

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

903N0537

## HOUSE BILL NO. 1298

Introduced by: Representatives Lucas, Bradford, Engels, Feinstein, Thompson, and Van Norman and Senators Bartling, Katus, Kloucek, Maher, and Two Bulls

1 FOR AN ACT ENTITLED, An Act to create the South Dakota Reservation Youth Resource  
2 Commission.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. The Legislature finds that the South Dakota Equal Justice Commission, which  
5 was established by the South Dakota Supreme Court, issued its Final Report and  
6 Recommendations in 2006. The commission's report included a comprehensive listing of  
7 findings and recommendations related to the criminal justice system and minorities, unfairness  
8 in the system, juvenile justice and minority children, language interpretation and barriers,  
9 attorneys, juries, arrests and stops, pretrial process, dispositions, and other matters.

10 The Legislature also finds that youth under age eighteen comprise nearly fifty percent of the  
11 population on some Indian reservations within South Dakota, and the number of youth under  
12 age eighteen is rising. This growing youth population on the Sioux Indian reservations lives  
13 within nine counties that have the lowest per capita income in the state.

14 The Legislature also finds that there is a general need for culturally relevant and locally  
15 available dispositional options for minority juveniles, as well as culturally specific programs for



1 minority youth for both in-home and out-of-home placements that will emphasize the  
2 acquisition of skills most needed by minority juveniles in order to give them the best possible  
3 chance at rehabilitation and prevent their return to the juvenile justice system. There is also a  
4 need for reciprocal juvenile probation agreements between the state and the tribes to enable  
5 Native American juveniles who either leave or return to a reservation to receive supervision.  
6 There is also a need for after school programs and recreational centers and activities to  
7 encourage these students to be more strongly involved in positive activities.

8 Section 2. There is created the South Dakota Reservation Youth Resource Commission  
9 within the Office of the Governor. The commission shall identify public and private resources,  
10 persons, and organizations throughout the state that can assist in addressing the issues identified  
11 in section 1 of this Act. The commission shall collaborate and suggest strategies designed to  
12 address the issues identified in section 1 of this Act and to implement the recommendations of  
13 the South Dakota Equal Justice Commission. The commission shall also develop strategies to  
14 promote and encourage reservation youth to engage in positive activities, including youth  
15 participation in planning and developing youth recreation centers, mentoring programs to  
16 encourage academic advancement, and programs encouraging positive values. The commission  
17 shall also recommend policy.

18 Section 3. The commission shall be appointed by the Governor and shall consist of nine  
19 members from the South Dakota Departments of Corrections, Social Services, Education,  
20 Human Services, the Unified Judicial System, and the Office of Tribal Government Relations.

21 Section 4. The commission shall annually report its findings and recommendations to the  
22 Governor and the Legislature by December first each year.