



SUPPORTING
EMERGING ADULTS IN
THE JUSTICE SYSTEM
SUMMIT
KEY TAKE-AWAYS

APRIL 25-26, 2023



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Emerging Adult Brain Development 101

Dr. Kari Oyen, University of South Dakota

Bonnie Hoffman, NACDL Director of Public Defense

The presenters discussed the stage of brain development for young people ages 18 – 24 and the need to raise awareness of the differences between emerging adults and fully grown adults.

Recommendations include:

- Provide training for prosecutors on emerging adults and diversion appropriate for this age group.
- Develop community awareness campaigns about diversion programs for emerging adults (i.e., on working with young adults on life skills and rewarding positive behavior).
- Educate state-level decision-makers about the outcomes of young adult diversion programs.

Panel 1: Vulnerabilities and Needs of Emerging Adults

Judge Natalie Damgaard, 2nd Circuit

Tasha Jones, SD Housing Development Authority

Betsy Doyle, Minnehaha Public Defender's Office

Kelsi Vinger, Brown County Diversion Coordinator

The panelists spoke about their experiences working with emerging adults. Their recommendations include the following:

- Develop processes to assist young people with finding reentry-friendly housing.
 - Search for housing on the [South Dakota Housing](#) website.
 - Use the [Department of Housing and Urban Development Frequently Asked Questions](#) to assist young people through the process of finding adequate housing, including what to do if the young person is experiencing eviction or forced relocation.

- Recruit mentors as life skills navigators to assist young people with skill development (e.g., opening a bank account, registering a car).

Panel 2: Mental Health and Well-Being

Tiffany Wolfgang, Department of Social Services

Teresa Nieto, MSW, Bureau of Indian Affairs

Melanie Boetel, Department of Social Services

Belinda Nelson, Community Counseling Services

Dr. Clay Pavlis, Midwest Wellness Institute

Amber Kemp, New Alternatives, LSS

This panel discussed a variety of existing services in South Dakota to support the behavioral health and well-being of emerging adults.

Their recommendations include the following:

- Provide training to a wide variety of court professionals to better understand behavioral health and its impact on emerging adults. Possible topics include services available in different catchment areas, funding available to provide services to young adults, and workforce development challenges.
- Develop a crisis services checklist for young people that includes prompts to help them determine 1) someone to talk to, 2) someone to respond to, and 3) somewhere to go in times of crisis.

Spectrum of Department of Labor Services

Devon Bartscher, Department of Labor

Kaitlin Foster, Department of Labor

The presenters discussed the capacity of the Department of Labor to assist with employment case planning for justice-impacted young people.

- Services available through the Department of Labor include education, training, and support services to succeed in the labor

market and to match employers with skilled workers. This service is provided under the Workforce Innovation & Opportunity Act (WIOA)

- Target age groups for the Department of Labor's services are:
 - Youth – 14 to 24 years old
 - Adult – 18 years and older
- Employment Specialists can help emerging adults develop an Employment Plan alongside their probation officer. The Department of Labor has support services available to help the young person with their plan.
- Eligibility requirements
 - Can they make and keep appointments?
 - Can they help to develop a case plan?
 - Do they want to go?
 - Other considerations –
 - SUDs, if a person has not experienced enough sobriety or developed skills to be sober, it is best to address SUD before working on employment.
 - Housing first approach, if someone is experiencing housing insecurity, it is best to address housing before employment.

Keynote

Dr. Elizabeth Cauffman

The presenter provided preliminary evaluation results for a problem-solving court for emerging adults in San Francisco, CA. Based on the data, the emerging adult specialty court could be considered a promising practice.

Race Equity and Emerging Adults

Jonathan Old Horse, Oyate Court

The presenter emphasized the importance of culturally appropriate approaches with young Indigenous people. The Oyate Court is a diversion program that is led by Lakota elders. The program uses traditional peacemaking principles to stress healing over punishment. In collaboration with the Pennington County state's attorney's office, the Oyate court helps young people impacted by the justice system avoid formal court processing and adjudication.

Panel 3: Adapting Specialty Court and Supervision Practices for Emerging Adults

Teri Deal, National Center for State Courts

Kim Tvedt, Department of Corrections

Noreen Plumage, Unified Judicial System

Chad Clark, Unified Judicial System

Kim Etherton, National Center for State Courts

The panel described ways traditional court and supervision practices could be adapted to better suit the emerging adult population.

Recommendations from the panel include:

- Incorporate incentives or rewards for young people because they are more motivated by rewards than punishment.
- Ensure there is an opportunity for the responses or sanctions to work by using the same level 2-3 times.
- Allow emerging adults to make 2-3 mistakes before sanctioning.

