

South Dakota Department of Public Safety Byrne Jag Strategic Spending Plan 2024-2028



SOUTH DAKOTA
DEPARTMENT
OF PUBLIC SAFETY

prevention ~ protection ~ enforcement

**South Dakota Department of Public Safety
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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, as a good steward, desiring to keep South Dakota a safe place to live, work, visit, and raise a family.

Purpose

The South Dakota Department of Public Safety Byrne Jag Spending/Strategic plan provides a framework that will guide applicants and staff to ensure funds are awarded reasonably and used for worthwhile purposes in the spirit of law enforcement collaboration for the good of our citizens. Byrne Jag priority areas are broad in scope and include multiple facets of the criminal justice system, such as prosecution, corrections, courts, and victim services. In developing the plan, DPS staff considered the following circumstances:

- Mission of the Department of Public Safety
- Amount of local funding typically available for award
- Priority areas and initiatives as outlined by Byrne Jag solicitation documents
- Availability of alternate funding sources for those priority areas
- Staff requirements for the administration of grant funds
- Stakeholder feedback

Based on the review of those factors, DPS determined that the limited local funding from South Dakota's portion of Byrne Jag is best applied to projects supporting law enforcement initiatives, specifically, those initiatives that would have the broadest positive impact on agencies and citizens.

Stakeholder Engagement

DPS routinely works with multiple agencies across the full spectrum of Criminal Justice Services in South Dakota. DPS is the State Administering Agency for all federal grants related to victim's services. As a result, these groups are routinely engaged through our strategic planning process, technical assistance, and an annual symposium hosted by DPS.

DPS has a senior staff member that is part of the grant process for state funding to the Judicial System. DPS routinely collaborates with the judicial system for automated processes utilizing the South Dakota Law Enforcement Telecommunications System (SDLETS). In these capacities, DPS is fully engaged in the priority needs of that section of the Justice System.

The DPS Fusion Center routinely collaborates with the corrections system, and the Department of Corrections (DOC) has a full-time analyst embedded in the Fusion Center. This partnership shares information on violent criminals that are on probation, parole, or absconders from supervised release. Additional projects are underway to facilitate information sharing regarding gang activity from within the corrections system and evaluating potential impacts to communities.

The Fusion Center also regularly communicates with Emergency Medical Services (EMS) and public health officials to assist in providing accurate information regarding overdose mapping initiatives.

These regular interactions with this cross-section of the justice system allows for DPS to regularly engage with stakeholders and have a clear understanding of several factors, including:

- Priorities of the stakeholder agencies.
- Primary project areas where stakeholder and DPS missions intersect, allowing for collaboration.
- Other funding sources available to stakeholder agencies.
- Project areas that are funded by state general funds.
- Greatest impact areas of DPS and stakeholders for potential Byrne-Jag funding.

In addition to these regular engagements with stakeholders, DPS evaluated responses gathered from a survey of local law enforcement in constructing this plan and the formation of our funding priorities. That survey is sent annually to all law enforcement partners throughout the state, including local, county, state, and federal agencies. The survey collects information from law enforcement regarding areas of concern and threats in their areas of responsibility. These results are evaluated in concert with data gleaned from arrest and conviction records, crime reporting data, and data related to drug use. This information and the context provided through the survey are evaluated by trained analysts in the Fusion Center and used to provide a statewide Threat Assessment. This Threat Assessment is completed annually and provides a snapshot of the highest-priority threats to South Dakota communities. Key observations from the survey and data analysis are briefly mentioned below:

- Aggravated assault (21%), weapons violations (39%) and theft of motor vehicles and parts (185%) have all drastically increased since 2017.
- Officer involved shooting incidents have increased by over 300% since 2021, often involving subjects under the influence of drugs or alcohol.
- Fentanyl seizures continue to increase year after year, up 183% over 2021.
- Anecdotal data suggests a decrease in overdose deaths, possibly due to law enforcement intervention with Narcan products at the time of call.
- South Dakota businesses and citizens were subjected to nearly 1,700 cyber incidents in 2022, with over \$40 million in financial losses as a result.

This summary highlights the key conclusions drawn from the data and is used as the basis of determining the Byrne-Jag spending priorities in this plan.

Furthermore, complementing the findings of the Threat Assessment survey, the Division of Criminal Investigation has furnished the subsequent criminal statistics. During the calendar year 2023, attorneys affiliated with the Office of the Attorney General commenced or adjudicated 202 cases pertaining to drug offenses, with a predominant concentration observed within Pennington County. Notably, in the current year of 2024, the Office of the Attorney General has already initiated proceedings for 66 drug-related cases.

