



MINUTES

Jolene's Law Task Force

Senator Deb Soholt, Chair
Senator Alan Solano, Vice Chair

Second Meeting

Room LCR 1 & 2

2015 Interim

State Capitol Building

June 1, 2015

Pierre, South Dakota

Monday, June 1, 2015

The second meeting of the Jolene's Law Task Force for the 2015 interim was called to order by Senator Deb Soholt at 10:00 a.m. (CDT) in Legislative CR 1 & 2 of the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members answering the roll call: Senator Deb Soholt, Chair; Senators Alan Solano and Jenna Haggar, Representatives Peggy Gibson and Tona Rozum; Public Members Christine Bisek, Cameron Corey, Daniele Dosch, Ann Larsen, Angela Lisburg, Jolene Loetscher, Hollie Strand, Virgena Wieseler, Colleen Winter, and Wendy Kloepfner.

Legislative Research Council staff members present included Roxanne Hammond, Legislative Attorney, and Jason Simmons, Senior Fiscal Analyst; and Public Member Cynthia Bautista, South Dakota Network Against Family Violence and Sexual Assault Project Specialist.

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 SENATOR JENNA HAGGAR, THAT THE MINUTES OF APRIL 21, 2015, TASK FORCE MEETING BE APPROVED. The motion prevailed by a voice vote.

Senator Deb Soholt welcomed the committee to their second meeting of 2015 and made introductions:

- (a) Representative Tona Rozum from Mitchell, South Dakota was Governor-appointed to join the task force.
- (b) Zebiba Zere, Bachelor of Social Work Intern from The South Dakota Network Against Family Violence and Sexual Assault, who will assist with activities of the task force.
- (c) Tami Haug-Davis, Guest and Interim Director for SD Voices for Children.

Remarks from the Chair

Senator Deb Soholt summarized the last meeting from April 21, 2015, reminding the group that The South Dakota Network Against Family Violence and Sexual Assault is now providing all task force support and Legislative Research Council staff will be assisting with any statute research and drafting of any potential future legislation.

Statistics/Benchmarks Work Group Report

Senator Alan Solano (Chair), Cameron Corey, Dr. Nancy Free, Wendy Kloepfner, Angela Lisberg, Tatewin Means, Casey Murschel, Virgena Wieseler,

Senator Alan Solano described each agency's data and how operational definitions and methodology capturing incidence vary significantly. A database is being developed that defines each agency's indicators. A master list will result with recommendations for narrowing to priority information. The end product will not be 100% capture of child sexual abuse incidence, but a baseline where each agency could trend numbers with consistent operational definitions. The manpower to double-document incidence for a period of time within each agency still needs to be defined. A policy recommendation is needed to create a uniform system, which will be considered at a future meeting.

National Partnership to End Violence Across the Lifespan (NPEIV)

The Task Force continues to utilize the national document: An Awesome Opportunity: The National Plan to End Violence across the Lifespan, as a template for priority development in South Dakota. The NPEIV national Think Tank meeting is being held in San Diego on August 22, 2015 followed by the International Summit & Training on Violence, Abuse & Trauma conference August 23-26. Task Force Attendees: Senator Solano, Representative Gibson, and Dr. Free.

I. Improving Education and Training – Undergraduate and Graduate Reforms

Academic Child Maltreatment Center

Dr. Jay Perry, South Dakota Board of Regents, joined the meeting. Dr. Michael Lawler, Dean & Professor, USD School of Health Sciences and Dr. Jill Thorngren, Dean of SDSU Education & Human Sciences also joined via audio conference.

Dr. Perry shared that Jack Warner is retiring from the SD Board of Regents at the end of June, and being replaced as Executive Director by Dr. Mike Rush from Idaho. The Task Force was assured that JLTF would continue to be a priority within the Regents.

Dr. Lawler discussed the structure of a possible South Dakota Child Maltreatment Center within the University of South Dakota to enhance the education of mandatory reporters throughout the state. The development would be within USD, but focus to imbed within all programs in SD that educate/train mandatory reporters. Dr. Thorngren voiced support for the concept.

Dr. Lawler and Dr. Perry reviewed the cycle of budget approval through the Board of Regents. Any budget recommendations would move forward after endorsement at the Regents meeting August 10-12, 2015. Two budgets are being prepared: one for the lead position and one for

development of the Center overall to meet defined expectations. It will be important for Jolene's Law Task Force to endorse the concept as it will facilitate endorsement by the Regents, inclusion within the Governor's proposed budget and ultimate Legislative approval in 2016.

Senator Soholt, Dr. Free and Jolene Loetscher will work with Dr. Lawler and Dr. Perry on the expectations for the role and the overall Center. Due to the Regents meeting prior to next JLTF meeting, the written document will be sent to all Task Force members for informal approval. Formal action will be taken at the August 18th meeting.

School Survey Report

Jolene Loetscher is collaborating with Dr. Lawler and the research department of USD for data interpretation of the qualitative school survey data that was conducted by task force members in 2014. Dr. Lawler has begun the Institutional Review Board (IRB) process, and Senator Soholt will provide a letter of support. This analysis may be available by the August meeting. There was discussion regarding further follow-up surveys with schools on a longitudinal basis. This would be very possible, but would require clarity of outcomes desiring to study, additional IRB approval and funding for analysis.

Youth Risk Behavior Survey

Ms. Colleen Winter described the Youth Risk Behavior Survey that is completed bi-annually with a random sample of high school students. It was conducted in the spring of 2015, including the two additional questions that were initiated through the CDC by the Task Force. Fall of 2015 is earliest time frame for results.

