

Data, Research Drive Bipartisan Juvenile Reform in South Dakota

Legislation Will Cut Costs, Improve Outcomes by Expanding Community Options for Lower Level Offenders and Focusing Secure Facilities on High-Risk Youth

By Sheriff Mike Leidholt, Hughes County, South Dakota, and former President of the National Sheriffs' Association



For veteran sheriffs like me, there are few experiences more discouraging than arresting the children and grandchildren of people you put in handcuffs earlier in your career. It happens far too often, reminding us of the multi-generational cycle of crime that holds so many families in its grip.

Over time, my growing frustration with this pattern got me thinking:

Is there a way to short-circuit the cycle? Can we intervene early and more effectively in the lives of delinquent juveniles to prevent them from spiraling toward a wasted future of perpetual crime?

I believe we can, and I think the juvenile justice reforms taking root this year in my home state of South Dakota represent a strong first step.

Led by Gov. Dennis Daugaard, our state has adopted a comprehensive package of reforms that will make our communities safer, save our taxpayers money, and more effectively rehabilitate young offenders. Known collectively as the Juvenile Justice Public Safety Improvement Act, the reforms passed the Legislature in March with overwhelming bipartisan support.

Under the act, South Dakota will use expensive residential beds mainly for high-risk youth whose crimes make them a potential danger to the public. Those who aren't considered a threat to society will be sanctioned in the community, where they will receive targeted treatment and services to redirect them onto a more productive life path.

Before I dive into the details of our new approach, let me share some background that illustrates why change was so badly needed.

I've been in law enforcement for 40 years, starting as a reserve deputy sheriff and then working for a small police department before joining the Hughes County Sheriff's Office in 1988. In 1994, the sheriff retired and I was elected to the job, which I've held ever since.

I've always had a special interest in young offenders, and I've served on one juvenile justice advisory panel or another non-stop for two decades. Last June, the governor put me on another – the Juvenile Justice Reinvestment Initiative Working Group. But this one, as it turned out, was different.

With the help of technical experts from the Pew Charitable Trusts, we spent six months conducting an exhaustive analysis of data from our juvenile justice system. We also talked with more than 200 stakeholders in the field to get a sense of what was working and what needed to change.

The experience was an eye-opener – even for someone like me who makes his living in law enforcement. We learned that

South Dakota had the second highest juvenile incarceration rate in the nation – 385 per 100,000 youth in 2011 – and that we were spending anywhere from \$41,000 to \$144,000 per bed on those kids.

Despite such a heavy investment, the strategy was not producing acceptable results. Four out of ten youth committed by the state were returned to the Department of Corrections within three years of their release.

Amid all the data, one statistic hit me the hardest: a whopping 75% of our commitments were for misdemeanors, probation violations or status offenses such as skipping school, underage drinking or running away. Put simply, we were pulling a lot of kids out of their homes and locking them up for petty stuff, behaviors that would not even be considered crimes if committed by an adult.

With that education under our belts, the working group developed reforms reflecting not only the best available research on managing juvenile offenders but also the experience of other states that had already traveled this path.

One of our top priorities was to increase the use of diversion programs to prevent troubled youth from sliding into the deep end of the juvenile justice system, where it becomes harder to change behaviors and prevent future reoffending.

Secondly, we proposed increasing and improving evidence-based programs in communities so that judges have options other than commitment to the Department of Corrections, and so that youth can remain in their homes.

And overall, we recommended a more holistic approach that features better support services for families struggling with challenges that, despite the best intentions of parents, often nudge a child into the juvenile justice system.

Altogether, our recommendations are projected to cut in half the Department of Corrections population in residential custody within five years. This will save millions of taxpayer dollars. But perhaps more importantly, we believe it will help turn around thousands of young lives.

That, for me, would be the sweetest result. It's up to us to not only hold troubled kids accountable when they make mistakes, but also to help them find a future as productive citizens, rather than lifetime members of our criminal justice system.

With a gameplan like that, everybody wins. 🌟

Mike Leidholt is the former President of the National Sheriffs' Association and in his sixth term as the sheriff of Hughes County, South Dakota.



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