:

- ◆ Custer State Park personnel will identify and prepare a housing unit for occupancy of up to 80 inmates.
- ◆ Custer State Park personnel will identify and prioritize a list of projects to be completed with inmate employees and identify and procure any needed capital assets, supplies, materials and work transportation necessary to accomplish the projects consistent with the approved budget.
- ◆ The Department of Corrections will have a plan in place to meet the food service, medical services, recreation, commissary, clothing, inmate telephone and visitation, and non-work related transportation needs of the inmate employees.
- ◆ The Department of Corrections will hire Crew Leaders and Correctional Officers to train and supervise inmates while they work and on evenings and weekends.
- ◆ The Department of Corrections and Custer State Park staff will identify and assign responsibility for completing the following reporting requirements: inmate counts, incident reports, accident reports, inmate work evaluations, and monthly reports which summarize the work that has been accomplished and next month's prospective projects.
- ◆ The Department of Corrections will identify at least 70 minimum-security inmates appropriate for employment in the new prison industry based on the contents of the inmates' IPD's and offense and disciplinary histories and arrange for transportation to the housing site.
- ◆ Prior to employment, all inmates will be trained in Wildland Fire Fighting and prior to operating equipment, inmates will be trained in safety procedures for the equipment that they are using and the tasks that they are completing.
- ◆ Inmates employed in the Prison Industry Program will clear and brush forest land, tuckpoint brick work, roof buildings, provide general building and grounds maintenance, and remodel houses.
- ◆ Inmates employed in the Prison Industry Project will maintain a 90% employment rate upon release to supervision and less than 25% will return to prison within one year of release or discharge.

3. Program Activities/Components

Activities Include:

- ◆ Identify inmate and staff housing units.
- ◆ Prepare space for occupancy ensuring that appropriate heating, lighting, telephone and television are available.
- ◆ Purchase all needed housing unit supplies and any needed furnishings.
- ◆ Identify and prioritize a list of inmate work projects.
- ◆ Prepare a list of capital assets, supplies, materials and transportation needed to complete the projects.
- ◆ Procure the needed capital assets, supplies, materials and transportation through reassignment of existing resources or through purchases consistent with the approved budget.
- ◆ Assign a staff person to develop a plan to meet the food service, medical services, recreation, commissary, clothing, inmate telephone and visitation, and non-work related transportation needs of the inmate employees.
- ◆ Assigned staff person will meet with correctional staff from adult institutions, Custer State Park staff and staff from neighboring State institutions to identify the standards to be met and mechanisms to meet these standards.
- ◆ Crew leader and Correctional Officer job descriptions are developed and positions are announced.
- ◆ Applicants are interviewed, references checked and the best applicants hired.
- ◆ Staff is trained to work with and supervise inmates.
- ◆ Department of Corrections and Custer State Park staff will meet to identify all reporting requirements and assigned responsibilities.
- ◆ The Department of Corrections Director of Classification and Director of Community Service will identify inmates appropriate for employment in the prison industry program based on the following criteria:
 - Minimum-security;
 - Non-violent and non-sex offender;
 - No medical or mental health holds;
 - Completed education requirements; and
 - Not scheduled for treatment or other mandatory programming that will interfere with employment.
- ◆ Custer State Park staff will identify and provide or arrange for all training required by the inmate employees.
- ◆ Department of Corrections will train and supervise inmates in forestry management, roofing and tuckpointing.
- ◆ The Department of Corrections will ensure that necessary documentation of work completed is maintained.
- ◆ DOC Coordinator of Research and Grants will track inmates employed in the Prison Industry Project to monitor employment and return to prison rates.

4. Performance Measures and Evaluation Methods

a. Performance Measures

- ◆ Space is available and ready for use.
- ◆ Inmates unassigned (excluding Sundays and medical lay-ins) to work projects do not exceed 1% of total inmate days worked.
- ◆ No more than 10 valid inmate grievances will be resolved during the length of the project.
- ◆ Staff is hired, trained and ready to work.
- ◆ No inmate escapes or inmate on inmate violence due to lack of supervision.
- ◆ 100% of counts are accurate and communicated in a timely manner.
- ◆ Inmates are identified and in place.
- ◆ Inmate worker turnover, excluding releases, will not exceed 25% during the project period.
- ◆ 100% of inmates complete safety training prior to working with equipment.
- ◆ No accidents occur due to inmates not completing safety training.

b. Evaluation Methods

Process measures include the timeliness of program initiation, number of hours worked, the number of incidents and accidents, and the amount of work completed. Outcomes, as with other Department training and treatment programs, will be evaluated based upon the established measures of employment status and job type upon release and the rate of return to prison for new felonies or supervision revocation.

