



SouthDakota

MINUTES

Jolene's Law Task Force

Senator Deb Soholt, Chair
Senator Alan Solano, Vice Chair

First Meeting
2016 Interim
July 28, 2016

Governor's Large Conference Room
State Capitol Building
Pierre, South Dakota

Thursday, July 28, 2016

The first meeting of the Jolene's Law Task Force for the 2016 interim was called to order by Task Force Chair Senator Deb Soholt at 10:00 a.m. (CST) in the Governor's Large Conference Room of the State Capitol, Pierre, South Dakota. Roll call was conducted, establishing a quorum with the following members of the Task Force in attendance: Senator Deb Soholt, Chair; Senator Alan Solano (Vice-Chair) [by phone], Representative Peggy Gibson; Members Christine Bisek, Cameron Corey, Dr. Nancy Free, Wendy Kloepfner, Mary Stadick-Smith [for Ann Larsen], Angela Lisburg, Jolene Loetscher, Hollie Strand, Virgena Wieseler, and Colleen Winter.

Additional coalition members in attendance included Carole Cochran, Tanya Fritz, Krista Heeren-Graber, Dr. Michael Lawler, Casey Murschel, and Suzanne Starr.

Support staff in attendance included Roxanne Hammond, Jason Simmons, Sharon Chontos and Rachel Oelmann.

Other attendees included Dr. Jay Perry (SD Board of Regents).

NOTE: For purpose of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents distributed at the meeting can be found on the Department of Health website at <http://doh.sd.gov/news/JolenesTaskForce.aspx>. This meeting was webcast live. The archived web cast is available at the DOH website.

Approval of Minutes

REPRESENTATIVE PEGGY GIBSON MOVED, SECONDED BY JOLENE LOETSCHER, THAT THE MINUTES OF NOVEMBER 17TH, 2015, TASK FORCE MEETING BE APPROVED. The motion prevailed by a voice vote.

Remarks from the Chair

Senator Deb Soholt welcomed the committee to the first meeting of the Task Force for 2016. Senator Soholt summarized the outcome of work conducted by the Task Force to date and facilitated a round-table introduction of committee, coalition, and other attendees. Additional opening remarks were provided regarding the 2016 Legislative Session, the Regional MDT Pilot Project, and the SD States Attorney Conference.

2016 Legislative Summary (Senator Soholt). Two bills and one appropriation were considered during the 2016 session. Senate Bill 21 was to provide oversight and standards for Child Advocacy Centers (CACs); the bill was tabled by Senator Soholt so as to allow for more dialogue and understanding among legislators in a future session. Senate Bill 22 was initiated to

add Emergency Medical Services (EMS) providers to the list of mandatory reporters. Due to the involvement and support of EMS, the bill was amended to clarify the new mandatory reporters as being Emergency Medical Technicians and Paramedics. Senate Bill 22 passed as amended. Finally, an appropriation through passage of the State budget was accomplished resulting in a total of \$210,725 to the University of South Dakota (USD) for the creation of the Center for the Prevention of Child Maltreatment.

Regional MDT Pilot Project Update (Casey Murschel). Initial approach was to consider the use of STOP grant funds for work to begin in 2016. Upon further review of the funding source it became clear that the goals of the Task Force (multidisciplinary team training) were broader than the funding platform allowed (law enforcement training only). Initial efforts at formulating a proposal were complete and will be used as a foundation for future funding opportunities that align with the Task Force work plan once developed.

SD States Attorney May Conference (Wendy Kloepfner). Kloepfner reported that the most recent State's Attorney Association Conference held in May 2016 included a keynote from Victor Vieth of the Gundersen National Child Protection Training Center, who talked about his past experience as a prosecutor and strategies for developing evidence in cases of child maltreatment and/or sexual abuse. New and innovative strategies were presented that were very well received, and there was intent for further development with respect to prosecution of child sexual abuse cases.

Additional Note (Senator Soholt). On Thursday Aug. 18 and Friday Aug. 19 Avera Health, together with Children's Home Society and United States Attorney's Office District of South Dakota, are hosting the 2016 Child Sexual Abuse Conference at the Sioux Falls Convention Center. Senator Soholt reviewed the program for the conference and noted that all Task Force members will be recognized and called to stand during her presentation. Senator Soholt encouraged Task Force members to attend if their schedules permit.

