

Approved: February 9, 1995
Date

MINUTES OF THE HOUSE SELECT COMMITTEE ON JUVENILE CRIME:

The meeting was called to order by Chairperson David Adkins at 9:15 a.m. on February 1, 1995 in Room 527-S of the Capitol.

All members were present except: Jim Garner
Mike O'Neal

Committee staff present: Don Cawby, Legislative Research Department
Gordon Self, Revisor of Statutes
Leona Fultz, Committee Secretary

Conferees appearing before the committee: Judge Mike Freelove, Pres. Mag. Judges Assoc.
Chris Beggs, Geary County Attorney
Mike Kitchens, Dir. Leavenworth Comm. Corr.
Terry Showalter, Dir. of Juv. Dept., Wyandotte County

Others attending: See attached list

David Adkins stated that handouts were given to each member of the committee from the meeting with Ken Hale, Director of Corrections and Community Services for Sedgwick County and Robin Clements of Wichita State University. They appeared before the Senate Judiciary Committee on January 31, 1995. (Attachment 1).

David Adkins introduced Judge Mike Freelove. The Magistrate Judges Association has come to the consensus that the juvenile code is not in much need of change; it is a workable code but does need refinement and improvement. (Attachment 2).

David Adkins introduced Chris Beggs, Geary County Attorney. He has been working with the Mayor's Task Force on Juvenile Crime from Junction City and Geary County and defined their recommendations that had originally been given to the Koch Commission in September, 1994. They would like to see the communities have more control with community based solutions and diversions. (Attachments 3, 4 and 5).

David Adkins introduced Mike Kitchens, Leavenworth Community Corrections Program. His experience is that some kids get involved in criminal activity and then the juvenile justice system works for them. However, this is not true of all kids and now we find ourselves in a crisis situation. He believes we are in this crisis because too much time is spent arguing about causes and then simply ignoring what works for kids. (Attachment 6).

David Adkins introduced Terry Showalter, Dir. of Juvenile Department, Wyandotte County. One of his main concerns is that the legislature not continue to give the Juvenile Departments more and more responsibilities without the financial resources to fulfill those responsibilities. He would stress that the Committee not do anything without fully funding for the recommendations. He believes the Intake System started last year is a really good system. (Attachment 7).

The Committee meeting adjourned at 10:15. The next Committee meeting is scheduled for February 2, 1995.

**SELECT COMMITTEE ON JUVENILE CRIME
GUEST LIST**

DATE: 2/1/95

NAME	REPRESENTING
Philip D. Knapp	Youth Center Operations Division
Terry Showalter	DISTRICT COURT - WYANDOTTE
Mike Kitchens	Lower Merion Council, H. Green
Jeremy Kohn	KJC
Diane Gjerstad	USD 259
Jan Clew	KCPAA
Pete Oliveras	Juvenile Divisions
Chris Biggs	Grady County Attorney
ROBERT RITTER	JUVENILE CRIME COMMISSIONER
PAULUS RITTER	SPOUSE
Jan Johnson	Dept of Corrections



WICHITA STATE UNIVERSITY

Hugo Wall School of Urban & Public Affairs

Testimony Before The Joint Committees of Senate Judiciary and Senate Public Health and Welfare

Tuesday, January 31, 1995

By Robin Clements

**Hugo Wall School of Urban and Public Affairs
Institute for Research on Communities and Crime
Wichita State University**

Chairwoman Praeger, Chairman Emert, and Members of the Committees:

Thank you for the opportunity to share with you the cooperative research effort on juvenile justice which Sedgwick County has initiated. I am Robin Clements and I am a policy analyst at Wichita State University's (WSU) Institute for Research on Communities and Crime.

The Institute is part of WSU President Gene Hughes' vision for our urban university and its mission to be a bridge to the community -- to bring applied research and theory into practical service. In short, the Wichita State University community service mission ensures that it is a place where the 'rubber meets the road' -- not 'the sky.'

To that end we have joined with Sedgwick County, the Kansas Juvenile Justice Task Force and the Kansas Sentencing Commission to assist the County in its efforts to find real solutions to the juvenile justice problems in our community.

Sedgwick County Juvenile Offender Profile Project

BACKGROUND: Sedgwick County requested that our research team initiate a 'profiling project': to identify and profile the reasons juveniles come into contact with local courts, holding facilities and juvenile offender programs.

Sedgwick County leaders estimate that juveniles who come through their justice system may comprise as much as 30% of Kansas' total juvenile cases.

PURPOSE: The Sedgwick County Commission has placed itself squarely on the path to finding solutions to the growing problems associated with juveniles with court dispositions and seeks more appropriate responses for rehabilitation and placement options which face the County and

Select Committee on Juvenile Crime
February 1, 1995
Attachment 1

ultimately the State of Kansas. County decision makers want to use the profile findings to reassess systemic and resource delivery methods, and the service, program and facility requirements they may face as a result.

ACTIVITY:

1. For the benefit of the County Commission, we were granted permission to analyze and study a sample of 551 cases, or 31.6% of all Sedgwick County juvenile cases (1741) disposed of between July 1, 1993 through June 30, 1994, as collected by the Kansas Sentencing Commission.

Nearly five hundred variables have been developed and collected from court records, social files, school files and Youth Center files for each case in the sample. We will have a unique view of family, past events, and system factors which may be related to the disposition of a case.

We are truly indebted to the research efforts of Ms. Barbara Tombs, Research Director of the Sentencing Commission and her team for their thorough work and cooperation. While their efforts focus on larger state and national study purposes, they welcome the efforts of Sedgwick County as an experiment station to frame policy questions critical to the county.

2. We have conducted a focus group and many one-on-one interviews with key actors who work daily with juvenile cases including representatives from the juvenile court bench, court services, county corrections, Wichita Area SRS, probation services, mental health services, law enforcement, district attorneys, and the public schools. We asked them to tell us, in their experiences, what are their hunches about what may be right and may be wrong with the system.

Many insightful questions have emerged from these experts which will be critical to our analysis. Some examples include: are there children whom neither the CINC nor the JO classification systems can properly address?; are placement decisions ever driven by a lack of placement or program options?; is there a connection between a child's history as a CINC and a future as a JO?; how serious are the crimes of juveniles in our system?; what will our facility needs be in the future and how can we predict them?; are there only two characterizations of JOs - those that are 'hardcore' and those that have a chance with rehabilitation?; do drug and alcohol abuse, spotty school attendance, sexual abuse, physical abuse or family member criminal history contribute to a child's offender status?; are children more 'crime prone' at some ages than at others?; during a child's involvement with the juvenile system, when may intervention strategies be most effective?; how long does a child wait for final placement or program once a disposition is reached - and where is the child while waiting?; and many others.

While this has been a very preliminary overview, I appreciate the opportunity to share with you today what I believe to be a unique and important partnership between local and state agencies to find meaningful answers to pressing issues - initiated freely without mandate or incentive. When the study is complete, we will be happy to provide you with a copy of our findings.

COMMITTEE HEARINGS ON JUVENILE CRIME & CORRECTIONS

31 JAN 95 - 10:00 a.m.

**Testimony: J Kenneth Hales, Director
Sedgwick County Department of Corrections**

Senate Judiciary Committee

Chairman: Senator Tim Emert
Vice-Chairs: Senators Harris, Bond & Parkinson
Members: Senators Moran, Reynolds, Oleen, Vancrum, Petty, Rock, Martin, Feleciano & Brady

PREFACE:

Yesterday, we had 54 juvenile offenders in the Youth Residence Hall (YRH), the Sedgwick County juvenile detention facility, and this is 63% over our licensed capacity of 33. Despite all this county has done, we still suffer chronic and ever-increasing over-population at YRH. Simply put, WE NEED YOUR HELP.

