

Community Taskforce to Review Youth Corrections Systems Standards

Monday, March 7, 2022 at 4:30 pm

Taskforce Members In-Person

Larry Burks, Sr.
Yusef Presley
Jazmine Rogers
Lamont Anderson
Taben Azad
Monique Garcia
Debbie Kennedy
Holly Osborne
Valerie Leon
Tracey Mason, Sr.
Naquela Pack
Poncho Bustos
Rhonda Lewis
C. Richard Kirkendoll
Nina Shaw-Woody
Yeni Telles
Lilliana Rivera

Taskforce Members via Zoom

Mike Fonkert
Marquetta Atkins
Natalie Zarate
Annmarie Arensberg
April Terry

Resource Members

- Kristin Peterman – Via Zoom
- Hope Cooper
- Steven Stonehouse
- Paul Duff
- Shantel Westbrook

Purpose of the Task Force: To review and recommend preferred system improvements after the incident and death of Cedric Lofton

Goal of the Task Force: Develop recommendations for improvements and changes to the existing system standards and performance of Department of Children and Families (DCF), law enforcement, and youth corrections programs

Today: Hear from Sedgwick County, JIAC and KDOC about policies, protocols, training and potential systems improvements for foster children going through a mental health crisis

1. Feedback on documents received/reviewed, other activities/Follow-up Questions

- Question: What is the policy if a child is presenting with mental health issues and they've been told that they can't return home?

- Interim Deputy Chief Paul Duff states it depends on Kansas state law, state statute – CINC cases Child in Need of care as reference
- Timeline Requested of events of CJ case– to identify gaps
- The initial question was: **The number or percentage of supervisors with CIT training?**
24 supervisors ranked SGT and above that have received CIT training.
- The follow-up question was asked by a couple of TF members:
- **How many Wichita Police supervisors are there?**
- Overall for the entire department there is a total of: 34 Lieutenants - 71 Sergeants
- Supervisors in Investigations and Support Services do not respond to 911 dispatched calls. So those numbers were removed.
- Total number of Lieutenants in the field to respond to calls: 17
- Total number of Sergeants in the field to respond to calls: 50
- Request for St. Joe to join the discussion

2. Presentations

Steve Stonehouse, Deputy Director of Juvenile Programs at Sedgwick County, Jodi Tronsgard, Juvenile Intake and Assessment Center Administrative Manager, Hope Cooper, Deputy Secretary of Kansas Department of Corrections

Wanted to contribute to the task force and goal is to be as transparent as legally possible

- Are open to change/improvement

Hope Cooper separates out what is provided by the state of Kansas versus what is local information: KS DOC process map, overview of juvenile justice process, information on crossover youth, and the KS juvenile justice oversight report

Questions from Taskforce Members

- Rogers wanted to know about CPR/First Aid Certification and funding
 - LifeSaver Learning Incorporated which is American Heart Association certified
 - Tronsgard states regarding funding, JIAC applied for evidence-based practice grant
 - Last Friday request of grant funds was approved by KS Department of Corrections
 - Scope of work: funds will cover assessments, on-call crisis, and a host of other functions
 - Funding will be available July 1st

- Stonehouse adds JIAC is funded by Block Grant from KDOC
- Mental health treatment services and assessment is not a core function so they had to apply for separate evidence based grant funding for that
- What would it look for mental health to be a core requirement?
- Block Grant Funding pays for more of the structure versus the programming- intensive supervised probation, intake, case management – staffing for building
- Evidence program fund support received – reinvestment grants, j-cab
- Collaboration grants –
- Pack asked what percentage of youth at intake disclosed any current mental health treatment and how many individualized justice plans (IJP) has JIAC received?
 - Trongsard states data on youth self-reporting at intake roughly 25%
- Community agencies put together an alternative option for mental health support
 - Give critical information about the youth
 - Services and community available to youth
 - Triggers and how to interact with youth
 - Preferred options, if possible, to consider
- Received a number of IJPs in 2015, 2016, 2017
 - Haven't received one IJP from community agency since 2018
 - Stonehouse states IJPs are often associated with kids with IDD issues, can be used with kids with mental health and behavioral issues
- Pack asked what means of screening does JIAC have in place?
 - ASQ screening for signs and symptoms of suicide and MAYSI version 2
 - MAYSI instrument provided KDOC
 - Massachusetts screening instrument
 - Identifies current mental health issues
- One barrier is the acknowledgment form/informed consent
 - KDOC has under consideration requirement of informed consent or not
 - Cooper states regarding informed consent, found that form is creating a barrier
 - KDOC will be removing the form and training on how to introduce assessment to youth
- Cooper says KDOC does not make detention decisions based on MAYSI version 2. The tool is just a referral for service.
- Lewis asked what would you like to see different? Are there teen community members involved in providing input?
 - Teenager/Foster care youth
- Lewis also asked if state could expand some of services provided and look for community-based support
 - Expand services that could be provided and look to the community, e.g., yoga, mental health, meditation, exercise for teens

