

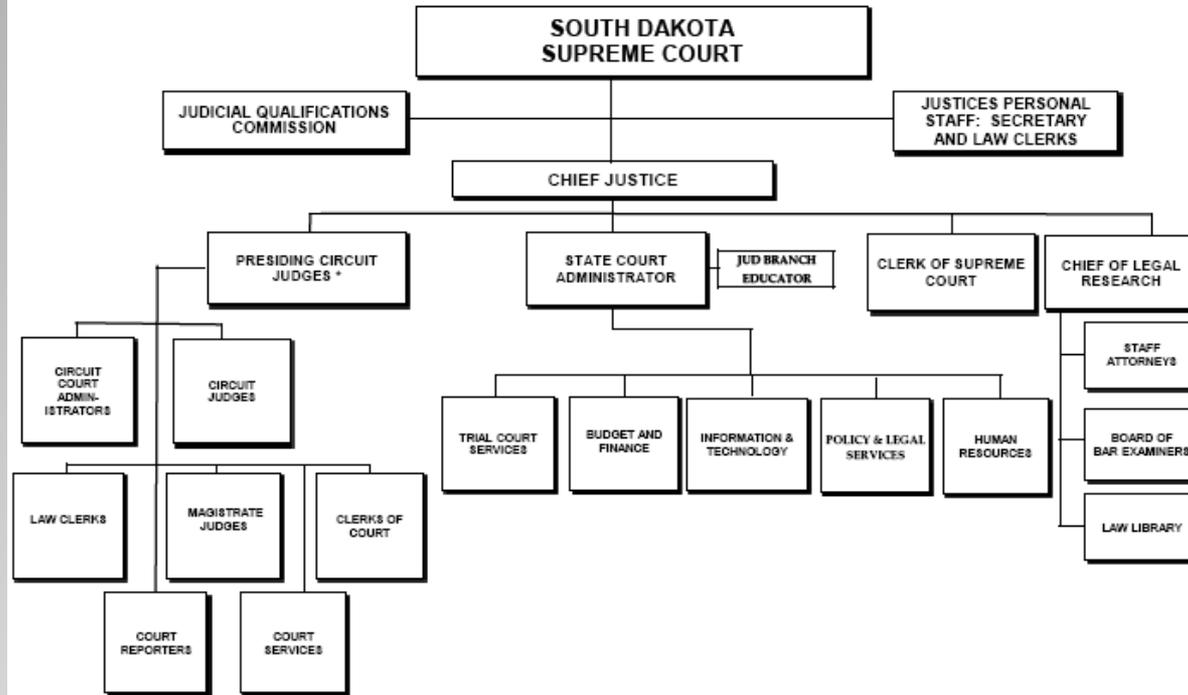
# **SOUTH DAKOTA COURT SERVICES DEPARTMENT**

A Systemic Approach to  
Probation Supervision

- Unified Judicial System (UJS) under the direction of the South Dakota Supreme Court.
  - State Court Administrator
    - Director of Trial Court Services
      - Court Services Program Coordinator
      - 7 Chief Court Services Officers
      - 3 Deputy Chief Court Services Officers
      - 84 Regular Caseload Court Services Officers
      - 14 Juvenile Intensive Court Services Officers
      - 3 Adult Intensive Court Services Officers
      - 11 Drug/DUI Court Services Officers
      - 8 Drug/DUI Court Specialist
      - 1 MSA Court Services Office
      - 32 Support Staff
      - **163 Total Court Services Field Staff**