The Sedgwick County Board of County Commission continues to demonstrate a sincere commitment to address the juvenile justice needs of this community. Particularly, juvenile detention needs. Just a few years ago, in response to licensing violations for overcrowding, the commission brought in a nationally-recognized expert consultant to examine our juvenile detention needs. We have implemented the solutions that were recommended from this study. Over the past two years, Sedgwick County has developed and put into operation a series of programs to manage and alleviate the chronic over-population in the juvenile detention center. This summer we opened a 23-bed non-secure detention facility. This is a facility to hold juvenile offenders who do not require secured attention, but do require 24-hour residential care. In 1991 we created, and then expanded this year, a home detention program utilizing electronic monitoring devices as an alternative to secure detention. We operate an intake unit staffed 24 hours a day, 7 days a week, to ensure that detention is used only for those offenders that require it (See Attachment 1). Yet admissions continue to increase.

Since 1992, these measures have allowed Sedgwick County to double its capacity to supervise what most would identify as detention-bound juvenile offenders. Yet, again, the demand for detention services continues to grow (See Attachment 2-4). In addition to that, we operate the Judge Riddel's Boys Ranch which is a level 5 treatment facility. It is the only level 5 treatment facility in the state that services only juvenile offenders as opposed to children in need of care. Because it is a county-operated facility it targets Sedgwick County juvenile offenders, most of whom come from the Youth Residence Hall. Nevertheless, we still suffer chronic over-population at YRH. We have 15 kids on home-based supervision, another 21 at the non-secure facility. Over the past 72 hours the intake unit has diverted over 20 kids from admission to the detention center. Yet, over-population at the detention center is as bad, if not worse, than ever.

I must comment on the impact of overcrowding on the juvenile detention program. A generalization; the kids that remain in juvenile detention, particularly in Sedgwick County and Wyandotte County and the other urban centers, are the most dangerous, most violent and most behaviorally maladjusted (See Attachment 5). This is reflected by the police arrest reports. Total arrests are down but the number of arrests for violent offenses, such as aggravated assault, aggravated battery and weapons charges, are up. Even under good circumstances, managing this population in confinement is a tenuous task; one that requires dedicated staff, proper resources in facility and manpower, good programming and a carefully applied behavior management system. We need all the resources and tools available to run the program as well as it should be run. However, when the facility is chronically over-populated, all the tools break down. Staff can operate at 130% for a short time to address a temporary peak in population. However, when you're over-populated by 30-40-50% continuously, staff simply wear out and the kids wear out also. One common result of this breakdown is an increase in acting out violent behavior on the part of the residents against other residents and staff. This past year, we have had an increase in the number of assaults on other residents and on staff by residents.

Sedgwick County is committed to operating its juvenile detention center in a fashion consistent with the values of this community. A center that is expertly managed, effectively operated and is respected in its field. We have built facilities and added new program alternatives. We have recently hired 9 new youth care workers. The County Manager's Office has engaged in a strategic assessment of the youth services operation. An assessment involving all the stakeholders in the juvenile justice system. This has included staff, facility managers, the school district, juvenile judges, juvenile district attorneys, SRS, Dept of Health & Environment, anybody connected to the operation has been conferred with. We have reorganized youth services management. We have placed the staff in uniforms and the juveniles in uniform. We have modified visitations and other procedures. We have an extensive three-phase, 26-point revitalization plan underway. Yet, we will never be fully successful if we can't get a handle on the ever-increasing population.

The single most significant factor contributing to the over-population at YRH are those juvenile offenders awaiting SRS placement (See Attachment 6). While we have made improvements in diverting juveniles from detention, we have had more and more kids held longer and longer while awaiting SRS to take custody of them. On any given day, approximately 40% of the YRH population are kids awaiting SRS placement.

RECOMMENDATIONS:

1. We recommend that administration of juvenile offender programs be separated from other juvenile programs and be a separate commissioner level division within SRS or, more preferably, that juvenile services be removed from SRS and established as a separate authority. The current structure has simply failed. We advocate an organizational structure that places a clear emphasis on juvenile offender issues; one that embraces not only a rehabilitative and treatment philosophy, but a "just deserts" philosophy as well.

2. We also recommend that the regulatory oversight for local juvenile detention centers and other facilities housing juvenile offenders be placed under the new authority and removed from the Dept of Health & Environment (KDHE). KDHE is well-suited to license day care centers, but not high security juvenile correctional facilities. We need a regulatory authority that enforces minimum standards and has expertise in the field. An authority that can give technical assistance and will work with others to solve the problems, not just cite violations for which the subject center has no control.
3. We recommend that legislation be enacted that allows juvenile detention centers the same considerations as adult detention centers concerning population control and expense. Specifically, that the state pay the full reimbursement for holding youth once placed in SRS custody. As it is now, it is often cheaper for SRS to keep a bid in detention than to place him or her in some out-of-home placements. For SRS the economic incentive is not to place the kid.

Secondly, unlike statutes governing the adult system, there is no time limit for SRS to transfer youth. A time limit would be a tool to ensure a kid is placed with the needed services in a timely manner.

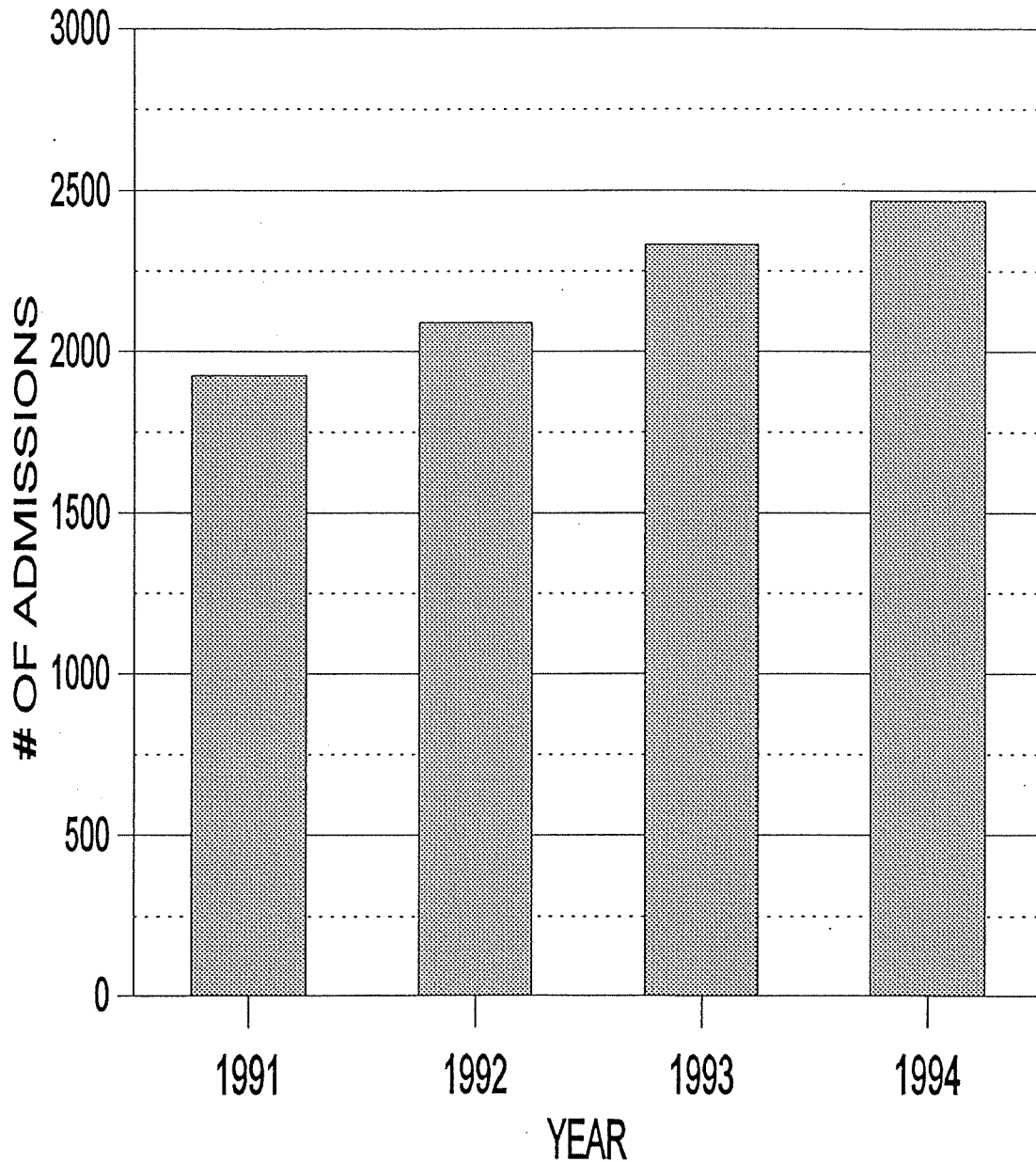
4. Lastly, we also recommend the state develop more out-of-home placements for juvenile offenders; particularly, smaller youth centers that are located in various regions of the state. These may be operated by the state authority or by local authority in partnership with the state.