Report Out and Next Steps

Attendees were seated with their jurisdiction and given the opportunity to reflect on and discuss each topic. Teams organized their thoughts on posters on their tables, categorizing problem areas by “major,” “minor,” and “not a problem area.” The most commonly identified major problem areas included: affordable housing and transitional housing (9), insufficient support systems for emerging adults (8), lack of culturally-specific programming (5), and transportation (4).

They also identified opportunities in their communities and documented them on post-it notes on their poster. The most frequently identified opportunities were: specialty treatment courts (8), supporting access to housing (4), and strengthening mental health awareness and education (3). The posters are included at the end of this document.

The teams identified several possible next steps. Examples of next steps are listed here:

- Raise awareness across all systems regarding 1) young people’s needs and brain development and 2) practice and policies that work with young people 18-24.
- Develop a diversion model for young people impacted by the justice system.
- Expand diversion programming to reach more young people impacted by the justice system.
- Develop mentor or peer navigator programs to assist young people impacted by the justice system.
- Develop culturally appropriate programming for young people impacted by the justice system.
- Raise community awareness regarding the work court systems are doing to keep communities safe while also serving young people impacted by the justice system in their communities.

Specific Action Items from Each Table

After the second day, each table was asked to share with the group a change that they could work towards in their jurisdiction. Their responses are listed below:

- Work on community engagement to increase buy-in and recruit mentors to work with young people impacted by the justice system.
- Find or create social places for younger people to find positive peers and celebrate culture.
- Work together to expand access to diversion programs because the limitation of the program itself is too restrictive.
- Work together to give clients more direction over their treatment. For example, provide list of viable options to have control over choosing their treatment provider.
- Improve system buy-in from all parties involved and develop peer support program for people exiting jail.
- We see disinterest in culture for young people. Work together to better understand –
 - How can we get them interested?
 - Increase support groups for young people.
- Work on adapting specialty courts for young people. For example,
 - Assign an EA caseload for one PO.
 - Try a pilot to see what can happen w/ a small caseload.
- Work on community buy-in, especially w/ the state's attorney's office.
- Work on expanding diversion. To do this effectively, we need to –
 - Develop a diversion for Indigenous youth.
 - Get buy-in from prosecutor's office.
 - Gain buy-in from other community leaders.
 - Expand traditional diversion by adding types of offenses to eligibility.

- Work on making connections to culturally appropriate programs and implement mentorship programs for young adults.
- Work on:
 - Language access for non-English speaking people.
 - Incentives to bring in bilingual employees.
 - Reconsider a pre-plea court.
 - Treatment modalities for young people.
- Build trust w/ Indigenous population and reduce barriers to creating programs w/ people from impacted groups.
- Work on rural program development and the barriers associated with the lack of resources.
- Use a more individualized approach when working w/ young adults.
 - Get buy-in from the native communities and allocating funding to support culturally specific programs.
- Work on understanding what changes in legislation are needed to work with young people impacted by the justice system.

Breakout Discussions

Major problem area—substantial work needs to be done.

Moderate problem area—some work is underway to address the issue, but more work is needed.

Not a major problem area—substantial work is already underway to address this area.

Opportunities-something that could help overcome a barrier.

Major Problem Area	Moderate Problem Area	Not a Major Problem Area	Opportunities
<ul style="list-style-type: none">• Lack of family support• Hopelessness• Housing• Waitlist for counseling appointments• Increased violent crimes• Gangs• Drugs (meth, fentanyl, heroin)• Recidivism	<ul style="list-style-type: none">• Housing• Slow court process• Resources in jail• Juvenile aftercare program• Dually-involved youth	<ul style="list-style-type: none">• Interagency collaboration	<ul style="list-style-type: none">• Support for employment• Increase mentorship options• Oyate Kin Kawita Upikte Court• Growing indigenous service providers• Specialty courts• Community interest• Casey Family Foundation• Co-response unit• DSS transition

Major Problem Area	Moderate Problem Area	Not a Major Problem Area	Opportunities
<ul style="list-style-type: none"> • Vanishing social spaces • Under-staffing • Under-funding • Transportation • Lack of public education • Too much talk, not enough action • Too limited diversion • Lack of cultural presence 	<ul style="list-style-type: none"> • On-going stigmas 		<ul style="list-style-type: none"> • Caring providers • Available funding (SD surplus) • Telehealth • Representation in problem-solving courts • Education of cultures and rare relations • Expanded diversion