Project Scope and Timeline

Senator Soholt (Chair), Sharon Chontos

In reference and review of the Jolene's Law Task Force Final Report issued January 2016, Senator Soholt facilitated discussion on the recommendations (presented in summary on pages 3-6 of the Final Report as referenced). Senator Soholt outlined the vision for the Task Force's upcoming work, to include the following key milestones:

Milestones

Obtain and document all available benchmarking data	July 28 – September 9, 2016
Jolene's Task Force Planning Retreat	September 15-16, 2016
Initial draft of 10-year plan, including goals, objectives, and tasks	October 14, 2016
Finalize Plan	November 11, 2016

Senator Soholt provided introduction of Sharon Chontos and Rachel Oelmann from Sage Project Consultants (offices in Sioux Falls and Vermillion, SD), to serve as project managers for the Task Force in its preparation of the 10-year plan and hand-off to the USD Center for the Prevention of Child Maltreatment. Chontos provided an overview of the planning process and associated deliverables that will result, including referenced examples.

The objectives for this meeting were to:

- Recap recommendations from the November 2015 meeting to create a common understanding among all stakeholders.
- Develop an interim action plan in order to inform creating a 10-year benchmark and strategic plan by reviewing each recommendation developed in 2015. Determine action plan to be completed prior to the upcoming September 15-16, 2016 Task Force meeting.
- Confirm commitment from members to complete action items.

KNOW: Action Plan Discussion, including Available Benchmarking Data

Recommendations Discussion | Center for the Preventions of Child Maltreatment. On behalf of the Task Force, Senators Soholt introduced the structure emerging through USD's Center for the Prevention of Child Maltreatment as a result of the 2016 State budget appropriation. Dr. Michael Lawler provided an update on the posting and recruitment of a Director for the Center and circulated the job posting, and noted that the Center will be physically located within the School of Health Sciences to allow close cooperation with KIDS COUNT (housed out of USD's Beacom School of Business) and Jolene's Law Task Force. A group is being created to vet the candidates, with hopes of narrowing the field to 1-2 candidates for final interview and selection. Dr. Jay Memmott (Chair, Social Work, USD) will be chairing the selection committee. Other members to include: Senator Soholt, Dr. Amy Schweinle (Div Chair, Education & Counseling, USD), Dr. Nancy Free, Cameron Corey, Casey Murschel, and representatives from the USD School of Law, USD Public Health department, and the USD Social Work Department. Senator Soholt, Dr. Memmott, Dr. Lawler, and other senior leadership from USD will select the final candidate for the Director position. Noted by Dr. Lawler that the successful candidate will not only need to be eager to collaborate with the Task Force but also be fully committed to extending practice statewide through the Center. Dr. Lawler and Senator Soholt mutually noted the significance and accomplishment of moving this Center and position from concept to execution within a year.

Recommendations Discussion | Mandatory Reporters. In reference to the broad guidelines recommended for mandatory reporters, the Task Force discussed what is presently known about developed competencies, curricula, training standards, and professional development opportunities. Noted by Dr. Jay Perry that it would be ideal to develop a matrix as has been done with nursing curricula, which could be used to establish a baseline of what is actually taking place. Discussion continued, noting that all non-regental systems need to be pulled into a consistent curriculum.

Interim action steps to inform the September 15-16 planning retreat included:

Research methods to capture a baseline assessment, including private schools.	Dr. Michael Lawler, Ann Larson, Mary Stadwick-Smith
Research training methods and curricula within the law enforcement academy with Law Enforcement Training Director Scott Rechtenbaugh.	Cameron Corey
Evaluate what is required for volunteers within K-12 schools. Report what is typical school district policy on volunteers (e.g., finger printing, background checks).	Ann Larson Mary Stadick-Smith
Refresh information presented at September 2015 Task Force meeting regarding enforcement of training for mandatory reporters.	Roxanne Hammond

Reach out to large youth-serving organizations and church groups, and inquire how they address mandatory reporter training and/or non-certified staff training in this regard.	Senator Soholt
View online mandatory reporter training video at the September meeting.	Virgena Wieseler

Conceptually, the 10-year plan needs to include objectives that explore the following:

- (1) Exploration of best practices in academic environments (specific disciplines, universities, and technical schools) to develop a baseline.
- (2) Design consistent course curriculum in all educational settings in South Dakota (public, private, technical, and law enforcement) for all mandatory reporters.
- (3) List contacts for organizations for mandatory reporters, including State's Attorney's Association and the Bar Convention.
- (4) Refresh past discussions on licensure component requirements for mandatory reporting (e.g. nursing).
- (5) Sort out who has mandatory continuing education requirements and who does not among mandatory reporters. Noted that the Law Enforcement Standards Commission mandates law enforcement CEUs and that they'd be open to these discussions.
- (6) Leverage employer relationships and insurance requirements to authenticate mandatory reporter training.
- (7) Consider how IT professionals (or other non-mandatory reporters) fit into the system of "reporting" and advocacy due to their in-home and first-line awareness of potential issues of harm.
- (8) Consider creating awareness courses for all college students in South Dakota that discuss how to be a good citizen, including how to be safe, how to keep children safe, interpersonal violence and child maltreatment.

Recommendations Discussion | Statistics and Benchmarking. Using the recommendations outlined on page 17 of the Task Force final report dated January 2015 Senator Soholt and Senator Solano facilitated discussion on what is known to date, where that data and information may be kept, and the Task Force collectively identified contacts who might be of assistance in obtaining data not already held or managed by a Task Force member.

Senator Soholt noted that upon a review of a 3-month dataset¹ it was determined that approximately 4,000 kids in South Dakota are victims of child maltreatment and/or sexual abuse. Senator Soholt called upon the Task Force to help identify additional data sources and partnerships that can be leveraged to solidify that estimate and duly be used as benchmarking information for the Task Force.

Coalition member Carole Cochran, Outreach Director for South Dakota Kids Count, provided a brief introduction and organizational history for new members to the Coalition. Noted that the goal of the Annie E. Casey Foundation (primary sponsor of Kids Count efforts nationwide) was similar to that of the Task Force at this juncture – to identify data, evaluate it over time, and then consider that information longitudinally in order to make effective, data-driven change. SD Kids

¹ Refer to page 9 of the JLTf Final Report issued January 2016, Major Findings & Policy Recommendations. The dataset consisted of inputs from Central South Dakota Child Assessment Center (Child Advocacy Center), Children's Home Child Advocacy Center, Child's Voice (Child Advocacy Center), Oglala Sioux Tribe Child Protection Services, South Dakota Division of Criminal Investigation, and South Dakota Department of Social Services Division of Child Protection Services.

Count was funded in 1993 and has been housed at USD since inception, now managed through the Beacom School of Business via its outreach and data services unit. Cochran reviewed existing data sets collected regarding schools and general population characteristics.

Senator Solano provided update on identified data needs per the recommendations outlined in the January 2015 report. Noted key next steps (see below), known challenges (presence of multiple agencies, data not uniformly or consistently reported), and the benefits of a single-agency structure from data collection and analysis perspective. Data needs to be identified for collection, methods need to be uniformly established, and agreements need to be crafted between partner organizations to facilitate data sharing. Conceptually, the 10-year plan needs to include objectives that explore the following:

- (1) The establishment of a single agency to facilitate data collection, with mutual agreement between partners on data elements to collect.
- (2) Mutual agreement on format in which to collect and analyze data to allow consistency in reporting and analysis.
- (3) Develop a Memorandum of Understanding (MOU) with partners.
- (4) Ensure inclusivity in the process as far as who is reporting the information, and
- (5) Set benchmarks on compliance/standards for data collection.
- (6) Set operational definitions (e.g. child sexual abuse) to ensure uniform reference and data use.
- (7) Existing obligations for data reporting to national organizations or other systems.
- (8) Existing data collection systems/software in use.