Although, there are inefficiencies that cause delays in transferring kids out of detention to SRS, the most significant factor is that SRS has no place to put the kids. Because SRS has so few out-of-home placements for offenders, the juvenile judges are more inclined to make direct commitments to the state youth centers. THE RESULT: Over-burdened youth centers and more kids waiting in detention to get into the youth centers.

Thank you for this opportunity to share my thoughts.

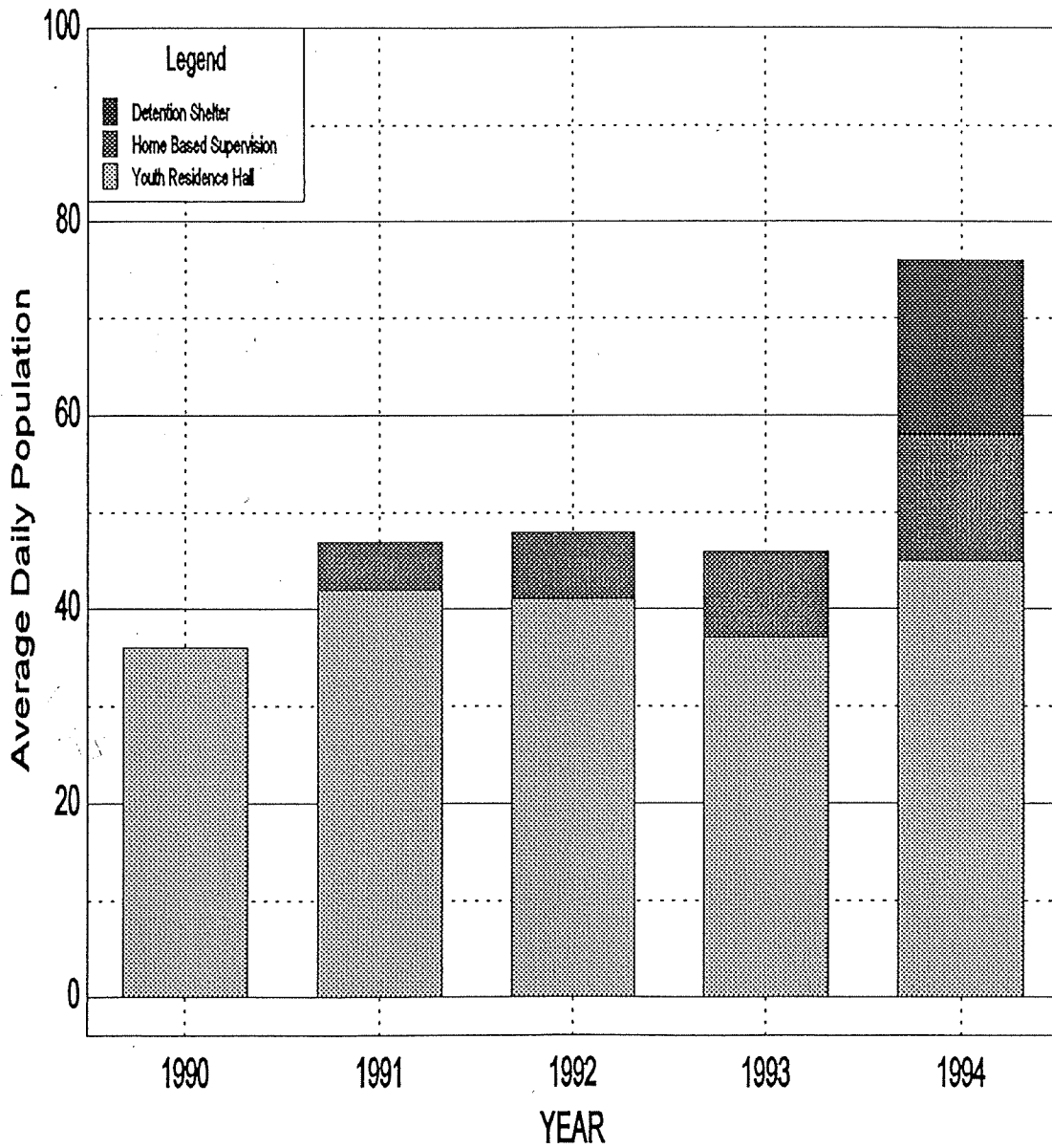
Sedgwick County Youth Residence Hall

ANNUAL ADMISSIONS (1991 - 1994)



