

AN ACT

ENTITLED, An Act to revise certain provisions relating to the HOPE probation program.

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

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

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

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

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

- (1) Involvement and commitment of criminal justice officials including judges, state's attorneys, defense attorneys, law enforcement, court services officers, and treatment providers;
- (2) Eligibility criteria focused on offenders with a high risk to reoffend, without consideration of the current offense;
- (3) Judicial involvement in setting and communicating to the probationer program expectations and consequences for noncompliance;
- (4) Frequent, effective, and randomized drug and or alcohol testing;
- (5) Swift, certain, and proportional sanctions for noncompliance with program conditions;
- (6) Swift and certain warrant service for absconding; and
- (7) Compilation, evaluation, and publicly reported program results.

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

16-22-10. Each program shall be evaluated for the impact on public safety outcomes. The Unified Judicial System shall report performance measures for the programs semiannually to the oversight council.

An Act to revise certain provisions relating to the HOPE probation program.

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I certify that the attached Act  
originated in the

SENATE as Bill No. 55

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 55

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State