

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

200X0327

SENATE BILL NO. 55

Introduced by: The Committee on Judiciary at the request of the Chief Justice

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the HOPE probation
2 program.

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

4 Section 1. That § 16-22-8 be amended to read:

5 16-22-8. The Supreme Court is authorized to establish ~~two~~ South Dakota HOPE ~~court~~ pilot
6 probation programs in any court that has jurisdiction over criminal cases.

7 Section 2. That § 16-22-9 be amended to read:

8 16-22-9. The Supreme Court shall establish rules pursuant to § 16-3-1 for ~~such~~ pilot the
9 programs consistent with the following components, modeled after the national HOPE court
10 initiative:

11 (1) Involvement and commitment of criminal justice officials including judges, state's
12 attorneys, defense attorneys, law enforcement, court services officers, and treatment
13 providers;

14 (2) Eligibility criteria focused on offenders with a high risk to reoffend, without
15 consideration of the current offense;



- 1 (3) Judicial involvement in setting and communicating to the probationer program
- 2 expectations and consequences for noncompliance;
- 3 (4) Frequent, effective, and randomized drug and or alcohol testing;
- 4 (5) Swift, certain, and proportional sanctions for noncompliance with program
- 5 conditions;
- 6 (6) Swift and certain warrant service for absconding; and
- 7 (7) Compilation, evaluation, and publicly reported program results.

8 Section 3. That § 16-22-10 be amended to read:

9 16-22-10. Each ~~pilot~~ program shall be evaluated for the impact on public safety outcomes.

10 The Unified Judicial System shall report performance measures for the ~~pilot~~ programs

11 semiannually to the oversight council.