**Court Services Statewide Staff**

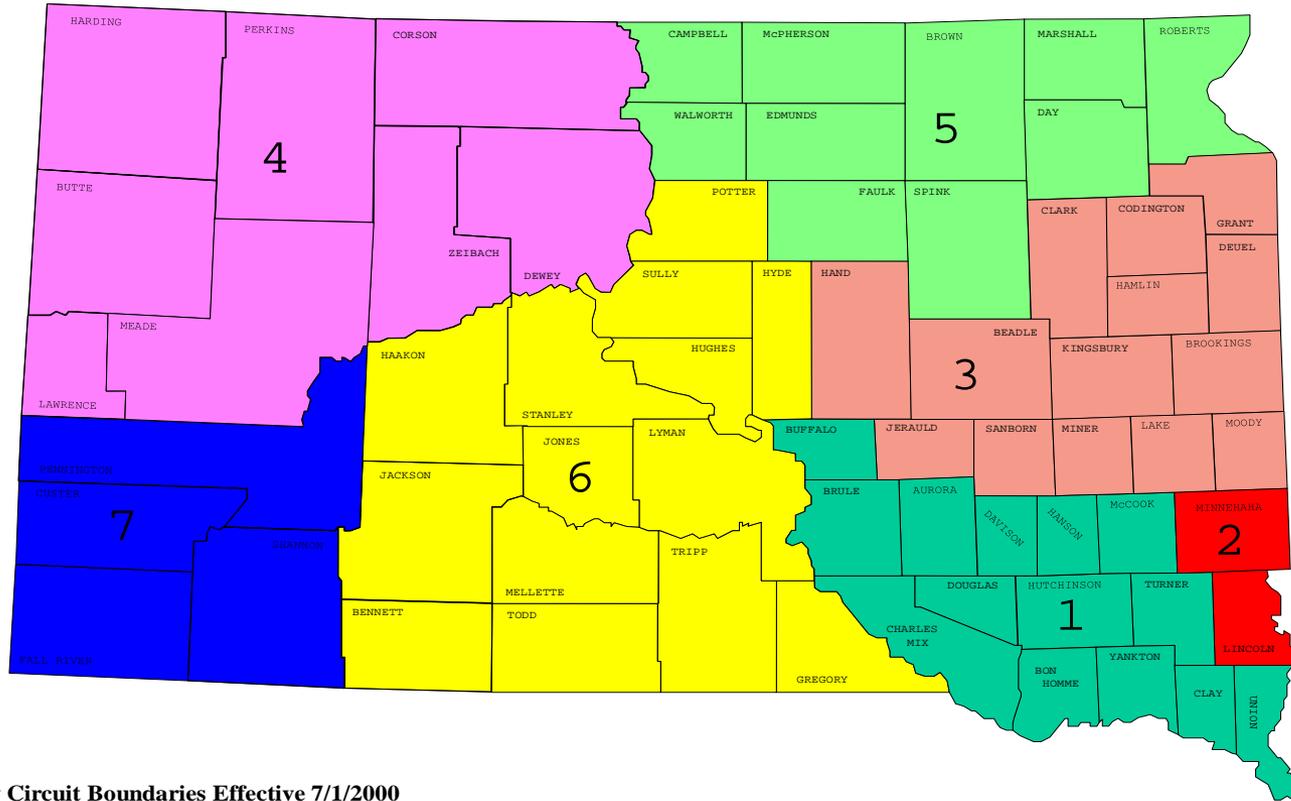
## Organizational Chart



\* One presiding judge in each circuit.

# UNIFIED JUDICIAL SYSTEM Organizational Chart

# South Dakota Judicial Circuits and Counties



New Circuit Boundaries Effective 7/1/2000

## Circuit Boundary Map

- Court reorganization occurred in 1975
  - Court Services was developed as a statewide probation service.
    - Functions included:
      - Juvenile probation supervision
      - Preparation of social case histories
      - 90 day diversion services
      - Community service
      - Juvenile interstate compact (outs)
      - DOC aftercare services

## Court Services History

- Adult Services were added in 1976
- Court Services started in 1975 with 41.5 FTE's.
- Today there are 163 FTE's.

**Court Services History (cont.)**

## Juvenile Services

- July 1977 – Court Services took on the alternative care program & DOC aftercare transferred to Parole Services
- July 1988 – DOC aftercare services returned to Court Services

**Court Services Timeline**

## Juvenile Services (cont.)

- July 1989 – Court Services took on interstate compact (IN) cases
- July 1996 – Alternative Care transferred to DOC (Homebased Services retained by Court)
- July 1997 – Intensive Probation Services

**Court Services Timeline (cont.)**

## Adult Services

- July 1977 – Felony PSI, Felony Probation, Restitution, Community Service
- July 1978 – Misdemeanor PSI, Misdemeanor Probation
- October 1987 – Interstate Compact

**Court Services Timeline (cont.)**

- 1988 – Case Service Monitoring, Intensive Probation Services
- 2002 – Movement Initiated Toward Implementation of Evidence Based Practices
- 2002 – Risk Assessment Implementation
- 2006 – Motivational Interviewing
- 2007 – Automated Call-In System
- 2013 – South Dakota Public Safety Improvement Act (SB70)

**Court Services Timeline (cont.)**

Our mission is to serve the citizens of the State of South Dakota by preventing crime and repairing the harm caused by crime through public safety and crime prevention in the community, accountability and opportunity for positive change of the offender, justice for the victim, and respectful treatment for all involved.