Subgrant recipients will abide by all reporting, monitoring and evaluation requirements of the SAA. This project will be incorporated into existing evaluation strategies for other correctional programs. Reports of program activities, project status, and progress in meeting stated goal and objectives will be submitted by subgrantees as required by the SAA. Stated performance measures will be applied to activities of this project.

5. Program Accomplishments and Evaluation Results

a. Program Accomplishments

This is a service industry. The industry was located in and directly benefited Custer State Park and the State fairgrounds. This service prison industry employed inmates in the areas of forestry management, vehicle and equipment maintenance, building maintenance, grounds maintenance, roofing, and tuckpointing. In total, up to 80 inmates could be employed in these industries at any given time. The inmates worked six days/week (Monday through Saturday) from 7:30 am – 4:00 pm. Inmates were paid the prevailing inmate wage of \$.25/hour. The Department of Corrections hired Crew Leaders and Correctional Officers to supervise the inmates during the non-working hours, and to train, direct and supervise the inmates while working. Inmates were housed in Custer State Park and in quarters near the Custer Youth Corrections Center. This provided quick access to the various work sites and minimized transportation time. Meals were brought to the housing unit. Laundry was also shuttled to and from the housing unit. Access to medical services, recreation, commissary, phone calls, and visits was provided.

Inmates were screened and selected for employment in this prison industry based on their Individual Program Directive (IPD). The IPD establishes standards and criteria for initial parole. Additionally, the IPD documents program needs and provides a mechanism for resource allocation to ensure that inmates are given the opportunity to complete and adhere to their IPD. Inmates hired to work in this prison industry must meet the following criteria:

- have a minimum-security custody classification;
- must not be a violent felon or sex offender;
- must not be slated to participate in other work, education, or chemical dependency program during the season;
- must have been cleared by medical and mental health staff to participate in work programs requiring strenuous labor; and
- must have completed education requirements.

All inmates participated in and completed safety training prior to the operation of equipment. No accidents have occurred due to lack of safety training.

Due to the nature of work performed and the project period crossing two reporting periods, it is difficult to accurately report the work completed. The table below shows the amount of work completed during the time period covering 8/01-12/02:

BYRNE FUNDED PROJECTS				
PROJECT NAME	<i>INMATE DAYS</i>	<i>INMATE HOURS</i>	<i>ACRES</i>	<i>COMPLETION Y/N</i>
Bachelor Draw 2 brushing	368	2628	137	Yes
Barnes Canyon brushing	949	6780	454	No
Lame Johnny brushing	2429	18006.2	565	Yes
Maintenance support	3468	8967		
Weed Control –hand spray leafy spurge	81	626	260	Yes

Roadside RW chipping	33	264		Yes
Burn piles in 2001 fuel break areas	642	5007.5		Yes
Fencing- new construction	583	4345	6517 feet	No
FC4 prescribe burn preparation	125	892		No
Work buffalo	38	288		Yes
Miscellaneous	127	969		Yes
Total BYRNE	8743	46,143.7		

The amount of work completed during the period 1/03-5/03 includes the following:

PROJECT NAME	<i>INMATE DAYS</i>	<i>INMATE HOURS</i>	<i>ACRES</i>
Fuel Break	2468	14,889	15.6 miles
Defensible Space around structures	256	1,538	91
Brushing	1449	8972	275
Maintenance support	928	6928	
Weed Control –hand spray leafy spurge	172	1264	620
Burn piles in fuel break areas	515	3605	
Fencing- new construction	190	1332	1895 feet
Prescribe burns (13)	153	1316.5	