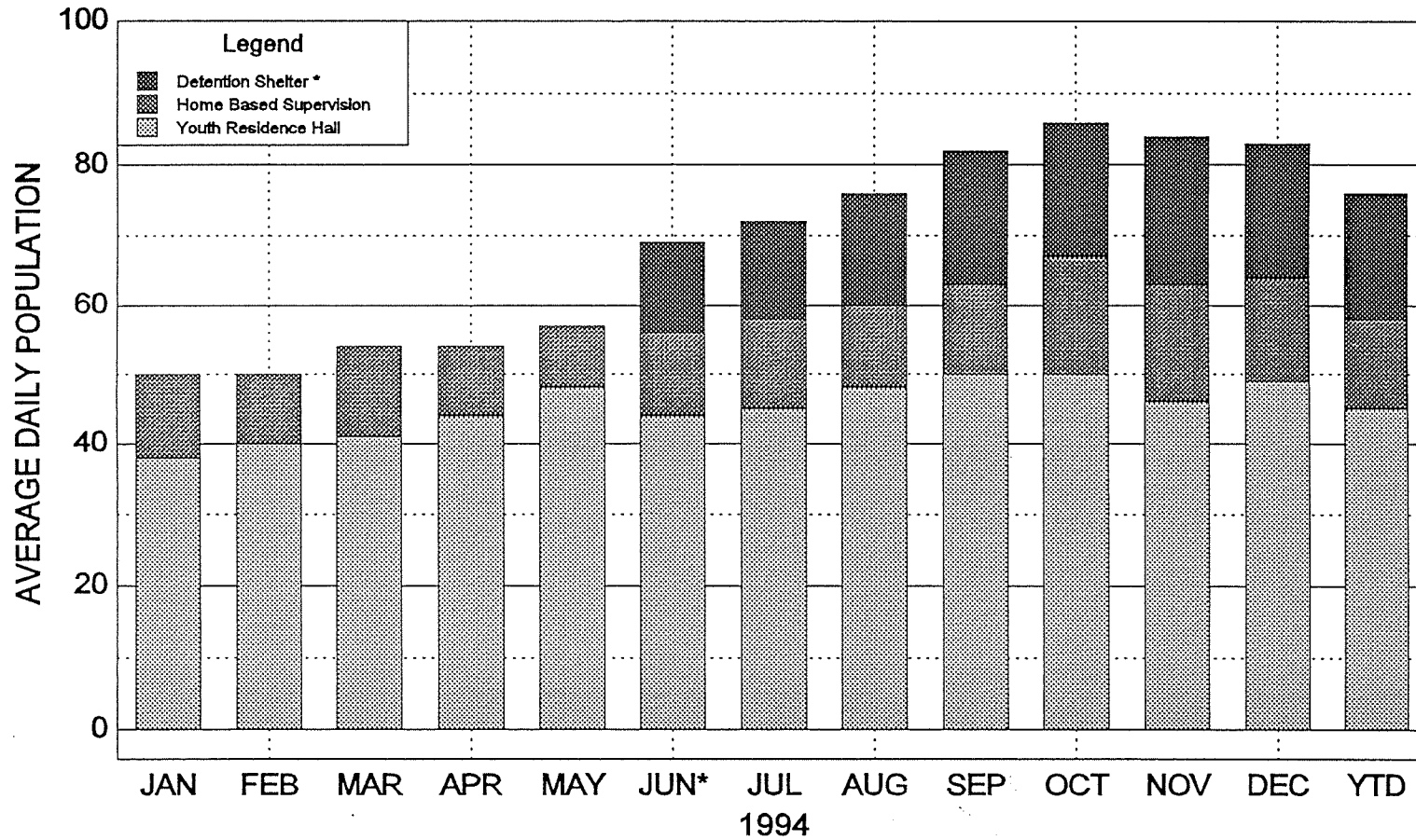
Demand For Detention Services

In Sedgwick County 1990 - 1994



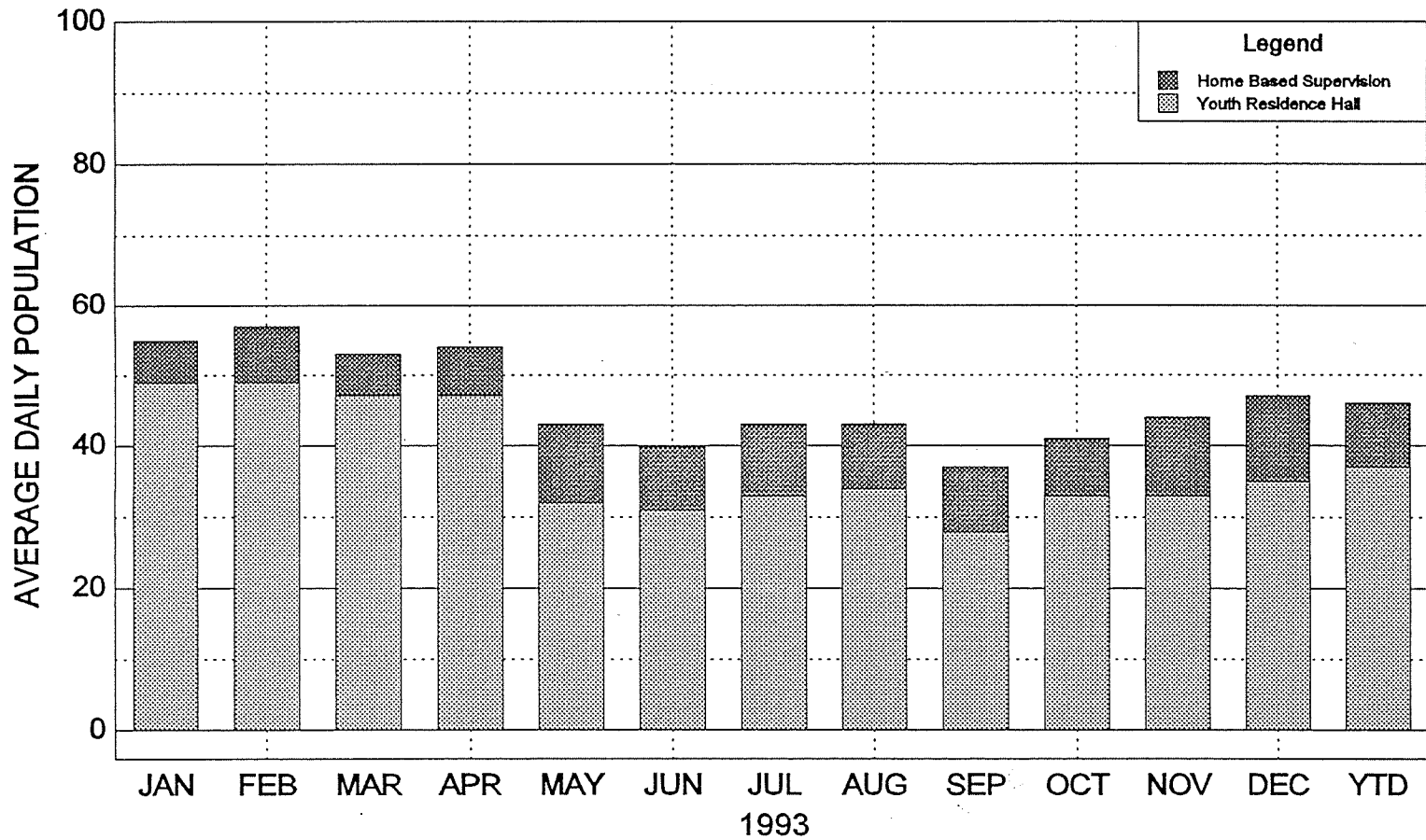
1994 Demand For Juvenile Detention

And Alternatives in Sedgwick County

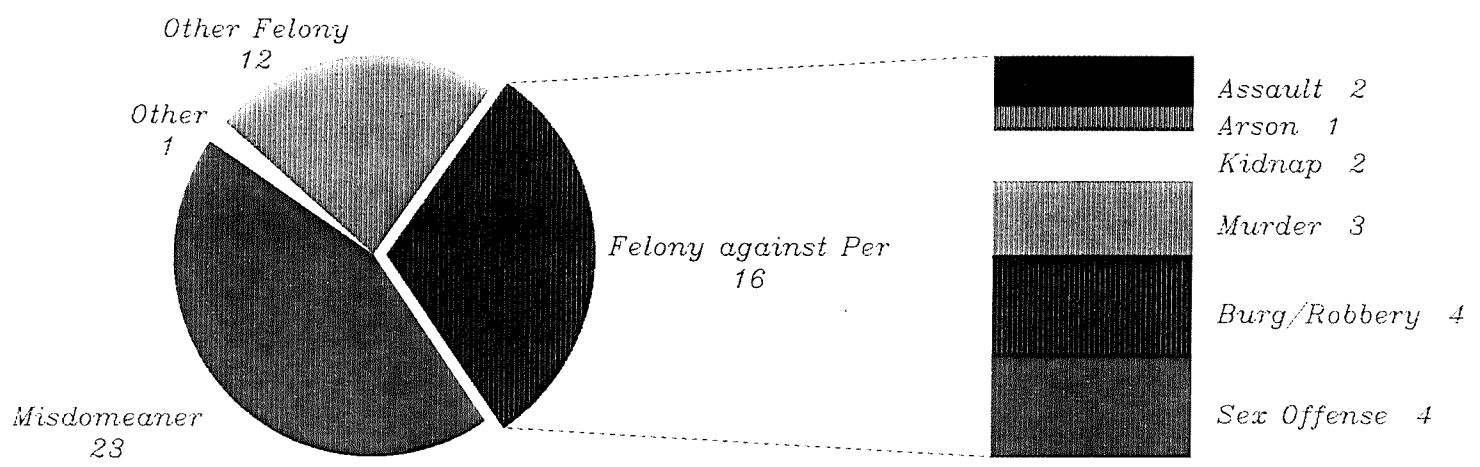


1993 Demand For Juvenile Detention

And Alternatives in Sedgwick County



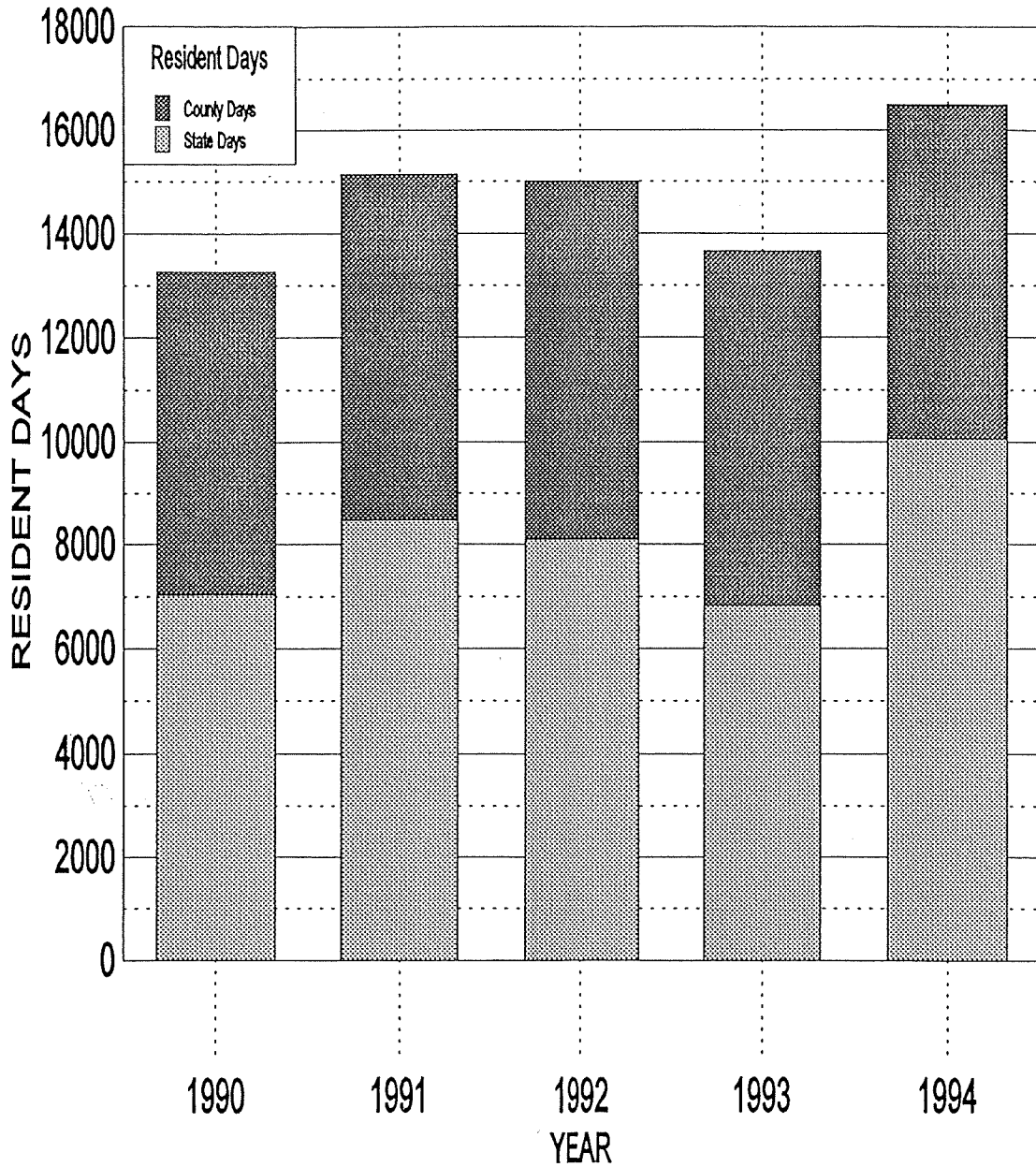
Offenses for Detained Juveniles Random Sample



Juveniles in Detention Felony Against Person

Sedgwick County Youth Residence Hall

Resident Days by State and County



I would like to thank you for the opportunity to address you today. I am Michael A. Freelove, District Magistrate Judge from the 16th Judicial District. I am here as a representative of the Kansas District Magistrate Judges Association, to give you our views on the Juvenile Offenders Code.

The State of Kansas has 31 Judicial Districts, of which all but 9 have District Magistrate Judges. As District Magistrates we have limited jurisdiction. This jurisdiction includes juvenile matters, both under the Child in Need of Care Code and the Juvenile Offenders Code. Therefore we hear a great number of the juvenile cases that are filed in the state. Most of the Magistrates are in rural areas, however our problems are the same as those of the urban areas. Although they are magnified by the lack of resources and geography. There are some smaller urban areas where Magistrates hear cases such as Dodge City, Garden City and Liberal.

Before coming here today, I consulted with a number of the Magistrates throughout the state to gain a consensus of what our association felt needed changed in our present code. These ideas vary from "Scrap the whole thing" to "If it is not broke do not fix it."

Neither as a representative of our association or personally do I have the "Grand Solution". If I did we would have no need to be here today, we could all be enjoying the beautiful weather with which we have been so graciously blessed.

Our association has come to the consensus that the code is not in need of much change, that it is a workable code but needs refinement and improvement.

We do however feel that there is a need to remove the Offenders out of the Department of Social and Rehabilitation Services and place them under a Youth Authority. We are not sure that this authority should be the Department of Corrections.

The Department of Social and Rehabilitation Services has a sufficient case load and a far greater responsibility under the Child in Need of Care Code. Their training and expertise gears them more for the CINC cases than it does the offenders cases.

The Department of Corrections is more in tune with the adult offenders and have very little experience with the juvenile offenders. Many of the adult offenders are past the point of rehabilitation, we believe that this is not true for the juvenile offenders.