## **Mission Statement**

1. Safety and Crime Prevention in the Community: Offenders are to be supervised so appropriate interventions can prevent criminal activity.
2. Accountability by Enforcing Court-Ordered Sanctions: Offenders are permitted to remain in the community if they comply with certain conditions (including financial obligations, treatment obligations, etc.)

## **Strategies of Court Services**

3. **Assisting Offenders to Change:** Offenders should be given the opportunity to participate in activities to become productive and law abiding citizens.
  
4. **Restoring Crime Victims:** Consistent with South Dakota public policy, victims will be afforded rights to be involved in the justice system and may receive restitution for their losses.

**Strategies of Court Services(cont.)**

## Court Services Officers:

1. Conduct predispositional and presentence investigation reports with recommendations to the Judge for dealing with juvenile and adult offenders who may be placed on probation.
  - In preparation, court services officers take into account:
    - public safety
    - victim and community restoration
    - Identification of ways to increase an offender's skills so they can be productive citizens

**What is a Court Services Officer?**

## Court Services Officers (cont.):

2. Provide in-state probation supervision for adults & juveniles
3. Provide interstate compact supervision for adults & juveniles transferring in from another state
4. Provide counseling and/or community referral services to those placed on probation

**What is a Court Services Officer?**

## Court Services Officers (cont.):

5. Work with various government agencies and private providers
6. Offer intensive probation and community based services as an alternative to committing individuals to the Department of Corrections

**What is a Court Services Officer?**

- Juveniles
  - 588 Social Case Studies
  - 2800 Placed on Regular Probation
  - 454 Placed on Case Service Monitoring
  
- Adults
  - 2477 Presentence Investigations (Felony)
  - 227 Presentence Investigations (Misdemeanor)
  - 1573 Placed on Felony Probation
  - 675 Placed on Misdemeanor Probation
  - 1365 Placed on Case Service Monitoring

**Court Services Caseloads FY 2011**

- Juveniles
  - 466 Prehearing Social Case Studies
  - 2332 Placed on Regular Probation
  - 322 Placed on Case Service Monitoring
  
- Adults
  - 2608 Presentence Investigations (Felony)
  - 214 Presentence Investigations (Misdemeanor)
  - 1708 Placed on Felony Probation
  - 680 Placed on Misdemeanor Probation
  - 876 Placed on Case Service Monitoring

**Court Services Caseloads FY2012**

- JUVENILE INTENSIVE PROBATION PROGRAM

- Developed in 1996
  - Three positions (Yankton, Mitchell, Aberdeen)
  - 9 month pilot program
- Lost funding after 9 months; however, outcome measures proved the program worked.

**Court Services Programs**

## JUVENILE INTENSIVE PROBATION PROGRAM (cont.)

- July 1, 1999, the intensive program took life again and a fourth position was added in Rapid City.
- In 2000, four additional Intensive Officers were approved; adding to Aberdeen & Rapid City and expanding to Sioux Falls and Vermillion.

**Court Services Programs**

## Juvenile Intensive Probation Program (cont.)

- In May 2001, an additional position was added in the 4<sup>th</sup> Circuit (covering Butte, Meade, & Lawrence Counties).
- Later in 2001, the UJS was awarded a grant from the Office of Juvenile Justice & Delinquency Prevention. This expanded the program to Brookings, Sisseton, and Lake Andes.

**Court Services Programs**

## Juvenile Intensive Probation Program (cont.)

- In 2008, a new juvenile intensive position was added in Pierre.
- Since July 2008, the Juvenile Intensive Probation Program consists of 14 FTE's. These positions have been paid by general funds since FY 2003.