In addition, the inmates tuckpointed 47,570 sq. ft. Tuckpointing involves grinding out old grout between bricks and replacing it with new grout consistent with the historical nature of the buildings being tuckpointed. There were 43 buildings re-roofed and other work completed includes: remodeled Special Care Unit of the South Dakota Veterans Home; performed grounds and building maintenance duties and projects within Custer State Park, Custer Youth Corrections Center, South Dakota Veterans Home, and the State fairgrounds; remodeled (complete renovation of interior, tuckpointing and re-roofing) an old airport terminal into a fire fighting/emergency response center; provided maintenance and support to the forest crews in the areas of vehicle, trailer and chain saw repair and maintenance; remodeled 10 homes on the campus of the Custer Youth Corrections Center; and installed 390 digital high/low band radios in law enforcement and emergency response vehicles. Inmates on this project who are wildland firefighter trained are the first response for forest fires in Custer State Park and the Black Hills State Forest. During this project period, inmate firefighters responded to over 60 fires. Other funding sources cover costs attributed to fighting fires.

c. Evaluation Results

- ◆ Facility was identified and occupied. Total number housed at the facility was initially 68 inmates. Population has ranged from 40-80 inmates. Average daily population has been 48 inmates. The inmates were housed at two locations in Custer State Park.

- ◆ Projects have been identified and supplies and materials were ordered to support the projects. No inmates have been unassigned due to no projects or lack of needed supplies or materials.
- ◆ Food service, medical services, recreation, commissary, clothing, inmate telephone and visitation, and transportation operations were in place. No inmate grievances concerning these services have been received.
- ◆ Staff were hired and trained. No escapes or walkaways have occurred at the facility.
- ◆ All counts have been accurate and timely.
- ◆ Turnover rate has averaged 19%.
- ◆ All inmates completed safety training prior to operating equipment. No accidents occurred due to lack of safety training.
- ◆ Data collection processes are in place to track inmates upon release.

The outcome evaluation plan includes measures of return to prison and employment while under supervision rates for inmates in this prison industry as compared to all inmates. Data collection processes are in place to track inmates upon release.

F. Transitional Program for Adjudicated Juvenile Offenders Program

Implementing Agency: South Dakota Department of Human Services

1. Program Overview

Program Title	Transitional Program for Adjudicated Juvenile Offenders
Number of Subgrants	1
Number of Sites	1
Award Amount	West Farm (males) - \$898,367

2. Goals and Objectives

a. The project goal is to establish a group home facility for adjudicated males (ages 14-18) where they can complete their high school education and prepare their transition to independent living, employment, military service and post-secondary education without returning to the juvenile justice system.

b. Program Objectives

- ◆ Provide services to residents who have completed chemical dependency and mental health treatment and are recommended for continuing care.
- ◆ Residents will achieve a high school diploma prior to leaving the facility.
- ◆ Residents will be prepared for transition to independent living, employment, military service, and/or post-secondary education.

3. Program Activities/Components

Programming opportunities will be improved at the West Farm Home and School. This facility is a group home for males, aged 14-18, who are being released from a juvenile justice facility and are not able to return to their parental homes or to foster care. The program will allow these young people to complete their high school education while living in a home-like setting and prepare them to transition to independent living, employment, military service or post-secondary education.

Components of the program include:

Education: Providing access to education and vocational services will be a primary mission of the facility. Identification of educational needs and enrollment in an educational program will be one of the first activities for students and staff.

Health Services: The students at the facility will need access to health services. A full continuum of health services will be available.

Mental Health Services: Many of the students that will reside at the facility will have a history of mental health problems, such as depression, bi-polar disorder, or post-traumatic stress syndrome. Also, many have a history of abuse, neglect, and abandonment that may give rise to issues that should be addressed through the assistance of a mental health counselor. Some of the students will need ongoing individual and group counseling.

Chemical Dependency Services: Up to 70% of the young men will have a chemical dependency or abuse diagnosis and will have completed treatment prior to admission. Providing continuing alcohol and drug services are critical to these students maintaining their abstinence from alcohol and drugs.

Employment and Vocational Services: The students will access the employment and vocational training services available in the area. These services will include assessments, career exploration, and employability skills training and job development. They will be encouraged to participate in vocational training or in employment outside the facility.

Other Community Involvement: In addition to participation in school events and activities, the young men will participate in community activities such as involvement in youth groups, city recreation programs and performing community service.

Activities:

- ◆ Identify number of residents who have completed treatment and need continuing care.
- ◆ Ensure service contracts to meet continuing care needs are in place.