Major Problem Area	Moderate Problem Area	Not a Major Problem Area	Opportunities
<ul style="list-style-type: none"> • Transitional housing after placement • Diversion for 18+ adults • Shortage of services • Community support services • Community does not want transitional housing • Housing process needs to start sooner 	<ul style="list-style-type: none"> • Not enough tracks (low need) 	<ul style="list-style-type: none"> • P-SC available 	<ul style="list-style-type: none"> • Someone to assist with housing application • Training on housing process • Education on how EA differ in community • Get prosecutors on board education

Major Problem Area	Moderate Problem Area	Not a Major Problem Area	Opportunities
<ul style="list-style-type: none"> • Decision making • Poverty <ul style="list-style-type: none"> - Transportation - Housing - Childcare - Food - Clothing • Lack of role models/peer mentors • Lack of culturally specific programs <ul style="list-style-type: none"> - Native American - Cultural education - Historical trauma and how it affects youths • Concept of time (arriving late) 	<ul style="list-style-type: none"> • Engaged involvement • Housing opportunity • Lack of understanding the system • Lack of job skills • Community planning/Resource sharing <ul style="list-style-type: none"> - Resources announced in the community - Social media announcements on Facebook (elder and middle adults are aware, but youth are on TikTok and Instagram) - Program to inform high school seniors of resources in the community 	<ul style="list-style-type: none"> • Availability of jobs 	

Major Problem Area	Moderate Problem Area	Not a Major Problem Area	Opportunities
<ul style="list-style-type: none"> • Mental health services shortage • Website to have all departments for communication to make all programs and services known • Affordable housing 	<ul style="list-style-type: none"> • Transportation • Rural area services • Sober living options • Languages • Where specialty courts are located • Home school accountability • Basic life skills • Lack of understanding of cultural traditions 	<ul style="list-style-type: none"> • Stigma • Loss of cultural traditions (assimilation) 	<ul style="list-style-type: none"> • Young adult diversion

Major Problem Area	Moderate Problem Area	Not a Major Problem Area	Opportunities
<ul style="list-style-type: none"> • Long-term residential • In-patient psych beds • Culturally-focused • Appropriate intervention and support for ↓ fx (B.I.F.) • Halfway house/Sober living • Felon-friendly housing 	<ul style="list-style-type: none"> • Medical coverage • Jobs • Community support • Criminalization of school-age children • homeless shelter/Night by Night 	<ul style="list-style-type: none"> • Drug court • Support for individuals with GMI/Psychosis 	<ul style="list-style-type: none"> • Yellow House • Oxford House • Community education • Young GMI housing (18-21/25) • Education on DUI/Drug court/Diversion programs • Mentorship for young adults • Indian health/support specific to Native American population • B&G Club

Major Problem Area	Moderate Problem Area	Not a Major Problem Area	Opportunities
<ul style="list-style-type: none"> • Transitional Housing • ESL • Safe socialization opportunities • Resources for lower-functioning young adults • Mentorship/Peer support • Criminal background options • Education/Career motivation • Public transportation • Access to medical care • Affordable childcare 	<ul style="list-style-type: none"> • Access to wellness supports • Safe and affordable housing • Family planning/pregnancy support • Knowledge about housing system - Helping individuals navigate the system • Transitions • Workforce • Knowledge about the legal system • Medication management • Resource availability (access to services) • Nutrition • Financial management/responsibility • Life skills • Employment mentor/coach 	<ul style="list-style-type: none"> • Rural issue: Mixing of risk levels /access to group therapy • Rural issue: Access to gender-specific treatment • Compilation and access to resources 	<ul style="list-style-type: none"> • Create stakeholder groups in every community • Law enforcement training • Legislative need: Require informal diversion for 18-24 non-violent offenders • Legislative need: Change Problem-Solving Courts to pre-plea courts to protect criminal records • Community awareness • Educate all judges on - Adolescent brain development - Cultural trauma and competencies • Expanding employment opportunities • Legislation need: Funding for rural counties to increase support services • Healthy relationship, education, and awareness • Early interventions - School - Mental health - SVD services • Legislation/UJS: provide opportunities for training/funding for bi-lingual training for UJS employees • ACEs - How should we gather? - What should we do with that information? • Legislative need: Change THC wax to misdemeanor

Major Problem Area	Moderate Problem Area	Not a Major Problem Area	Opportunities
<ul style="list-style-type: none"> • Access to affordable housing • Homelessness - No homeless housing • Jobs on the reservation • Case loads – workforce – cultural diversity • No summer programs 	<ul style="list-style-type: none"> • Jobs • Public transportation • EBP 	<ul style="list-style-type: none"> • No sober living housing 	<ul style="list-style-type: none"> • Oxford House • TXIX expansion • EBP