In addressing the subject of juveniles and adults, we feel that the provision allowing for the prosecution of a juvenile with one prior felony as an adult under K.S.A. 38-1602 should fall under the same provisions as are required for certification as an adult under K.S.A. 38-1636. We feel that the age and the prior history of the offender should be looked at very carefully prior to them being certified or tried as an adult. Age, maturity, severity level of the crime, safety of the community as well as the other provisions of 38-1636 should apply.

Once we have adjudicated an offender we have limited resources for rehabilitation. We need to expand our fiscal as well as additional placement resources to deal with the treatment of the offenders who does not qualify for the Youth Center and can not be returned home. This is the type of offender who falls through the cracks of the system because of insufficient level 4 and level 5 facilities.

We do not think that the Youth Centers have all of the answers. Presently the Youth Centers have age requirements for admission regardless of the offense committed. Should these requirements be on the severity of the offense more than age.

We feel that the creation of Boot Camps would be an asset in dealing with the non-violent offenders. These camps should contain the resources to address education,

counseling and independent living skills for the older offenders.

The group homes to which we presently have access should be required to take the placements recommended by the courts, if they have the available space. At the present S.R.S. and the group homes evaluate the offender and if they do not meet their standards they will not take them. We loose many offenders this way. If the offender cannot return to the home, they do not meet requirements for the Youth Centers and do not fit the requirements of that particular group home they are many times returned to the community without the knowledge of the court, many times to commit further offenses. This is the type of offender that will eventually end up in the Youth Center if we do not address the problem now.

I mentioned the fiscal impact of the offenders on the system. This impact is most felt at the county level. The court costs, attorneys fees, detention fees, transportation costs and witness fees many times must all be borne by the county. We applaud your efforts in Senate Bill 130 and House Bill 2197 regarding restitution and the ability of the court to enforce payment as a civil judgment. Should these other costs not be included along with the restitution.

We wish that we could provide you the answers that you are seeking. However we want to request that you proceed with caution before making drastic changes in the Juvenile Offender Code. If the District Magistrate's Association or myself can be of help, please do not hesitate to contact me through the Office of Judicial Administration.

Thank you time and patience.