- ◆ Provide training to community providers in criminal thinking and working with chemical dependant offenders.
- ◆ Require abstinence from alcohol and drugs and adherence to mental health regime as a residence requirement.
- ◆ An admissions team will review the resident's educational history and determine the best educational placement of the resident based on individual needs.
- ◆ Education and facility staff will monitor the progress of the resident in their educational pursuit and provide services as necessary to assure the resident is progressing to the best of their ability.
- ◆ Work with the Department of Education and Cultural Affairs, the Sioux Falls, West Central, and Tri-Valley School Systems to ensure contracts are in place to provide the appropriate educational opportunities for the residents.
- ◆ Require completion of a High School diploma as a condition of exit from the state custody.
- ◆ Completion of resident employment and vocational assessments.
- ◆ Provide career information and career exploration to residents.
- ◆ Provide opportunities for residents to attend secondary vocation classes.
- ◆ Provide services to assist residents in obtaining employment.
- ◆ Provide life skills training classes.

4. Performance Measures and Evaluation Methods

a. Performance Measures

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- ◆ 100% of residents who have finished treatment and are recommended for continuing care receive these services.
- ◆ Residents who need continuing care who refuse will be denied residency or face sanctions on residency for refusal.
- ◆ Service contracts are in place with community based providers.
- ◆ 95% of residents are abstaining from chemicals and are complying with prescribed therapy regime.
- ◆ Training of community providers is completed.
- ◆ 95% high school graduation rate of residents exiting from state custody.
- ◆ 95% appropriate first placement by admissions team.
- ◆ Provide tutoring, other support services and/or sanctions of residents who are not progressing in their academic pursuits to the best of their abilities.
- ◆ 100% completion of employment and vocational assessments.
- ◆ Service contract with local Job Service Office and Career Learning Center to provide career information and career exploration services.
- ◆ Local service contracts in place to provide job coaching and employability skills training.
- ◆ Life skills training class established.

- ◆ Service contract with secondary and post secondary institutions to provide vocational training.

b. Evaluation Methods

Statistics and accompanying narrative will be submitted quarterly in accordance with established procedure by the Program Office of the South Dakota Attorney General's Task Force on Drugs. The Task Force on Drugs will be supplied with all information and records needed for evaluation of the Transitional Program for Adjudicated Juvenile Offenders upon request. Subcontractor and subcontractees will ensure compliance with the Federal evaluation requirements developed pursuant to guidelines established by the Bureau of Justice Assistance.

5. Program Accomplishments and Evaluation Results

a. Program Accomplishments

All performance measures listed above are addressed and completed at West Farm Home and School. On October 1, 2002, Volunteers of America, Dakotas, assumed the management of the West Farm Program. Volunteers of America, Dakotas is a private, non-profit human services agency that provides residential care, education, employment, chemical dependency, prevention, child care and mental health services to individuals and families. A conditional Group Care licensure was awarded in October 2002 with full licensing being achieved in December 2002.

All West Farm residents have completed a state or private residential program prior to admission. Some residents have been given an opportunity to transition into the community by residing at home, following their initial residential program. However, due to a variety of circumstances they have not been able to succeed and then they come to West Farm.

Upon admission, the chemical dependency staff reviews each resident's history and determines the need for services. Aftercare services are provided internally including individual and group counseling, AA/NA, and chemical dependency evaluations when warranted.

Volunteers of America, Dakotas also has clinical staff including a psychologist, psychiatrist, and a MSW, PIP to provide mental health assessment, treatment and medication when appropriate. Each resident is evaluated at the time of admission by the psychiatrist and referred to services determined to be in the resident's best interest or need. All residents participate in weekly group counseling sessions to assist with the development of being a productive member of the community and West Farm – at the same time addressing any therapeutic issues.

Due to Group Care licensure and program needs, all staff are required to attend 40 hours of training annually. Some of the training requirements are: CPI, CPR and First

Aid, Medicaid training, Understanding Children's Emotional Needs, Identifying and Reporting Child Abuse, Administrative Procedures and Program Goals, Principles and Practices of Child Care, Family Relationships and the Impact of Separation, Substance Abuse: Prevention, Recognition and Treatment, Emergency Procedures and Fire Safety.

During this reporting period, West Farm had 19 residents who had chemical violations. Each resident's chemical dependency was re-evaluated and, if needed, referred to more intense aftercare or treatment services. On occasion, residents who continued to have chemical violations were referred to more intense residential programs.

