STATE OF SOUTH DAKOTA

OFFICE OF ATTORNEY GENERAL
1302 East Highway 14, Suite 1
Pierre, South Dakota 57501-8501
Phone (605) 773-3215
Fax (605) 773-4106
TTY (605) 773-6585
www.state.sd.us/atg

MARTY J. JACKLEY
ATTORNEY GENERAL

CHARLES D. McGUIGAN
CHIEF DEPUTY ATTORNEY GENERAL

September 2, 2010

John Ellis
Department of Human Services
3800 E. Hwy 34 (Hillsview Plaza)
c/o 500 E. Capitol Ave.
Pierre, SD 57501

Tim Flannery, Audit Manager
South Dakota Department of Legislative Audit
427 South Chapelle
c/o 500 E. Capitol
Pierre, SD 57501

Dear Mr. Ellis and Mr. Flannery:

I am in receipt of a request from John Ellis, Juvenile Corrections Monitor, in which he requests review of the report entitled Juvenile Corrections Monitor Semi-Annual Report, Public Section January 1, 2010 to June 30, 2010. The requested review is for purposes of determining whether any personally identifiable confidential information is contained in the report. With respect to reports to the monitor, SDCL 26-11A-30 provides:

> For purposes of any audit, report, evaluation, or public testimony that may be permitted or required under §§ 26-11A-24 to 26-11A-33, inclusive, no disclosure of the identity of, or any other personally identifiable information related to, any juvenile or any individual requesting assistance under §§ 26-11A-24 to 26-11A-33, inclusive, shall be required. The identity of the person making a report to the monitor shall be kept confidential.

Additionally, SDCL 26-11A-33 states "The identity of the juvenile and of any person or agency making a report to the monitor shall be kept confidential."

After reviewing the report, it does not appear to contain any personally identifiable confidential information that would prevent it from being released as a public document.

Very truly yours,

Marty J. Jackley
ATTORNEY GENERAL

MJJ/lde