**Court Services Programs**

- Juvenile Intensive Probation Program (cont.)
- Designed around the Balanced Approach to Restorative Justice Model
- Maximum caseload of 10 juveniles
- Four phases of the program

## Juvenile Intensive Probation Program Description

- Phase I - Assessment Phase – (minimum of one month)
  - Juvenile placed on monitored house arrest
  - Probation plan developed addressing mental health, education, family, and chemical dependency issues.
- Phase II – Implementation Phase - (minimum of four months)
  - Probation plan becomes operational and re-enforced through intensive contacts (5/week) by the CSO.

## Juvenile Intensive Probation Program Description (cont.)

- Phase III – Step-Down Phase - (minimum of one month)
  - The child/family have developed a dependency with the supervision & empowerment. Transitioned to standard probation. Contact reduced to 2/week by CSO.
- Phase IV – Non-intensive – (minimum of 3 months & maximum of nine months)
  - After completion of phases I, II, & III, the juvenile is transferred to a non-intensive Court Services Officer's caseload for regular supervision.

## **Juvenile Intensive Probation Program Description (cont.)**

- FY 2009
  - Active Cases: 303
  - Committed to DOC: 94
  - Success Rate: 69%
- FY 2010
  - Active Cases 329
  - Committed to DOC: 82
  - Success Rate: 75%

## Juvenile Intensive Probation Program Stats

- FY 2011
  - Active cases: 327
  - Committed to DOC: 108
  - Success Rate: 67%
  
- FY 2012
  - Active Cases: 302
  - Committed to DOC: 84
  - Success Rate: 72%

## Juvenile Intensive Probation Program Stats (continued)

- Ongoing efforts to work with CHINS cases
  - Connecting Point Program
  - Other After School Programs
- Juvenile Detention Alternatives Initiative - (JDAI)
- Development of adult community based services

## **Additional Court Services Programs**

Thomas White refers to the adage,

“if you always do what  
you have always done,  
you will always get  
what you have always  
gotten”.

*Quote*

- Dr. Edward Latessa, PhD –

“What Works is not a program or an intervention, but a body of knowledge based on over thirty years of research that has been conducted by numerous scholars in North America and Europe”.

**Another Great Quote**

*What Works  
Philosophy*

*The Direction of  
Court Services*

- Evidence-based practices support our claim that we are doing our best to promote public safety.
- Evidenced based probation practices are supported by research showing a reduction in recidivism rates when these principles are implemented.

## **Principles of Effective Probation Supervision**

Effective supervision must address the following:

1. Criminogenic Risk
2. Criminogenic Need
3. Responsivity
4. Relapse Prevention Strategies

**Key Principles of Effective Probation  
Supervision**

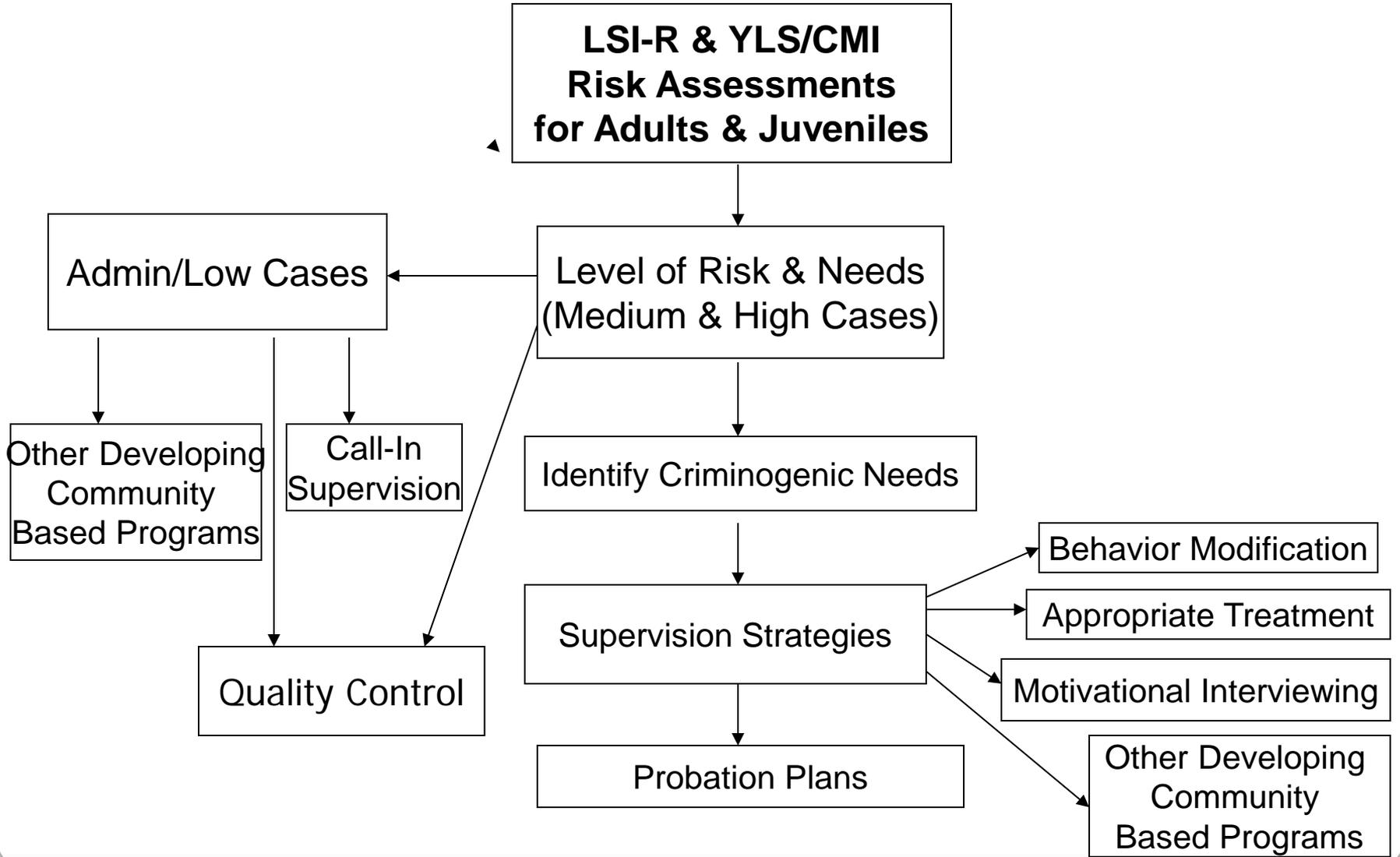
- Application of the Risk Principle will help identify who should be receiving treatment.
- The Criminogenic Need Principle focuses on what should be treated.

## **Summary For Principles of Effective Probation Supervision**

- The Responsivity Principle underscores the importance of how treatment should be delivered.
- Relapse Prevention Strategies

**Summary For Principles of Effective  
Probation Supervision (cont.)**

# UJS Movement Toward Evidenced Based Probation



- Most effective programming to assist high risk offenders in overcoming criminogenic needs are behavioral in nature.
- Validated and normed juvenile & adult risk needs instrument (LSI-R and CLS/MI).
  - Target offenders with a higher risk score due to having a higher probability for recidivism.

## **UJS Movement Toward Evidence Based Probation (cont.)**

- More intensive services for the lower risk offender may increase recidivism for the offender.
- Quality Control component to ensure proper application of the risk instrument.
- Automated Call-In System for Administrative & Low Cases.

## **UJS Movement Toward Evidence Based Probation (cont.)**

- Thomas White –

*“Improving the behavior of someone who was probably going to cause harm has more value than monitoring the behavior of someone who was probably going to do well anyway”.*

**Quote**

- Probation Change Plans are completed on all Medium, High, & Intensive Risk Offenders.
  - Separate from the Court Order.
  - Single sentence goals for change identified through the risk & needs instrument.

**UJS Movement Toward Evidence Based Probation (cont.)**

- Cognitive/Behavioral Programs
  - Behavioral intervention is the most effective.
  - Focus on what factors influence the offender's behaviors.
  - Offender's behaviors must be reinforced appropriately.

**UJS Movement Toward Evidence  
Based Probation (cont.)**

- Probation Strategies:
  - Behavior Modification
  - Appropriate Treatment
  - Motivational Interviewing
  - Other developing community based programs

**UJS Movement Toward Evidence  
Based Probation (cont.)**