As a result of the change in management from the State of South Dakota to Volunteers of America, Dakotas a full-time Chemical Dependency Counselor is not on staff for West Farm only. This is due to a change in the contract with the Division of Alcohol and Drugs. We do have 20 hours weekly of chemical dependency staffing funded by the State Division of Alcohol and Drugs at West Farm. The 20 hours are used to provide group and individual counseling/aftercare and chemical dependency assessments. Volunteers of America, Dakotas has other resources regarding Alcohol and Drugs which are available to the West Farm residents. These services include assessments, inpatient and outpatient chemical dependency treatment, Prime For Life Prevention services, AA and NA.

Chemical dependency services are also available in the five area high schools that West Farm residents attend. Each Individual and Family Services Specialist (Case Manager) continues to work closely with the school faculty to ensure the needs of the residents are being met both in school and at West Farm.

Of the 11 residents who graduated/completed the West Farm program, nine had earned/achieved their high school diploma. One resident was transitioned into an Independent Living program while continuing his education. Another boy was able to return home to family. With the additional services through Volunteers of America, Dakotas, other options are now available to West Farm residents.

The Individual and Family Services Specialists assigned to the residents attend all school conferences, IEP meetings and monthly meetings with school faculty to help ensure the boys are on target with their educational program. If it is determined that the educational/behavioral needs of the resident are not being met at that attendance center, an alternative setting will be determined.

With the transition from a State run program to a Private Non-Profit agency, the appropriateness of residents continues to be determined. We continue to raise the level of expectations of the residents to help with their success in the community following discharge.

The residents of West Farm have had the fortune of having a Community Resource staff assigned to West Farm. This position assists the residents in transitioning into independent living. The Community Resource Person (CRP) helps residents to

develop job seeking and keeping skills, acquire employment, money management, health and safety and to develop social skills and interests. Assistance is also available to help locate affordable housing.

Each resident is expected to gain employment while at West Farm. Individual needs and circumstances are taken into consideration as to the time frame when a resident must have employment. When employed, each resident must open a savings account with the intent to help prepare them for the future financially. The resident and assigned Individual and Family Services Specialist monitor each account.

All residents that had not graduated or completed their GED, attended summer school through the Sioux Falls School District. This provided the residents the opportunity to maintain their academic skills while gaining credits toward graduation.

With the change in management came a change in program and expectation of the residents and staff at West Farm. As a result, we have had a large turnover in both areas. We are confident that these changes will allow for the development of a home away from home for the residents of West Farm.

The following table portrays data on residents for the period 7/1/02-6/30/03:

Number of Residents:	West Farm Home & School (reported quarterly)			
Served	47	44	35	44
Completing Treatment Program	4	1	1	5
Continuing Care	29	27	30	28
Forced to Exit due to Refusing Continuing Care	6	10	6	5
Received High School Diploma or Equivalent	2	1	2	4
With Chemical Violations	10	2	4	3
Without Chemical Violations	37	42	31	41

b. Evaluation Activities

This is the final reporting period for the Transitional Program for Adjudicated Juvenile Offenders Program since the program has reached the term for funding under the Byrne Program. It is anticipated the program will continue through other funding sources.

G. Research Proposal – “Arrest, Prosecution, and Sentencing in South Dakota:

Does Race Make a Difference?”

Implementing Agency: The University of South Dakota
Government Research Bureau

1. Program Overview

Program Title	Research Proposal – Arrest, Prosecution, and Sentencing in South Dakota: Does Race Make a Difference?
Number of Subgrants	0
Number of Sites	1
Award Amount	\$36,118 (12/1/00-12/31/02) \$20,809 (1/1/03-12/31/03)

A report entitled “South Dakota Criminal Justice: A Study of Racial Disparities” was submitted to Governor Janklow in August of 2002 (see Attachment A). The empirical analysis concludes with a discussion of the frequency of concerns for discrimination. American Indians were disadvantaged in a majority of the 30 relationships tested in this research. The employment of the 20% threshold test, along with a common sense approach, suggests that American Indians are not treated equally in the South Dakota criminal justice system. Their treatment in case disposition, bond determination, and sentence length in violent crimes does not coincide with the severity or number of charges associated with their cases in the dataset. Further, they experienced disadvantages in the length of prison time served and in the type of release from prison. However, these measures have changed considerably since the 1996 parole reform and are expected to continue to increase parity between the two groups in the future. There were also instances where Whites were disadvantaged by disparities, which must not be overlooked with analyzing fairness in the process. Whites experienced longer sentences in non-violent crimes, in two violent crime areas, and they were charged with more frequent and more serious crimes overall.