II. Improving Medical Health, Mental Health & Spiritual Care Responses to Instances of Violence

No Hit Zone

Angela Lisburg explained the concept of a "No Hit Zone". The "No Hit Zone" policy is in place to help professionals to defuse escalated situations with families. Has had conversation with many throughout the state with positive response. This concept would not require a statute change, and could be implemented through the three major health systems in the state. The Pediatric group and Family Medicine Group may be interested. The "No Hit Zone" policy change could assist people to intervene in child neglect and abuse situations, along with helping to change response culture when emotions are high.

III. Improving Criminal Justice & Child Protection Responses to Instances of Violence

Angela Lisburg & Casey Murschel (Co-Chairs)
Cameron Corey, Wendy Kloepfner, Hollie Strand, Virgena Wieseler

Angela Lisburg shared that the sub-committee reviewed improving the collection of evidence, increasing forensic interviewing capacity, photographing child abuse crime scenes, conducting polyvictimization screening with every case of violence, resolving cases more quickly, improving the alternative or appropriate response system (ARS), improving the mandated reporting system

and reducing vicarious trauma. Additional committee suggestions included the development of regional child sexual abuse response teams and multi-disciplinary teams of trained professionals only. They will continue to work through the summer and bring specific recommendations for change to the next TF meeting.

South Dakota Division of Criminal Investigation (DCI)

DCI Director, Bryan Gortmaker, overviewed the South Dakota Division of Criminal Investigation that has fifty-one agents. DCI works on a myriad of projects and fulfills SD intelligence functions with respect to crime. A significant amount of work involves child sexual abuse. Director Gortmaker reviewed SD DCI Forensic Laboratory Calendar Year End 2012, 2013, 2014 statistics: Forensic casework numbers, coDNA database, total cases and origin received and SD criminal history by fingerprint submissions. Total cases in 2012 = 637, 2013 = 710, 2014 = 596.

Forensic lab procedures were explained. Results are sent back to law enforcement office within 30-60 days. The lab has excellent, dedicated staff and strong partnership with the FBI that pays for two DNA serologists. In SD, every case comes through the forensic lab (state or federal).

DCI Deputy Director, Brian Zeeb, described the Statewide Automatic Victim Information and Notification (SAVIN) program that will begin July 1st. SAVIN will connect South Dakota data by linking all law enforcement agencies in South Dakota. SAVIN will be entering the testing phase in two counties. Victims/adults who would be secondary victims would receive offender notification. Federal funds have been secured to improve the record management system. The DCI employs three victim advocates in the state. It is a challenge to resolve crimes in a timely manner and support the victim for court. Cases can linger on and on with all the court challenges. This is a definite area for improvement.

National Incident-Based Reporting System (NIBRS) is replacing the Uniform Crime Reporting (UCR) system. NIBRS is a state system only, the FBI and BIA do not report which creates a continuity gap. This system is to assist with continuity, linking finger prints and is incident based.

The state law enforcement academy provides law enforcement officers with the following curriculum and training hours: 4 hours of interviewing, 12 hours of domestic violence, 4 hours of child abuse, and 4 hours of sexual abuse. The training and practice requires five pieces of collaborating evidence to build a case. Additional law enforcement training is a need, but at this time would require additional funding. This is an area where the task force could be helpful. There was discussion about the professional challenges with this type of work, and how important it is to have support for continued healthy investigators.

Presently there is a national conversation about untested sexual assault kits, and DNA that could validate cases. DCI was aware of this issue, and has been aggressively working to not have this be an issue for SD. The task force will consider this topic at a future meeting.

There was much dialogue regarding the role of DCI in changing the landscape of child sexual abuse moving forward. Director Gortmaker expressed commitment to being a partner in the development of new benchmarks/guidelines/goals and subsequent programming to achieve. Priorities would be: 1) more personnel "on the ground" to investigate, 2) additional training for investigative team members, 3) enhancing inter-agency collaborative, 4) facilitating cross-agency case management teams, and 5) strengthening DCI and DSS Child Protection relationships. The DCI would be very interested in further partnership within multi-disciplinary

teams (MDT) enhancement in the state. The goal would be to see a measurable positive impact and fewer crimes.

Family Justice Centers

Cameron Corey explained the concept of a Family Justice Center and information on scope of services from The Family Justice Center Alliance. It is a place that brings professionals such as law enforcement, advocates, forensic investigators, child protection staff and other professionals involved to support victims and families. He also shared the possibility of creating justice centers in SD from a regional hub perspective. There was much dialogue about the theory and practical application of Family Justice Centers in South Dakota. There will be future task force consideration of this within sexual abuse response development.

IV. Improving Development & Delivery of Prevention

Child Maltreatment Conference

Cynthia Bautista (Chair), Colleen Winter, Cameron Corey, Angela Lisburg,
Senator Solano, Hollie Strand, Virgena Wieseler

Cynthia Bautista overviewed committee discussion of topics, presenters, venues, and dates. Sub-Committee members would be attending the Crimes Against Children conference which will help to inform a possible SD conference. Future discussion on this topic will ensue.

No public testimony.

REPRESENTATIVE PEGGY GIBSON MOVED AND SECONDED BY WENDY KLOEPPNER THAT THE MEETING BE ADJOURNED. The motion prevailed unanimously on a voice vote.

The Committee Adjourned at 3:45 p.m.

***All committee agendas and minutes are available on the DOH website:
<http://doh.sd.gov/news/JolenesTaskForce.aspx>***