- In JIAC, is there a safe room for a mental health flareup, that youth can be put in by themselves?
- Stonehouse states, since 2002 they have been working on crossover youth
 - Youth that have touched the juvenile justice, mental health, child welfare, sometimes substance abuse programs.
 - Sent teams twice to Georgetown University to work on this issue.
 - State is taking it on as a statewide issue.
 - Preferred outcome is to appropriately identify these children and find a response that does not criminalize them because the outcomes for children who get a charge are not positive.
 - Hope is crossover youth practice model is strengthened in Sedgewick County.
- Recommendations:
 - Look at use of force and restraint policies
 - Look at opportunities prior to CJ Lofton coming to JIAC
 - Look at officer release form and arrest report
 - Memorandum of Understanding with Wichita Police Department
 - Acknowledgment of attorney general opinion issued 2016
- Regarding safe room - yes, there is an ideal space for that
- Visited Maize schools and Johnson County to see best practices and look at trauma-informed design
- Stonehouse states teen justice is heavily focused on funding, data, and research.
 - At juvenile field services, they have a juvenile advisory council. Kids who are involved are on the JAC.
 - Community can get involved in crossover youth model. Need volunteers on implementation.
 - Grassroots is what we would call credible resources/promising practices.
 - There needs to be continuing support from the University to write elements of grants they're applying.
 - Opportunity to help grassroots organizations to fill out grants.
 - Challenge is short turnaround between when grant is announced and grant application is due.
- Cooper states from an evidence-based perspective, we're looking at things that address a criminogenic need.
 - Leisure rec addresses criminogenic need. Whether substance abuse, family/peers.
 - Aware that grant application process can be daunting. Try not to ask for a lot, but do have to have bare minimums.
 - What are you trying to address?
 - How can you measure if it's successful or not?
 - We offer technical assistance.

- State has taken up crossover youth and has a contract with Georgetown. Agreed to support Sedgwick County's crossover youth practice model.
- Stonehouse states Sedgwick County does fund crime prevention grants. They have not had enough applications. There's money on the table. RFP right now for crime prevention to address.
- Anderson asked, on the night Cedric was in JIAC, with the individuals that came into contact with him, did they have crisis intervention training under their belt?
 - Tronsgard responds, yes.
- Anderson asked, how often does staff have to renew training and who handles renewals?
 - Tronsgard responds, they get initial training and then every year after they receive refresher training conducted by certified staff trainers. Trained on Safe Clench and MAB - Managing Aggressive Behavior.
 - Stonehouse states, on list of JIAC list of critical incident reports, staff has to identify what they use - either Safe Clench or MAB.
- Anderson asked, what is the frequency that staff members from the adult side are pulled over to the youth/JIAC side?
 - Tronsgard responds, during pandemic JIAC had one that had previously worked in JIAC.
 - Stonehouse states, JIAC and JDF is more specialized and requires more training. You can work down, but you can't work up. More common for people from JDF to work the adult side.
- Pack asked, what would it take to change policy 8.810 on use of force and restraints?
 - Tronsgard responds, standard is created by Kansas Department of Corrections and that is the authority for JIAC to create local policies.
 - County goes through policy and goes through a legal review of the county legal authority.
 - Several revisions to policy as a result of Lofton's death. Have to go through process as outlined in Appendix A.
 - County originates policy, then teen justice, the Board of County Commissioners, then secretary of KDOC for utilization of restraints policy 8.804 Medical Criteria for Admission.
 - Critical to this incident amended in December. Step 2: require a medical release for when a youth has been subject to a temporary restraining device such as the wrap. Already in place for a stun gun or taser.
- Tronsgard states, on this particular form:
 - when the officer came in, what I learned after the intake was, the officer presented this form and initially said yes there were signs of acute illness, signs of intoxication with significant impairment and functioning.
 - Officer said yes, no, and I don't know to has taken medications illicit drugs and substances that poses an immediate health risk.