September 19, 1994

The Mayor's Task Force on Juvenile Crime, comprised of members of the Junction City, Geary County community, from education, church, law enforcement, mental health, business, and youth activity backgrounds, urge you, representatives of the Koch Commission, to propose or support the following initiatives in future sessions of the Kansas legislature:

1. *Amend K.S.A. 38-1635 to authorize court-ordered or administrative, "prefiling" diversion even for minors who have been previously adjudicated as juvenile offenders, or, alternatively, exclude from these programs only those whose prior record includes a level [x] or worse felony.* The mayor's committee wishes to sponsor a "deferred prosecution" program which will involve the support and active participation of the community. This program is tailored for youth who may have gone seriously awry, perhaps even committed a felony offense (e.g. burglary, theft or criminal damage to property), but can still be "salvaged" with strong intervention from volunteers and professionals. Our deferred prosecution requires an admission in open court to the offense, but withholding of the actual adjudicatory order pending completion of the diversion program. The program may run for as long as twelve months, and require regular community service, payment of restitution, counseling and/or participation in youth activities. The leverage needed to encourage offender compliance comes, of course, from the threat of the court entering its judgment and saddling the juvenile with a criminal record. The sentencing guidelines'

strengthened emphasis on criminal history, as well as stricter rules for adult certification, should encourage many juveniles to avail themselves of this program. But the current version of K.S.A. 38-1635 places diversion beyond the reach of those very children who could benefit most. A first-time offender would probably not require this type of community attention; but a repeat offender whose conduct has become troublesome, but not yet lethal, might appreciate our help.

2. *Amend the definition of "juvenile offender" to include minors who violate city ordinances and county resolutions.* Current city ordinances aimed at curbing illegal juvenile activity are ineffective because the definition of "juvenile offender" does not include one who violates such an ordinance. A juvenile can disregard these ordinances (e.g. curfew) with impunity, knowing the arresting officer can do little more than call the parent(s) and send him home. City attorneys, who can prosecute violation of the applicable ordinance, do not have jurisdiction to handle juvenile cases; and county attorneys, who do have jurisdiction to file juvenile complaints, cannot enforce municipal ordinances!

3. *Amend K.S.A. 38-1671(b) to reinstitute a mandatory deadline by which Kansas SRS must transfer incarcerated juvenile offenders to their age-appropriate youth center, or assume the full cost of their local detention.* This proposal speaks for itself. Ever since the seventy-two (72) hour rule was abolished by the legislature, Kansas SRS has (predictably) warehoused serious offenders in our regional detention facility for weeks, or even months, while its

bureaucratic machinery whittles away at the waiting list. This practice not only impedes the offender's rehabilitation, but deprives our community of the bedspace needed for other juveniles who truly require detention pending court proceedings. Worst of all, the county must foot the bill for SRS' incompetence. Recent Kansas appellate decisions suggest that, absent clearly stated legislative intent to the contrary, SRS cannot be forced to pay for housing and support of a child not specifically placed in agency custody. Thus, the secretary has everything to gain, and nothing to lose, by allowing a committed offender to simply wallow in jail until a transfer becomes convenient. Some (preferably financial) disincentive for this practice must be included in the statute.

4. *Open all juvenile records to victims and school administrators, and require notification to law enforcement and school officials of the release of offenders from youth correctional facilities into the community.* Instead of following the current trend of opening to the public all of these records concerning very young offenders, victims and school officials alone should possess the discretion to examine a juvenile's court and social file, so long as they in turn cannot disclose the information to a third party.

5. *Enact legislation which will specifically forbid Kansas SRS from executing contracts with group homes and other high level facilities which permit the latter to refuse or expel "undesirable" juveniles.* Our juvenile court is regularly hamstrung with the problem of juveniles who must be returned to

foster care, despite their critical need for greater daily structure, because SRS cannot find a placement for them. The agency typically states that "no facility will accept [him/her]." Why the department boxes itself into this predicament by allowing independent contractors to take taxpayer money and then pick and choose their patients is mystifying. If Kansas SRS is paying these facilities to treat needy children, then SRS should possess the exclusive power to dictate which child goes in which facility.

6. Amend K.S.A. 38-1563(e)(1) and 38-1664(a) to invest the court and "interested parties" in a child in need of care or juvenile offender action with the power to veto an SRS placement decision upon unanimous agreement. K.S.A. 38-1544, which outlines the procedure for implementing preadjudicatory, informal supervision of a child in need of care case, requires all interested parties (i.e. county attorney, guardian *ad litem* & parents) and the court to agree that informal supervision, versus the time-consuming adjudicatory procedure, will serve a child's best interests. The proposed amendments would likewise permit these parties and the court to unanimously prohibit Kansas SRS from making a specific placement - whether the parental home, foster care or an institution.

7a. Amend K.S.A. 1993 Supp. 21-4603d(a)(1) and K.S.A. 38-1663(d) to permit the sentencing or juvenile court to order, at the outset, payment of restitution in conjunction with an order of commitment to the secretary of corrections or state youth center.

7b. Amend K.S.A. 1993 Supp. 22-3718 and K.S.A. 38-1675 to require the amount of restitution owed at expiration of probation, parole, conditional release or direct discharge to be entered as a civil judgment against the defendant or respondent.

7c. Amend 38-120 and 38-1663(d) to hold a juvenile offender and his/her parent(s) jointly and severally liable for restitution ordered at a dispositional hearing.

These self-explanatory restitution proposals are designed to streamline the civil process by which victims must obtain compensation from liable parties. They eliminate the far too commonplace scenario whereby a youthful offender is discharged from the court's jurisdiction while still hundreds (or thousands) of dollars in arrears on restitution payments. By holding parents of offenders equally liable from the moment of disposition, and automatically entering any final arrearage as a civil judgment, the victim need not hire counsel and instigate a duplicative civil proceeding in order to study the dizzying intricacies of parental liability for wilful and malicious torts of their minors.

8. Remove the administration of juvenile offenders from the list of responsibilities allocated to Kansas SRS and create an independent agency which must:

- a. oversee a comprehensive system for the adjudication, incarceration and rehabilitation of juvenile offenders including the use of "boot camps";

- b. *assess current juvenile facilities, with an emphasis on creating a maximum security facility to house violent offenders;*
- c. *provide a community corrections program for juvenile offenders comparable to that now existing for adults; and*
- d. *mandate postrelease supervision comparable to adult parole.*

This task force believes much of the juvenile problem in our state arises when one agency, Kansas SRS, tries to serve two types of youth (i.e. children in need of care and juvenile offenders) with the same, exclusively rehabilitative philosophy - even when problems posed by the latter demand an increasing emphasis on accountability or even societal retribution. The agency has proven itself incapable of adjusting its mindset to cope with the unique difficulties presented by the bitterly violent, 15-17 year-old offender who is not interested in rehabilitation except to the extent that playing along will earn him an earlier release. There are enough important distinctions between the code for care of children (K.S.A. 38-1501, *et seq.*) and juvenile offenders code (K.S.A. 38-1601, *et seq.*) to warrant their assignment to different agencies.

9. *Amend K.S.A. 38-1602(b)(3) to replace automatic referral with "presumed" adult prosecution of a 16-17 year-old juvenile for any offense which would require presumptive imprisonment if perpetrated by an adult. This proposal constitutes a compromise between those who would lower the age of majority to sixteen (16) years, and those who prefer the status quo. It is also more flexible than the 1994 amendment, which requires adult prosecution for this age group when the offender has any kind of felony on his/her record and*

a new felony is committed - no matter how comparatively harmless the prior (or current) offense may be. Under the task force proposal, any 16 or 17 year-old minor would be considered subject to presumed adult prosecution if his offense falls within the imprisonment range of the new sentencing guidelines grids. Additionally, both the prosecutor (at the initial charging stage) and the court (following a "reverse" certification hearing) would possess the discretion to authorize proceeding under the juvenile offenders code if substantial and compelling mitigating circumstances presented themselves.

10. *Classify possession or sale of narcotics by a 16 or 17 year-old minor on unified school district property as an offense requiring adult prosecution.* This measure is obviously designed to better protect our students who wish to receive an education at public schools. There seems little justification to award a 17 year old cocaine dealer, who thrives on trafficking contraband in schools, the protection of our juvenile offenders code.

