

Community Taskforce to Review Youth Corrections Systems Standards

Monday, March 14, 2022 at 4:30 pm

Taskforce Members In-Person

Larry Burks, Sr.
Yusef Presley
Jazmine Rogers
Lamont Anderson
Taben Azad
Monique Garcia
Debbie Kennedy
Steve House
Valerie Leon
Tracey Mason, Sr.
Naquela Pack
Rhonda Lewis
C. Richard Kirkendoll
Yeni Telles
Lilliana Rivera

Taskforce Members via Zoom

Mike Fonkert
Marquetta Atkins
Nina Shaw-Woody
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

- Process-wise to hear all voices in the room taskforce members ask no more than two questions in the first go around, then go back to those that have additional questions.

- A representative from Ascension/St. Joseph will be present at March 21st meeting

2. Presentations Continued

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, Eric English, Administrative Coordinator JDF

- Is there a policy the task force should be looking at specifically to make recommendations regarding restraint or keeping doors open?
- Tronsgard states, JIAC policy 8.810 Use of Force & Restraints - recommendation that physical restraints and mechanical restraints shall never be used for purposes of transporting youth by law enforcement
- Mason questions DA's stand your ground justification
- Kennedy asks, what should a family do if a child is told by placing agency that the child cannot return home
- Tronsgard states, when youth is brought to JIAC in DCF custody, if there are no charges, youth would go to Wichita Children's Home for admission. You would ask the question, what was the offense or when did child become an offender and what decisions were made at that point and what were the options
- Tronsgard states, for general intake, if there are charges to be booked the youth will come in for intake and a placement outcome would be determined using the Kansas Detention Assessment Instrument
- Tronsgard states, in this case they would not have scored for detention, so staff would call the case worker and they would be required to come pick up the youth. The youth would not stay at intake
- Tronsgard states, JIAC staff would look at arrest report and use the agency listed to coordinate release and the agency would find placement for youth
- Stonehouse states children in need of care come to JIAC every day, they have an assessment done, and most times they just go back to their foster families or their residential program
- Rogers asks, at what point can staff physically intervene based on the current use of force policy
- Tronsgard states use of force policy justifications:
 - JIAC does not use force to protect property
- Rogers asks, in Managing Aggressive Behaviors (MAB), what kind of verbal interventions are used
 - Response: English states building a rapport with the youth is incorporated in the technique
- Tronsgard states, video shows staff talking to Lofton and using body positioning

- Garcia asks about standardization of training - is there a standardized training that JIAC/WPD/Sherriff's Department all take for continuity and consistency
 - Stonehouse states there is not, entities are invited to CIT training
 - Garcia suggests that they have continuity and consistency in language and training
- Pressley asks, why didn't St. Francis make other arrangements versus WPD coming out to the property to pick Lofton up
 - Follow-up question: Why didn't St. Francis make arrangements to give Lofton respite
 - Peterman responds that DCF will try to gather more specifics and share what they can
- Atkins asks a question regarding timing - what is the turnaround time when a call is made from JIAC to the Children's home or St. Francis to pick up the child. How do we change policy so we do not harm or hurt a child, e.g., sitting on a child for 30 minutes
- Stonehouse refers to handout recommendations, which are policy improvements that include
 - how long someone can be in restraints
 - when to close the door
 - audio and video
- Stonehouse refers to ideas staff have considered that are not currently policy
 - having an independent person not involved in restraining youth watching the time and checking on restrained youth
 - Having 24-hour medical present at every single restraint
 - Limiting the time someone can be in the prone position to three minutes or less
- Stonehouse mentions the staffing and budget considerations for suggested policy improvements
- Shaw-Woody asks, do we know if St. Francis ON-CALL was notified
 - Shaw-Woody states St. Francis has ON-CALL services, so if something happens or a foster parent has problems with a kid they're supposed to be able to contact an on-call worker.
 - Was that worker notified on the night in question
- According to body-cam footage from that night, task force member states that nearest on-call worker was in Junction City, approximately 2.5-3 hours away
- Shaw-Woody asks, what policies were violated or what buck was passed
- Facilitator states all questions will be put in an email for DCF so task force can get clarity in this particular instance on if there is a specific policy that drives how the interactions should have played out or if it played out in the way the policy is designed
- Fonkert recommends no restraint method that compresses the chest in any way and to limit the time in the prone position
- Stonehouse states, the prone position should be for transition only, e.g.,
 - transition to cuff and sitting
 - transition to sides