Interim action steps to inform the September 15-16 planning retreat included:

<p>Inquire with other Kids Count organizations or other agencies in the nation to see if they serve as or work with a single-point data collection center.</p> <p>Ask via listserv regarding single-point data collection center and how they are funded.</p>	<p>Carole Cochran Nancy Free Casey Murschel Tanya Fritz Virgena Wieseler</p>
<p>Evaluate the agencies already identified by the Task Force (Child Advocacy Centers, Children's Home, Child's Voice, Oglala Sioux Tribe Child Protection Services, Child Protective Services, and other tribal agencies) and coordinate a meeting with those agencies to discuss data uses/needs. Key questions include operational definitions, system requirements, and ability to cross-walk data between systems.</p>	<p>Senator Solano Carole Cochran</p>
<p>Identify stakeholders from all tribes to participate in the discussion; coordinate with ICWA (Indian Child Welfare Act) Directors.</p>	<p>Daniele Dosch and TateWin Means</p>
<p>Initial discussion with ICWA and tribal CPS programs handled through tribal court. Ask for advice of how to begin working with their agency. Connect with state representative. Request to be on September agenda.</p>	<p>Virgena Wieseler</p>
<p>Identify stakeholders from Child Protective Services in addition to Director.</p>	<p>Virgena Wieseler</p>

Contact law enforcement statistics (NIBRS) (Dan Satterlee - supervisor and Brenda Manning)	Cameron Corey
Gather and share definitions from Internet Crimes Against Children and NCMEC (National Center for Missing & Exploited Children).	Hollie Strand
Ask Mike Allgrunn, USD School of Business, to assist with analysis.	Senator Soholt Carole Cochran Michael Lawler
All Task Force and Coalition members to consider data sources in their respective realms and report back to the Task Force prior to the September meeting.	Sharon Chontos to inquire and manage

Recommendations Discussion | Public Policy. The Youth Risk Behavior Survey data results from 2015 were presented by Colleen Winter. See attachment. Noted that the next YRBS collection period will begin soon using similar questions as posed last collection period to establish longitudinal trends. Winter emphasized the Department of Health's continued interest in assisting the Task Force as needed. The Task Force inquired about and discussed the way in which YRBS information is collected and that information could be used to promote this work. The Task Force requested additional questions be added in the future on the use of technology.

Interim action steps to inform the September 15-16 planning retreat included:

Analyze ethnic background and age group or grade level of students to determine trends.	Colleen Winter Mark Gildemaster
Report back on what is working with NCMEC.	Hollie Strand
Report on examples of national statistics.	Tanya Fritz

Recommendations Discussion | K-12 Education. Jolene Loetscher provided an overview of the two survey instruments (one for administrators and one for mandatory reporters), developed in partnership with Dr. Amy Schweinle from USD. Task Force was asked to provide feedback, to which they expressed concern with the overall length of the survey, the need to define acronyms within the survey, and suggested not launching the survey during the first four weeks of the school year. Vetting of the cost proposal for the survey (including analysis) is being managed by Senator Soholt and Dr. Michael Lawler. Task Force members encouraged to review the survey offline and provide any additional feedback to Jolene Loetscher no later than August 5.

The task force discussed how to get into the schools to discuss awareness amongst non-certified staff. Interim action steps to inform the September 15-16 planning retreat included:

Initiate conversation with Department of Education peers regarding potential vehicle for awareness training to non-certified staff.	Ann Larson, Mary Stadick- Smith
Gather and collate programmatic elements from example Chicago CAC and its partnership with the Chicago Parks Department.	Tanya Fritz

Connect with SD Associated School Boards and School Administrators, and South Dakota Education Association to engage in the process.	Ann Larson Mary Stadick-Smith
Evaluate collaboration with school counselors through Department of Education peers and evaluating existing connections between training and use.	Ann Larson Mary Stadick-Smith
Connect with Virtual Providers: Nursing, Social Work, Mental Health; and SANE Providers (Sexual Assault Nurse Examiner). Discuss opportunities for collaboration.	Senator Soholt and Sharon Chontos

RESPONSE: Action Plan Discussion, including Available Benchmarking Data

Recommendations Discussion | Criminal Justice & Child Protective Services. The Task Force identified numerous ideas for inclusion in the plan as it pertains to the improvement of the criminal justice system:

- (1) Standardize and encourage direct reference of child sexual assault/abuse at all levels of care including government.
- (2) Elevate discussion at the state level so as to incorporate marketing and messaging that targets the public at large.
- (3) Determine what can be done in a court setting to get best testimony.
- (4) Provide better education to attorneys and judges.
- (5) Determine how to expedite trials.
- (6) Educate journalists to report in a responsible manner.
- (7) Federal MDT benchmarking
- (8) Tribal MDT benchmarking