11. *Amend K.S.A. 1993 Supp. 21-3718 to classify arson as a severity level 4, person felony where the resultant damage exceeds 25K, or where the building is a dwelling; and classify arson as a severity level 6, person felony where the building is a nondwelling and the resultant damage is less than 25K.* This proposal recognizes the inherently deadly threat that fire, as opposed to other tools of property crime, presents to law enforcement, firefighters and laypersons alike. The bifurcation of severity levels based on "dwelling" status corresponds to the new burglary statute at K.S.A. 1993 Supp. 21-3715.

DEFERRED PROSECUTION OF JUVENILE OFFENDERS
(Pursuant to K.S.A. Chapter 38, Article 16)

Preamble. This policy accommodates in part the growing need for community intervention in the juvenile crime problem. Although implemented by the county attorney in the normal course of his duties as the chief law enforcement officer in this jurisdiction, the program itself represents a joint effort by community leaders and citizens to address the needs of young offenders who still present the potential for rehabilitation. It enlists the aid of local youth organizations, churches, schools and public agencies, all of whom participate with the minors on an individualized basis during the deferment period. It also requires the offender to make restitution to his victim, and participate in counseling if necessary.

An eligible child who wishes to avail himself of the deferment program informs the prosecutor in advance through his attorney, and then appears in court for first appearance like any other charged offender. He enters an admission to the complaint, at which time both parties move the court to refrain from entering judgment for the appropriate deferment period. The admission also includes a stipulation to the police reports and any exhibits deemed necessary to supply a factual basis.

If the minor successfully completes the deferment program, the complaint is permanently dismissed and he is relieved of any further obligation in the matter. If he fails to abide by program terms, the county attorney files a motion to revoke the deferment and enter

judgment against him based upon on his earlier admission. The court then conducts a due process hearing to determine if the prosecutor's allegations are true. It may thereafter grant the state's revocation motion and permit the state to proceed on the original complaint if it finds, by a preponderance of the evidence, that the deferment terms have been violated.

Standards. The state will *not* offer deferment to any minor who:

1. has been previously committed to a state youth center, subjected to a suspended youth center placement, or placed on a deferment, diversion or felony probation; or

2. has been previously adjudicated, or now faces pending charges, as a juvenile offender for committing acts which, if perpetrated by an adult, would constitute:

- (a) a person felony;
- (b) a violation of K.S.A. 1993 Supp. 65-4127a;
- (c) an offense involving a firearm;
- (d) an act which, if perpetrated by an adult and proven, would require presumptive imprisonment on the adult sentencing grid; or
- (e) an anticipatory crime associated with any of the above (i.e. attempt, conspiracy or solicitation)

Preliminary Requirements. A candidate for this program, who otherwise meets the above standards, must accomplish the following tasks before the county attorney will consider deferment:

- (a) completion of the attached application;
- (b) completion of a screening evaluation at Pawnee Mental Health Services, 814 Caroline, Junction City, KS 66441 (felony and person misdemeanors only); and
- (c) submission of a restitution plan, if the victim has suffered tangible monetary loss due to property damage or personal injury.

Deferment Requirements. Any juvenile whose application is accepted by the county attorney, and whose deferment is granted by the juvenile court, must make full restitution during the deferment period, and perform community service to the extent dictated by the severity of the offense. One hundred (100) hours of service shall be imposed in felony cases, forty (40) hours for person misdemeanors, and fifteen (15) hours for all other offenses. The minor must also refrain from committing any new offense, as well as from any conduct described by K.S.A. 38-1502(a)(2), (6), (7), (9) or (10) (e.g. home disruption or disobedience, running away, truancy and curfew violation).

The county attorney may, upon noting areas of concern identified in the screening evaluation, require compliance with some or all of these additional programs as a condition of successful deferment:

- (a) individual and/or family counseling;
- (b) active participation in a civic or church youth group, or community organization (not a street gang!);
- (c) attendance by the juvenile's custodian at parenting classes;
- (d) participation in a special school district program, including tutoring, and/or an extra-curricular activity;
- (e) enrollment in Big Brothers/Big Sisters program;
- (f) acceptance of a C.A.S.A. or other assigned volunteer in a regular, supervisory capacity;
- (g) participation in the C.O.J.O.P. or J.A.I.L. program;
- (h) letter of apology to victim; and
- (i) no unexcused tardiness, absence or suspension from school.

The period of deferment shall run twelve (12) months in felony cases, nine (9) months for person misdemeanors, and six (6) months for all other offenses.

Effective Date. This deferment program shall become effective upon approval and publication by the juvenile court and administrative district judge.

Chris E. Biggs
Geary County Attorney
County Courthouse
Junction City, KS 66441
(913) 762-4343

Stipulation. I hereby enter my admission to the complaint filed in Case No. ___-JV-___, and agree that a factual basis exists for my admission. I realize the judge will accept this admission if he believes it is voluntary and accurate, but that he will withhold judgment in order to give me a chance to comply with the county attorney's deferment program. I also understand the nature of the charges facing me, and dispositional alternatives the court may impose if I am adjudicated as a juvenile offender. I have decided to give up the following rights:

- (a) entitlement to presumption of innocence;
- (b) prompt trial without unnecessary delay;
- (c) confrontation and cross-examination of state's witnesses;
- (d) subpoena power to compel the appearance of defense witnesses on my own behalf; and
- (e) right to remain silent without penalty, or alternatively, to testify on my own behalf.

I further stipulate to the material facts contained in any written or recorded documents associated with the investigation of this case, including police reports, laboratory tests, video or audio cassettes and witness statements, and hereby agree to their absolute admissibility in any judicial proceeding to which I may be a party. I also agree to waive any evidentiary objection which might normally hinder or prevent their introduction at said proceeding, regardless of its purpose.

Execution of the Agreement. The following parties understand
this contract and agree to comply with its terms.

James L. Daniels #16278
Assistant Geary County Attorney
County Courthouse
Junction City, KS 66441
(913) 762-4343

Counsel for Respondent

Parent/Guardian

Respondent

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF

_____, 1994.

Notary Public
Geary County, Kansas

ASR BY AGE AND
TYPE OF OFFENSE

FROM TO
01 1994 -- 06 1994

STATE TOTALS

OFFENSE	<10	10-12	13-14	15	16	17	JUVENILE TOTAL
Murder	0	0	4	4	4	8	20
Rape	0	1	3	11	5	4	24
Robbery	1	5	29	30	30	30	125
Aggravated Assault	7	37	72	57	65	89	327
Burglary	17	74	189	113	154	152	699
Larceny(Theft)	72	412	929	567	560	541	3,081
Motor Vehicle Theft	1	4	64	45	43	26	183
Arson	18	13	14	7	4	8	64
TOTAL CRIME INDEX	116	546	1,304	834	865	858	4,523
Neg. Manslaughter	0	0	0	1	0	0	1
Other Assaults	30	195	378	242	276	255	1,376
Forgery	1	0	5	6	12	12	36
Fraud	0	0	0	0	4	4	8
Embezzlement	1	1	0	1	1	3	7
Stolen Property	0	0	11	15	21	11	58
Vandalism	60	140	239	105	147	104	795
Weapons	3	17	79	50	87	75	311
Prostitution	0	0	0	0	0	1	1
Other Sex Offenses	5	10	18	14	16	14	77
Sale-Narcotics	0	0	1	3	3	7	14
Sale-Marijuana	0	1	17	9	16	9	52
Sale-Synth Narc	0	0	0	2	1	2	5
Sale-Other	1	0	0	0	0	0	1
SALE SUBTOTAL	1	1	18	14	20	18	72
Poss-Narcotics	0	4	8	9	16	23	60
Poss-Marijuana	1	8	54	72	84	125	344
Poss-Synth Narc	0	0	0	2	1	3	6
Poss-Other	1	0	4	0	2	3	10
POSSESSION SUBTOTAL	2	12	66	83	103	154	420
DRUG OFFENSE TOTAL	3	13	84	97	123	172	492
Bookmaking	0	0	0	0	0	0	0
Numbers	0	0	0	0	0	0	0
Other	0	0	0	0	0	1	1
GAMBLING TOTAL	0	0	0	0	0	1	1
Family Offenses	17	8	19	8	10	9	71
DWI	2	0	1	3	29	84	119
Liquor Violations	0	3	59	104	180	305	651
Drunkenness	0	0	0	0	0	0	0
Disorderly Conduct	13	60	199	101	120	101	594
Vagrancy	0	0	2	1	1	0	4
All Other	20	92	254	235	328	355	1,284
Suspicion	2	3	4	0	7	4	20
Curfew-Loitering	10	28	208	202	201	217	866
Runaway	5	97	443	355	298	167	1,365
CLASS II OFFENSES	172	667	2,003	1,540	1,861	1,894	8,137
TOTAL	288	1,213	3,307	2,374	2,725	2,752	12,660