- transition to standing up
 - It is never meant to be a prolonged amount of time in the prone position
 - DCF licensing regulations for detention and residential facilities states that a kid can be restrained for 30 minutes
- Telles asks, what policy was followed related to bringing CJ into the room and escalating rather than deescalating the situation
- Stonehouse states, use of restraints policy 8.810 was used by staff
- Burks asks how diverse JDF staff is
- Stonehouse states, about 35% African American and Hispanic, hiring practices for last couple of years received in handouts
- Rogers asks, what does effective communication between agencies look like when transferring custody
- Tronsgard states, the official piece that would guide that interaction would be a memorandum of understanding between WPD and JIAC to guide the process of transferring custody from one agency to another and requiring full and open communication on the medical and mental state
- Tronsgard states, the decision for an officer to release a youth into JIAC physical custody requires medical criteria for admissions information to be accurate and signing the form attesting that the information provided is true and correct will need to happen
- Lewis requests a timeline that shows the breakdown between DCF and the foster family and the breakdown with JIAC
- Atkins suggests moving to a restorative justice model
 - Talking to young people instead of talking about them
 - Recommends meeting with young people that have been touched and impacted by the system
- Presley recommends neutral party with handheld camera and audio record restraint process moving forward
- Rivera asks how many foster kids go through JIAC each year
- Cooper states, in annual report for fiscal year 2021
 - there were 3,449 statewide intakes that were child in need of care
 - in Sedgwick County there were 112
 - 3,908 juvenile offender intakes
 - This is JIAC data only, found in annual report and on website
- Fonkert makes a recommendation around mental health responders - ICT1 is not the most cutting-edge response
 - There are a lot of models that have just a medical responder and a mental health practitioner with no law enforcement present
 - That model could also offer a way for community to get involved
 - Cahoots in Eugene, OR is a model to look into; there's also a model in Austin, TX with medic and crisis worker
 - Dr. Lewis asks regarding models, is that something that the state would fund
 - Cooper responds, potentially

- Azad recommends that a plus one or neutral party be added to staffing allocation
- Leon recommends looking at mobile crisis unit in Denver and Aurora, CO
- Kennedy recommends center for community resiliency model from George Washington University
- Cooper states that the juvenile justice oversight committee does have an evidence-based fund subcommittee that looks at what are the recommendations to KDOC and how to spend that money, and there is a mental health line item
- Rogers asks if she can see the Sedgwick County Department of Corrections budget for last year and the upcoming years, as well as the state budget; and if getting a mental health staff member in the current budget without having to go through the RFP process has been explored
 - Cooper states, the state total for intake and assessment services statewide is just under six million dollars: \$5,964,056. The 18th judicial district received \$632,165 from KDOC alone
- Stonehouse responds, we have explored it but the block grant funding is flat funding; the county or state would have to order it to make it happen
 - the juvenile corrections advisory board teen justice recommended that the county do fund as a core position

3. Recommendations

- Stonehouse goes over staff recommendations that would change policy enough that they would have to go through county legal and board of county commissioners to be adopted
- Garcia asks, how will we be able to quantify how recommendations will be handled once this is submitted so budget can be considered
 - Facilitators state, once we solidify what recommendations are, we will go back to the subject matter experts for them to give task force estimates on things that will have a budget impact; budget numbers won't necessarily be needed in recommendations – staff can calculate once it is decided if recommendations are adopted
- Pack asks, how will task force ensure oversight and accountability regarding recommendations
 - Facilitator says that will be determined by the task force as far as how they want to proceed after recommendations are submitted
- Kennedy asks if task force recommendations can be forwarded to Governor Kelly's task force for the investigation into the foster care system
- Facilitator states, we've captured about 40 recommendations so far, from foster care to JIAC
 - Some recommendations will be collapsed into similar aspects
 - In materials, there's a list the task force has from 2020 which lists 60 recommendations that were in the statewide report
- Facilitator encourages to consider:
 - what can happen immediately
 - what may have to happen at the next legislative session

- how to make some of these things join together to make more impact
- Next week Ascension St. Joseph will present
- Request in to D.A.'s office to present information to task force
 - Response from D.A.'s office:
 - scheduling conflict
 - trial that starts Monday
 - working on schedule and will get back to us this week

4. Next Steps and Adjourn

- St. Joseph will be present on March 21, 2022.