Interim action steps to inform the September 15-16 planning retreat included:

Connect with Northeast Communities – Aberdeen, Watertown, Brookings, and Huron – at the Avera Child Sexual Abuse Conference in August. Coordinate a time to meet.	Cameron Corey Casey Murschel
Explore and summarize best practices in prosecution of child sexual abuse cases. Present at the September Task Force meeting.	Wendy Kloepfner Suzanne Starr
Explore best practice in needing to face your accuser as a minor, and how to fulfill constitutional mandate and yet not revictimize the child.	Suzanne Starr

Recommendations Discussion | Public Health & Medical Care Response. The Task Force identified numerous ideas for inclusion in the plan as it pertains to the improvement of the medical and mental health response:

- (1) Curriculum design in undergraduate and medical school.
- (2) Screening standards developed and implemented in the primary care setting.
- (3) Better define and consistently implement guidance for primary care providers and their concern in clinic.
- (4) Partner with other abuse prevention and response efforts (e.g., human trafficking prevention).

- (5) Consider potential solutions to put in place (e.g. centralized hub, education delivery system).
- (6) Distribution of best practice in emergency rooms and primary care settings in utilizing Pediatric Sexual Assault Kits.

Interim action steps to inform the September 15-16 planning retreat included:

Collect and present information about appropriate training/awareness response in primary care encounters.	Dr. Nancy Free
Summarize and present Montana's Elevate program at the September meeting.	Tanya Fritz
Evaluate language that might be effective in how to address the subject at the public health level.	Dr. Michael Lawler
Explore best practice with respect to child maltreatment as an explicit public health priority.	Colleen Winter

PREVENT: Action Plan Discussion, including Available Benchmarking Data

Recommendations Discussion | Public Awareness. The Task Force discussed how past work did review some models and that those were preliminarily identified as of interest. Moving forward, the Task Force formulated two key questions: what are the core set of elements that a prevention campaign should include, and how do we image that philosophy based on science? Several specific models were discussed, including Darkness to Light and the Enough Campaign. The Task Force identified a number of factors to be further developed as part of the 10-year plan:

- (1) Adopt or adapt existing campaign materials, but ensure they allow for Individualization so as to customize the campaign for SD audiences.
- (2) Consider and develop ways to include technology (e.g. gaming, apps) and social media dissemination of the campaign information.
- (3) Develop materials aimed at parents, providing them "what-if" scenarios for discussion with their children.
- (4) Incorporate language and concepts around 'sanctions and sanctuaries', capturing the intersection between health promotion and reduction of harm.
- (5) Expand access to victim advocates, providing a support system first and foremost to the victim.
- (6) Promote education to the judges and courts to make it easier for children to testify.
- (7) Provide education so as to allow for responsible and impactful storytelling.
- (8) Screening standards developed and implemented in the primary care setting.

Interim action steps to inform the September 15-16 planning retreat included:

Review existing campaigns to identify what worked and didn't work in their various service areas (nationwide); document in the form of a strategy matrix so as to highlight features of each campaign against a desired set of requirements formulated by the Task Force (e.g, theory, cost, outcomes).	Representative Gibson (lead) Tanya Fritz Colleen Winter Dr. Nancy Free
Evaluate and if possible coordinate a presentation of the ENOUGH campaign from the founder at the September meeting.	Tanya Fritz
Broadcast list of prevention campaigns known to date to the Task Force.	Dr. Nancy Free Sharon Chontos

Public Testimony

Mary Beth Holzwarth (Endeavor 52), advocate and mom of two boys impacted by child sexual abuse, provided public testimony of her efforts and appreciation for the Jolene's Law Task Force efforts.

Closing Remarks

Closing remarks were made by Senator Soholt, where the actions of the day were summarized and immediate next steps reviewed. Challenged all to think about real possibilities for change, and with the size of South Dakota we can truly make a difference in child sexual abuse.

Adjourn

JOLENE LOETSCHER MOVED, SECONDED BY REPRESENTIVE PEGGY GIBSON THAT THE JOLENE'S LAW TASK BE ADJOURNED. The motion prevailed unanimously by a voice vote.

Meeting adjourned at 4:05 p.m.