IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

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SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

MAR 12 2015

Clerk

IN THE MATTER OF THE ADOPTION OF A NEW RULE RELATING TO RISK ASSESSMENT INSTRUMENT FOR STATEWIDE USE	))))	RULE 15-14

A hearing was held on January 13, 2015, at Pierre, South Dakota, relating to the adoption of a new rule relating to adopting a risk assessment instrument for statewide use and the Court having considered the proposed rule thereto and being fully advised in the premises, now, therefore, it is

ORDERED that the adoption of a new rule relating to a risk assessment instrument for statewide use be and it is hereby adopted to read in its entirety as follows:

Risk Assessment Instrument for Statewide Use.

(a) Generally, juveniles should only be held in secure detention when less restrictive placement alternatives are not appropriate. The standardized South Dakota JDAI Risk Assessment Instrument (RAI) is an objective tool used to assess a variety of risk factors relative to the likelihood that a juvenile will appear in court or re-offend on a delinquent act prior to his/her court appearance. The RAI is based upon best practice standards that have been tested and implemented in other JDAI jurisdictions across the nation. The overall risk score is a guide in making the initial decision whether to detain in secure detention, utilize an alternative to secure detention, or release with or without conditions pending hearing.

(b) As per the authority designated in SDCL 26-7A-1(20), the presiding judge in each circuit shall appoint juvenile detention staff or juvenile reception and intake center staff to serve as intake officers.

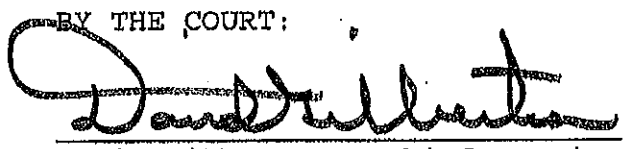
(c) The State Court Administrator's Office shall provide statewide training on use of the RAI. After the completion of RAI training, all appointed Intake Officers shall complete the RAI on all detention intakes to distinguish between juveniles who are likely to abscond or commit new crimes and those who are not.

(d) The State Court Administrator's Office shall compile the following data to be collected by any court appointed intake officer: The number of juveniles detained and released shall be reported along with each juvenile's gender, race, ethnicity, age and offense as well as all assessment information including staff decision, overrides and program information.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 2015.

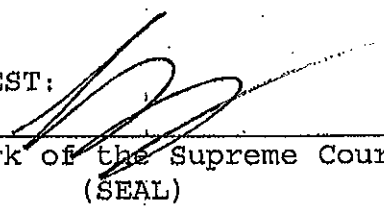
DATED at Pierre, South Dakota, this 12th day of March, 2015.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST:



Clerk of the Supreme Court
(SEAL)