

KANSAS JUVENILE JUSTICE WORKGROUP

August 19, 2015 Meeting Summary

On August 19, 2015, the Kansas Juvenile Justice Workgroup met for the third time. Workgroup members continued their assessment of the juvenile justice system, from disposition to discharge from supervision. The information was garnered from interviews with system stakeholders, statutory review, Kansas data, and surveys of court services and community corrections officers.

Kansas Juvenile Justice System Assessment

The focus of the meeting was on service delivery, decision-making for community supervision and out-of-home placements, and youth flow (how youth move in and out of the different types of supervision and placements after disposition).

Service delivery: The Workgroup found that youth may access the same services regardless of court involvement, type of supervision or non-secure placement. A range of services are provided or funded by KDADS and DCF, as well as private providers via self-pay or Medicaid. Survey results showed that a majority of Court Services Officers (CSOs) and Community Corrections Officers (CCOs) believe, however, that there are too few services to meet the needs of youth, and that available services are prohibitively expensive and not timely provided.

Post-adjudication community supervision: Statutory criteria do not provide clear distinctions between types of community supervision—Court Services and Intensive Supervision Probation (ISP)—nor do they provide guidance to the court on supervision length. Supervision is marked by broad discretion; for example, the criteria for termination differ by district and there are no statewide mandates guiding officers' responses to violations of the terms and conditions of supervision.

Data showed that Court Services supervision for CINC and CINC-NAN cases lasts, on average, seven months longer than for juvenile offenses. The data also indicated that 17 percent of youth released from Court Services supervision are revoked to ISP, detention, or KDOC custody. Court services revocations represent roughly 1/4 of KDOC new admissions to custody.

Workgroup members also reviewed ISP data showing that an increasing proportion of misdemeanants are placed on ISP, and that four in ten youth on ISP also go out of home. Finally, youth who go out of home after ISP average 14 months in placement, up 59 percent since 2006.

Out-of-home placements: The Workgroup found that KDOC's out-of-home population declined 27 percent in the past decade. While post-adjudication detention grew 27 percent, the overall decline was driven by declines in the JCF population (38 percent) and non-secure placements (31 percent). Still, more than two-thirds of KDOC's juvenile services budget (over \$53 million) is spent on out-of-home placements. The annual state costs per youth of these placements are close to \$44,000 for detention, \$50,000 for Case Management, and \$89,000 for Juvenile Correctional Facilities (JCFs). Probation (ISP) costs range from \$6,000 to \$8,000 per year.

Case Management: KDOC funds this type of placement, but local CCOs determine length of supervision and private providers decide which youth to accept, reject, and eject from non-secure residential placement.

Length of time under KDOC supervision for Case Management youth has grown 23% in the last decade to 24 months. Their average time out of home is 14.6 months. This increase is driven by misdemeanants—their placement time increased, while felons' decreased. Case Management youth are experiencing a greater number of placements overall (6.2 on average compared to 4.9 in 2004). More than a third of Case Management youth have seven or more out of home placements, and nearly four of every ten go AWOL.

DCF placement: Minimal criteria guide decision-making by DCF for CINC-NAN custody. Analysis of the data by county showed discrepancy in the proportion of truancy and child behavior problem placements compared to overall population. Truancy, running away, or child behavior problems account for more than 400 youth placed out of home per year and 26% of all CINC-NAN removals.

Other than JCFs, the same types of facilities, and sometimes the same exact facilities, are used for DCF Placement and KDOC Placement. None of the residential placements used by DCF are designed to provide services; they all access services available in surrounding communities.

JCF placement: The term of JCF placement is set by the court, in accordance with the JCF matrix, and good time is guided by statute and regulations. Conditional release is a mandatory part of a JCF disposition. The matrix guides the term set by the court. Some criteria guides disposition of violators.

Misdemeanants account for more than a third of JCF placements. Analysis showed a 41 percent increase in the number of placements (8.3 on average) for each youth with nearly a third moving through ten or more placements. The average length of stay in JCF is up 30 percent, to 15 months. Youth placed in JCF are under KDOC supervision on average more than 37 months, with 25 of those months spent in out-of-home placement.

Key Takeaways

Service delivery:

- Youth under court or KDOC supervision most often access publicly available services that may be accessed without court intervention.
- CSOs and CCOs report limited services available to meet youths' needs, and issues with timeliness of services that are available.

Decision making:

- Little to no statutory guidance exists for judicial decisions on length of supervision.
- Criteria for termination vary by district.
- No structure is in place to guide CSOs or CCOs responses to technical violations.

Youth flow:

- An increasing proportion of youth placed on ISP are misdemeanants.
- 40% of ISP youth also go out of home.
- Youth who go out of home after ISP average 14 months out of home, up 59% since 2006.
- Case Management and JCF youth have more placements and stay out of home longer than they did a decade ago. Despite similarities in

KDOC youth characteristics, failure is more prevalent among youth placed out of home first than it is for youth placed on ISP first.

Stakeholder Roundtables

The Workgroup is in the process of conducting roundtables to gather input from stakeholders across the system, to be used as foundation for policy recommendations. The stakeholder groups and meeting dates are as follows:

- Intake (8/11)
- Diversion (8/11)
- Community Corrections (8/11)
- JO and CINC youth (8/11, 8/20)
- Prosecutors (8/12)
- Education (8/18)
- Law Enforcement (8/18)
- Court Services (8/20)
- JCF Staff (8/20)
- YRC Staff (8/20)
- JDC Staff (8/20)
- Youth Advocates (8/20)
- Victims (TBD)
- Judges (8/25, 8/26, 8/27)
- Providers (8/27)
- Defense (9/8)
- Parents/Families (TBD)

Next Steps

The next meeting will be held on September 9, 2015, in Topeka. Research on effective juvenile justice practices will be reviewed. This, along with the Workgroup's comprehensive study of the system, will set the stage for policy development.

The Workgroup is acting on the charge of state leadership to develop proposals for comprehensive juvenile justice reform. In doing so, its focus is to: (1) promote public safety and hold juvenile offenders accountable; (2) control taxpayer costs; and (3) improve outcomes for youth, families, and communities in Kansas. Any recommendations made by the Workgroup will be used as the foundation for statutory, budgetary, and administrative changes during the 2016 legislative session.