Priorities

The 2023 Statewide Threat Assessment identified priority areas that inform the DPS strategic plan for Byrne Jag awards to local agencies. Logically, DPS would want to encourage and support projects to mitigate the impact of these identified threat areas. These priority areas will be evaluated and adjusted based on the annual results of the Threat Assessment to ensure the limited local Byrne Jag funding is spent in areas to address the greatest need. For 2024, those areas are as follows:

Priority Area #1: Illicit Drug Use and Associated Criminal Behavior

Threat assessment results indicate that methamphetamine, opioid, and fentanyl use, trafficking, and associated crime are of high concern and likely to be a persistent threat. Therefore, funds can be requested and awarded for as follows under this priority area:

For use by a law enforcement agency in relation to the investigation, interdiction, prosecution, or information sharing regarding drug crimes, including:

- Drug use and drug distribution, with priority on methamphetamine, fentanyl, heroin, and prescription opioids.
- Crimes of violence associated with the use and distribution of these substances.
- Serial crimes associated with drug use, such as burglary, motor vehicle theft, and thefts of catalytic converters. These activities often involve many similar offenses in a region, typically committed by the same person or group of people.
- Investigation of criminal organizations involved in drug related crimes, including financial crimes.
- Overdose response or tracking for the purposes of further investigation or information sharing.

Awarded uses may include equipment, supplies, training, or other authorized projects sufficiently outlined in the application process. Personal protective equipment for law enforcement officers would also be eligible for award.

Priority Area #2: Overall General Crime

Threat assessment results indicate a concern for overall general criminal activity, especially violent crime. Therefore, funds can be requested and awarded as follows under this priority area:

For use by a law enforcement agency in relation to the investigation, prevention, prosecution, or information sharing regarding serious criminal activity, with an emphasis on crimes of violence.

This would include crimes involving firearms, such as shots fired type incidents. Sample offenses include, but are not limited to the following:

- Homicide in all forms, such as vehicular homicide, negligent manslaughter, and deliberate murder.
- Aggravated assault.
- Weapons violations
- The apprehension of identified criminals who are engaging in these acts, such as parole absconders, fugitives from justice, or unregistered sex offenders.

Awarded uses may include equipment, supplies, training, or other authorized projects sufficiently outlined in the application process. Personal Protective Equipment for law enforcement officers would also be eligible for award.

Priority Area #3: Organized Criminal Activity

Threat assessment results indicate a concern for Organized Criminal Activity, such as street gangs or Outlaw Motorcycle Gangs (OMG). Therefore, funds can be requested and awarded as follows under this priority area:

For use by a law enforcement agency in relation to the investigation, member identification, prosecution, or information sharing regarding organized criminal activity, with an emphasis on street gangs and OMG activity. Sample activities include, but are not limited to the following:

- Efforts to identify members or gather intelligence related to illegal activity of criminal organizations.
- Investigation of crimes committed as part of a criminal organization, such as drug or human trafficking, fraud, theft, crimes of violence, weapons violations, and conspiracy.
- The apprehension of identified criminals who are part of a criminal organization, such as parole absconders, fugitives from justice, or unregistered sex offenders.

Awarded uses may include equipment, supplies, training, or other authorized projects sufficiently outlined in the application process.

Priority Area #4: Cybercrime and Cyber threats

Threat assessment results indicate cybercrimes and cyber threats will be a consistent, high threat area for the future. Therefore, funds can be requested and awarded as follows under this priority area:

For use by a law enforcement agency in relation to the investigation, prevention, criminal identification, prosecution, mitigation, or information sharing regarding cybercrime or cyberthreats.

Awarded uses may include equipment, supplies, training, or other authorized projects sufficiently outlined in the application process. Sample activities include, but are not limited to the following:

- Equipment or training designed to assist in identifying perpetrators or gather intelligence related to cyberthreats or cybercrimes.
- Investigation of crimes committed electronically, such as cyber-attack or cyber threats.
- The apprehension of identified criminals who are engaged in electronic or cybercrimes.

Conclusion

The DPS strategic plan for the expenditure of Byrne Jag funding is rooted in the premise that our agency is part of a collaborative effort with local, state, and federal partners as we seek to reduce, respond to, and investigate criminal activity. We strive to serve those agencies that are on the front lines of our likely threats and incidents.