2. Goals and Objectives

a. Goal

Determine whether systematic and/or institutionalized factors explain the disparities observed in Phase I of the research.

b. Objectives

- ◆ To identify and collect additional data that can give a more precise look at the impact that race alone has on criminal justice outcomes.
- ◆ To closely examine regional differences within the state than was included in the initial report of the state as a whole.

3. Program Activities/Components

- ◆ Develop a pre-sentence investigation form to gather additional information, such as education, employment status, drug/alcohol history, family structure, impact on victim, race of victim, financial impact of crime, community demographics, as well as a host of other environmental and contextual variables.
- ◆ Continue to collect data from state's attorney records, defense counsel records, and law enforcement until sufficient demographic data has been collected.
- ◆ Utilize the existing dataset to narrow the number of cases (to approximately 400) to insure the most complete data collection and analysis.
- ◆ Narrow the crime categories to murder, manslaughter, rape, aggravated assault, vandalism, and burglary.

4. Performance Measures and Evaluation Methods

a. Performance Measures

- ◆ Written and draft documentation of work tasks, procedures, and progress reports.
- ◆ Written and graphic presentation of findings, analysis of data, and researcher's comments.

b. Evaluation Methods

Subcontractor will abide by all reporting, monitoring and evaluation requirements of the State. Reports of program activities, status and progress in meeting stated goals will be submitted by subcontractor as required by the State. Project documentation and timeliness will be maintained as described in the program abstract and stated performance measures applied to activities of the project.

5. Program Accomplishments and Evaluation Results

The Government Research Bureau worked with judges and states attorneys to develop a Pre-Sentence Investigation (PSI) instrument. This instrument captures much of the needed social-economic data required for more in-depth analysis of the issues surrounding arrest, prosecution, and sentencing of Whites and American Indians in the South Dakota criminal justice system.

As of June 30, 2003, detailed information has been acquired on 378 cases out of a sample of 1062 cases. Information from these Pre-Sentence Investigation surveys has been entered into a SPSS database and preliminary descriptive analysis has been conducted. Attempts will now be made to collect the balance of the 684 cases. Once all data has been collected, transformations to the data will be conducted so as to insure that the data is formatted for analysis.

The plan is to begin actual analysis of the data by end of summer. This should be the least time consuming part of the entire research process. A research design and strategy will be complete well before the data is ready for analysis, thus studying the data should take approximately 3 weeks.

While waiting for the reviews to be returned, the researchers will concentrate on developing the presentation of the project's findings. The presentation will be based largely on descriptive statistics that are both easily followed and presented. In addition to the descriptive statistics, the intent is to develop a more sophisticated statistical model that demonstrates the most robust variables for distinguishing sentencing differences.

Criminal Justice Records Improvement (CJRI)
(5% Set-Aside) - UPDATE

The most recent Criminal Justice Records Improvement (CJRI) Plan, as approved by the CJRI Task Force, sets the following areas as priorities for funding under the 5% set-aside:

- ◆ National Incident Based Reporting System (NIBRS) and
- ◆ Automated Fingerprint Identification System (AFIS)

As of April 2003, 23 states were certified by the FBI as NIBRS compliant. Thirteen states are engaged in FBI NIBRS compliance testing, and nine additional states are in a NIBRS developmental phase. In February 2001, the FBI certified South Dakota as NIBRS compliant. South Dakota utilizes windows-based NIBRS software which is available free-of-charge to South Dakota law enforcement agencies. Programming is underway to offer web-based NIBRS reporting.

The Program Office of the Attorney General's Task Force on Drugs and the South Dakota Criminal Statistics Analysis Center continue to work closely with the South Dakota Division of Criminal Investigation, the administering agency of the National Criminal History Improvement Program (NCHIP). Through the NCHIP, improvements continue to be made to South Dakota's criminal record keeping system. As the improvements are made and tested at the State level regarding AFIS, coordination continues with local agencies. The Byrne funds continue to support the State's AFIS technological efforts by covering a portion of the locals live scan procurement costs and DCI equipment needed to participate in the Midwest Automated Fingerprint Identification Network (MAFIN) and IAFIS.

ATTACHMENT

Attachment A: South Dakota Criminal Justice: A Study of
Racial Disparities (August 2002)