

South Dakota Department of Public Safety Byrne Jag DCRA Plan



SOUTH DAKOTA
DEPARTMENT
OF PUBLIC SAFETY

prevention ~ protection ~ enforcement

South Dakota Department of Public Safety
118 West Capitol Avenue
Pierre, SD 57501

Overview

The South Dakota Department of Public Safety (DPS) is the State Administering Agency (SAA) for Byrne Jag Grant Funds. In addition, DPS administers pass-through funding from several federal sources to sub-grantees in the field of criminal justice, including victim services, law enforcement, homeland security, emergency management, and other government and non-profit organizations that are affiliated with the focus areas identified in the Byrne Jag priority purpose areas.

South Dakota is a geographically extensive yet sparsely populated state. Our citizens are served by approximately 1,920 officers assigned to 147 agencies. Our rural environment has led to a spirit of cooperation and collaboration in our criminal justice services. Because of our environment, the success of any one agency is genuinely dependent on the team's success. For most of the state, investigative services on severe and violent crimes, major traffic accidents, prosecution of serious crimes, and essential services such as cyber-security support, staffing, and victim services are provided by state agencies.

For this reason, DPS has historically managed Byrne-Jag Grant funds with this spirit of collaboration in mind. Some examples of this collaboration are as follows:

- Byrne-Jag funds continue to support the use of statewide drug task forces. These units comprise state and local resources and provide an efficient and effective means of targeting high-priority initiatives.
- Byrne-Jag funds support the Statewide Drug Prosecution Program through the Attorney General's Office. This program supports state prosecutors who utilize their expertise in the state's rural areas as a force multiplier for local officials. These prosecutors work with task forces to ensure efficient and effective use of resources and expertise.
- The South Dakota Highway Patrol is a statewide agency with resources assigned geographically in all areas of the state. Their personnel augment small, rural departments in times of emergency, collaborate with local officers in highway safety initiatives, such as DWI saturation patrols and checkpoints, work to interdict drug traffickers and impaired drivers and investigate serious traffic crashes throughout the state. The SDHP routinely supports local, federal, and tribal agencies with law enforcement support; tactical team needs in times of crises, bomb and drug dog support, and drone and aircraft support for fugitive apprehension or search and rescue efforts. Byrne-Jag funds are utilized to support the equipment and training needed to continue providing these services to our state.
- The DPS Fusion Center is a clearinghouse for collecting, analyzing, and disseminating criminal intelligence information in our region. The Fusion Center is a sub-agency of the Department of Public Safety, reporting ultimately to the Superintendent of the Highway Patrol. While the Fusion Center is a state agency, it has established communication through an information-sharing portal with over 1500 members of the criminal justice community. Fusion Center staff provide law enforcement with detailed information that supports investigations, supports public safety, and provides expertise in a variety of information-sharing efforts.

DPS will continue to manage Byrne-Jag funding in the same manner as all funds under the control of the Department are managed; as a good steward, desiring to keep South Dakota a safe place to live, work, visit, and raise a family.

Death In Custody Reporting Act

In accordance with the provisions outlined in the Death in Custody Reporting Act (DCRA) of 2013, South Dakota is presently engaged in the comprehensive gathering of data pertaining to our State Correctional Facilities and the Highway Patrol Department. In the future, South Dakota will directly allocate Byrne Jag funds to numerous counties, cities, and tribal entities. Compliance with DCRA reporting mandates will be specifically stipulated as a condition in their award agreements.

The State Administering Agency (SAA) of South Dakota hereby solicits reports on deaths transpiring in custody, necessitating submission in the form of an email accompanied by an attached Excel form for completion by the respective party. Subsequently, this compiled information undergoes quarterly submission within the Performance Measurement Tool (PMT) system. In cases wherein investigations are ongoing, rendering determinations regarding the "manner of death" unfeasible, such instances are duly documented as "unavailable, investigation pending," with a delineation of anticipated timelines for information acquisition. Upon the availability of pertinent details, required updates to the PMT report are promptly updated by the state.

Each death reported is required to have the following information:

- The decedent's name, date of birth, gender, race, and ethnicity
- The date, time, and location of the death
- The law enforcement or correctional agency involved.
- Manner of death
- Description of the circumstances leading to the death

Challenges

South Dakota has encountered several challenges in its endeavors to collect local DCRA (Death in Custody Reporting Act) information. The absence of Byrne Jag funds allocation to all municipalities and counties renders the State Administering Agency (SAA) without sufficient leverage to mandate the submission of such data. South Dakota does not have a law requiring the submission of such report. In light of this situation, various avenues have been explored in an attempt to consolidate the required information under a unified framework. Regrettably, no viable solution has been identified thus far.

Moving Forward

South Dakota has resolved to initiate a process of direct communication with each law enforcement agency, including tribal local law enforcement entities. This initiative entails the dissemination of an Excel spreadsheet to facilitate the comprehensive gathering of death-related data. Subsequently, the collected information is to be returned to the SAA in a timely manner for reporting purposes within the Performance Measurement Tool (PMT) system.

Information and training material shall be distributed systematically to all pertinent local law enforcement entities, including tribal and correctional facilities. Furthermore, technical assistance will be extended to any agency upon request. In the event of insufficient response rates, proactive measures will be taken, including retransmission of emails and direct outreach via telephone, to facilitate data collection and address any inquiries.

Training resources, alongside the required Excel spreadsheet, will be conveniently accessible on the South Dakota Department of Public Safety website, specifically designated under the DCRA section.

In order to uphold the importance of timely and precise reporting, any law enforcement agency failing to submit their Death in Custody Reporting Act (DCRA) data to the State Administering Agency (SAA) shall forfeit eligibility for future Byrne Jag funds.

Conclusion

In conclusion, the South Dakota Department of Public Safety (DPS) serves as the State Administering Agency (SAA) for Byrne Jag Grant Funds, overseeing the distribution of federal funds to various entities involved in criminal justice initiatives within the state. Given South Dakota's expansive yet sparsely populated landscape, collaboration among agencies is essential in ensuring public safety and effective law enforcement.

Looking ahead, South Dakota remains committed to managing Byrne-Jag funding with the same diligence and stewardship applied to all funds under the Department's purview. This commitment includes the implementation of the Death in Custody Reporting Act (DCRA) provisions, wherein future Byrne Jag recipients will be required to comply with reporting mandates as stipulated in their award agreements.

In addressing the challenges encountered in gathering DCRA information, South Dakota is taking proactive steps to streamline data collection processes and provide necessary support and resources to law enforcement agencies. By ensuring timely and accurate reporting, South Dakota aims to maintain its standing as a safe and secure environment for residents and visitors alike.