Major Problem Area	Moderate Problem Area	Not a Major Problem Area	Opportunities
<ul style="list-style-type: none"> • Truancy issues as a precursor to criminal activity/system involvement 	<ul style="list-style-type: none"> • Access to clinicians trained in treating trauma in young adults (lack of community resources) • Early intervention and recovery to resources • Distance to access services 	<ul style="list-style-type: none"> • Housing for families fairly accessible • Wrap-around approach to legal involvement 	<ul style="list-style-type: none"> • Community health workers • Funding opportunities • Early adulthood prosecution/sentencing • Education opportunities such as GED programs and alternative learning environments • First episode psychosis program

Major Problem Area	Moderate Problem Area	Not a Major Problem Area	Opportunities
<ul style="list-style-type: none"> • Felon-friendly housing • Transportation 	<ul style="list-style-type: none"> • Access (waitlist CB) • Workforce • Jail treatment 		<ul style="list-style-type: none"> • Change language for deferred Imp. • Broader screening for diversity • Better collaboration with prosecution • Communication between partners • Specialty court expansion

Major Problem Area	Moderate Problem Area	Not a Major Problem Area	Opportunities
<ul style="list-style-type: none"> • Lack of prevention services • Family involvement • Mental health/substance use disorders • Rural resources • School discipline • Unhealthy peer influences • Housing 	<ul style="list-style-type: none"> • Transfers to the city • Program limitations • Developmental delays • Finances and budgeting (classes for real life finances) • Youth support groups • Funding for prevention programs • Transportation 	<ul style="list-style-type: none"> • Physical health/insurance • Employment • Spirituality and cultures 	<ul style="list-style-type: none"> • Getting to know them (motivational interviewing) • Mentorship <ul style="list-style-type: none"> - Big Brother, LLS - Junior Achievement - Hurdle Life Coach • Meeting people where they are • Communities are invested

Major Problem Area	Moderate Problem Area	Not a Major Problem Area	Opportunities
<ul style="list-style-type: none"> • 26% substance abuse (18-25 adults) • Mixing low-risk level individuals with high-risk level individuals • Going back to environment (social, behaviors after specialty courts programs) • Adequate treatment 	<ul style="list-style-type: none"> • State's Attorney buy-in • How to apply specific trauma training • Debt and finances • Applying for scholarships with charges • Suicide ideation (awareness, resources, impulsivity) • Transitional living options • Early intervention and identification • Connecting to resources (knowledge of) • Follow-up after assessments • Clemency • Mental health education awareness • Institutionalized • Employment • Funding grants • Lack of life skills (due to placement) • Safe housing • Isolation (aftermath of COVID) • Staffing (under-staffed) • Insurance • Limited access to assessments (waiting lists) 		<ul style="list-style-type: none"> • Stakeholders Committee - Barriers to success for emerging adults • Centralize resources • Intensive case management services (wrap-around) • Restorative justice (Community court and Tribal court) • Peer support (mentor) • Specialty courts • Supported housing services (14) • Virtual sessions • Walk-in assessments (info through DSS QR code) • Mental health awareness and education • Resource app • Orientation and transition after placements • Cultural-specific treatment

Major Problem Area	Moderate Problem Area	Not a Major Problem Area	Opportunities
<ul style="list-style-type: none"> • Everyone is treated the same <ul style="list-style-type: none"> - Not enough resources • SRO's <ul style="list-style-type: none"> - Confronted by SRO too quickly • Convicted but not charged • No one gets a special PO <ul style="list-style-type: none"> - Receive whoever is assigned to you • Driver license • Employment <ul style="list-style-type: none"> - Not felon friendly • Not enough transitional housing/housing availability • NA not connected to culture <ul style="list-style-type: none"> - Being told what to do by a white court • Phone <ul style="list-style-type: none"> - Constantly changing numbers - Hard to find 	<ul style="list-style-type: none"> • Lack of parenting classes for MS-HS-aged youth • Community centers • Deferred prosecutions • Reading level contingent on recurring services • No village/mentors to support • Those that do not qualify for services <ul style="list-style-type: none"> - Where do they go? 	<ul style="list-style-type: none"> • Pre-trial services available <ul style="list-style-type: none"> - Consider expansion - Court-ordered vs. voluntary 	<ul style="list-style-type: none"> • Grief counseling • DUI <ul style="list-style-type: none"> - Utilize MHA more frequently • Court-appointed mentors <ul style="list-style-type: none"> - Use peer support programs • Access grant funding • Self-directed plan <ul style="list-style-type: none"> - Employees that want to be trained/bi-lingually • Improve transportation issues • Utilize public tv to broadcast MH education, Ted talks, and other resources • Walk-in assessments <ul style="list-style-type: none"> - Reduce waitlists