- Officer says hold on a second, I'm kind of new (on the force) and I need to talk to them.
- Do not have audio capacity on surveillance system. To allow audio is on our capital improvement proposal, in process and going forward.
- JIAC form 8.804.2 - Form that must be taken to emergency room by officer, brought back and signed by qualified mental health professional. Intake form is 8.804.1.
- Attorney General's opinion - sought when two agencies read statute and have a different understanding of rules and responsibilities.
 - Local question was, with law enforcement - their perspective was once they deliver youth to JIAC, sign officer release form, physical and legal custody transfers to JIAC.
 - Juvenile intake viewpoint - they can accept physical custody, not legal custody.
 - Physical custody: for care and supervision.
 - Legal custody: can consent to medical custody; JIAC cannot do that.
 - Youth is always in custody of law enforcement
 - Means if there's a subsequent problem that arises with the youth, e.g., released to JIAC then have seizure, JIAC cannot transport them to the hospital.
 - Law enforcement has to accompany child to hospital room.
 - JIAC can only transport child to shelter facility. (This is no longer done due to change in police protective custody procedure.)
 - Letter was sought from AG for clarification on custody issue.

3. Taskforce Engagement with Presenters

- Rogers asks for clarifications on what other circumstances might be for overrides and on Cedric Lofton.
 - Stonehouse and Tronsgard respond that Cedric was not an override. KDAI is a tool that determines what happens to a youth. Cedric was not issued a KDAI. An override means there is a different determination than the KDAI. Override protocol is an agreement with judges. All overrides are reviewed by the Detention Utilization Committee on a monthly basis.
 - Cedrick was not issued a KDAI and would not have gone to detention. His score would not have sent him to JDF.
- Morgan asks what report was used to determine why Cedric would not go to JDF.
 - Stonehouse responds that the KDAI scores crimes with certain points. A certain amount of points is required to stay. Cedric was charged with battery on a law enforcement officer; this is 3 points. You need 9 points to stay.

- Atkins claims it seems like policies are designed to protect the system rather than the children. How is the mental health of the child who was in JIAC during Cedric's incident? How can we create systems that protect children?
 - Tronsgard responds that collaboration is critical with systems. Memorandums of understandings are used as a framework for collaboration when issues come up. Look where critical decisions are made, especially those that bridge one system to another.
 - There was one youth present during Cedric's incident. He has received support from mental health staff.
- Garcia asks if there is a centralized division within the County who pursues grant opportunities.
 - Stonehouse responds that there is administrative staff within the Department of Corrections that does grant writing. The Department applies on behalf of the County.
- Azad asks if the administrative assistant is dedicated to grant writing.
 - Stonehouse responds that this is not their sole function as an administrative assistant.
- Azad asks for clarification on Director of Corrections position.
 - Stonehouse responds that the position is open and they are accepting applications. Chris Morales will serve as interim director. Glenda Marten's retirement was planned prior to Cedric Lofton's death.
- Telles asks if Cedric's door being open at JIAC is against policy. Telles claims there was no accountability for the JIAC staff and that this needs to be prevented in the future.
 - Tronsgard responds that to prevent this from happening in the future, you have to prioritize mental health response rather than criminalize behavior. Policy should be looked at to see what needs changed in the future. It was not against policy for Cedric's door to be open. The Taskforce should make policy recommendations.
- Morgan asks if policy was broken when Cedric was held down.
 - Stonehouse responds that no policy was broken at the time.
- Shaw-Woody points out that WPD is not a part of the Crossover Youth program. How can we get them involved?
 - Stonehouse responds that they would need to be asked to be a part of it. They are currently part of the implementation team.
- Kirkendoll asks a question on the JIAC video system.

- Stonehouse responds that the video system is part of the County's capital improvement plan. When it was upgraded, it never had audio. The cameras have been upgraded with audio capability, but do not have the part for audio to function.
- Lewis claims that if a child has a mental health issue, they should be taken straight to the hospital. Cedric was not transported to St. Joe immediately.
 - Stonehouse and Tronsgard respond that WPD had to come back and get Cedric for transport. This is clarified in the Attorney General's opinion letter.
- Terry asks if there is a policy about where a youth should be while a new youth enters the facility.
 - Tronsgard responds that the facility has an intentional design to separate youth. The youth that was present during Cedric's incident was not in a separate area because he was going to detention. There is no policy on this specifically, but there is a policy on monitoring youth.

4. Taskforce Dialogue and Opportunity Brainstorm

- There is one parking lot question in regards to process to ensure we hear all voices in the room. To ensure we hear all voices, the Taskforce can make a recommendation to hear one question at a time or do multiple. This question will be at the top of the agenda.
- Recommendations are being recorded and will be brought back collectively for discussion.

5. Next Steps and Adjourn

- JIAC will be back on March 14th, 2022.