Select Committee on Juvenile Crime,
February 1, 1995

Attachment 5

Attachment 5

ARRESTS BY RACE AND OFFENSE TYPE
 JUVENILE
 FROM TO
 01 1994 -- 06 1994

STATE TOTALS

OFFENSE	WHITE	BLACK	INDIAN	ASIAN	TOTAL RACE	HISPANIC	NON HISPANIC	TOTAL ETHNIC ORIGIN
Murder	4	16	0	0	20	0	20	20
Rape	13	11	0	0	24	2	22	24
Robbery	64	55	2	4	125	6	119	125
Aggravated Assault	223	95	8	1	327	35	292	327
Burglary	570	120	4	5	699	55	644	699
Larceny(Theft)	2,329	681	19	52	3,081	221	2,860	3,081
Motor Vehicle Theft	128	49	1	5	183	10	173	183
Arson	56	6	0	2	64	3	61	64
TOTAL CRIME INDEX	3,387	1,033	34	69	4,523	332	4,191	4,523
Neg. Manslaughter	1	0	0	0	1	0	1	1
Other Assaults	1,055	310	4	7	1,376	115	1,261	1,376
Forgery	29	6	0	1	36	1	35	36
Fraud	7	1	0	0	8	0	8	8
Embezzlement	6	1	0	0	7	0	7	7
Stolen Property	38	20	0	0	58	7	51	58
Vandalism	693	91	7	4	795	76	719	795
Weapons	185	124	1	1	311	20	291	311
Prostitution	1	0	0	0	1	0	1	1
Other Sex Offenses	55	20	2	0	77	9	68	77
Sale-Narcotics	4	10	0	0	14	0	14	14
Sale-Marijuana	46	6	0	0	52	0	52	52
Sale-Synth Narc	3	2	0	0	5	1	4	5
Sale-Other	1	0	0	0	1	0	1	1
SALE SUBTOTAL	54	18	0	0	72	1	71	72
Poss-Narcotics	12	48	0	0	60	1	59	60
Poss-Marijuana	291	48	1	4	344	28	316	344
Poss-Synth Narc	6	0	0	0	6	1	5	6
Poss-Other	10	0	0	0	10	1	9	10
POSSESSION SUBTOTAL	319	96	1	4	420	31	389	420
DRUG OFFENSE TOTAL	373	114	1	4	492	32	460	492
Bookmaking	0	0	0	0	0	0	0	0
Numbers	0	0	0	0	0	0	0	0
Other	0	1	0	0	1	0	1	1
GAMBLING TOTAL	0	1	0	0	1	0	1	1
Family Offenses	58	6	7	0	71	1	70	71
DWI	113	6	0	0	119	12	107	119
Liquor Violations	626	24	1	0	651	33	618	651
Drunkeness	0	0	0	0	0	0	0	0
Disorderly Conduct	441	150	1	2	594	91	503	594
Vagrancy	3	1	0	0	4	0	4	4
All Other	920	351	5	8	1,284	92	1,192	1,284
Suspicion	20	0	0	0	20	4	16	20
Curfew-Loitering	670	182	6	8	866	125	741	866
Runaway	1,080	239	21	25	1,365	119	1,246	1,365
CLASS II OFFENSES	6,374	1,647	56	60	8,137	737	7,400	8,137
TOTAL	9,761	2,680	90	129	12,660	1,069	11,591	12,660

ARRESTS BY STATUS AND SEX OF PERSONS ARRESTED
 TYPE OF OFFENSE
 01, 1994 THRU 06, 1994

STATE TOTALS

OFFENSE	JUVENILE MALE	JUVENILE FEMALE	TOTAL JUVENILE	ADULT MALE	ADULT FEMALE	TOTAL ADULT
Murder	20	0	20	57	8	65
Rape	22	2	24	16	1	17
Robbery	112	13	125	217	18	235
Aggravated Assault	285	42	327	935	210	1,145
Burglary	651	48	699	821	69	890
Larceny(Theft)	2,100	981	3,081	3,563	1,924	5,487
Motor Vehicle Theft	157	26	183	163	20	183
Arson	56	8	64	26	3	29
TOTAL CRIME INDEX	3,403	1,120	4,523	5,904	2,253	8,157
Neg. Manslaughter	0	1	1	5	3	8
Other Assaults	1,026	350	1,376	6,423	1,430	7,853
Forgery	25	11	36	277	246	523
Fraud	2	6	8	690	604	1,294
Embezzlement	6	1	7	21	11	32
Stolen Property	54	4	58	145	14	159
Vandalism	706	89	795	938	186	1,124
Weapons	303	8	311	895	123	1,018
Prostitution	1	0	1	39	171	210
Other Sex Offenses	71	6	77	277	16	293
Sale-Narcotics	11	3	14	216	54	270
Sale-Marijuana	49	3	52	227	5	286
Sale-Synth Narc	4	1	5	17	3	25
Sale-Other	1	0	1	17	2	19
SALE SUBTOTAL	65	7	72	477	113	600
Poss-Narcotics	52	8	60	781	606	1,087
Poss-Marijuana	286	58	344	1,928	14	2,342
Poss-Synth Narc	6	0	6	64	23	87
Poss-Other	9	1	10	92	1	123
POSSESSION SUBTOTAL	353	67	420	2,865	714	3,639
DRUG OFFENSE TOTAL	418	74	492	3,342	89	4,239
Bookmaking	0	0	0	0	0	0
Numbers	0	0	0	0	0	0
Other	1	0	1	22	1	23
GAMBLING TOTAL	1	0	1	22	1	23
Family Offenses	39	32	71	171	47	218
DWI	100	19	119	8,359	1,647	10,006
Liquor Violations	463	188	651	2,317	569	2,886
Drunkeness	0	0	0	10	0	10
Disorderly Conduct	426	168	594	1,666	517	2,183
Vagrancy	4	0	4	70	15	85
All Other	1,023	261	1,284	12,092	3,448	15,540
Suspicion	18	2	20	13	1	19
Curfew-Loitering	603	263	866	0	0	0
Runaway	583	782	1,365	0	0	0
CLASS II OFFENSES	5,872	2,265	8,137	37,777	9,946	47,723
TOTAL	9,275	3,385	12,660	43,681	12,199	55,880

ASR BY AGE AND
TYPE OF OFFENSE

FROM TO
01 1993 -- 12 1993

STATE TOTALS

OFFENSE	<10	10-12	13-14	15	16	17	JUVENILE TOTAL
Murder	0	0	1	2	7	11	21
Rape	0	1	4	10	9	6	30
Robbery	0	16	39	39	42	58	194
Aggravated Assault	17	71	154	114	153	160	669
Burglary	47	176	428	345	395	371	1,762
Larceny(Theft)	182	884	1,796	1,133	1,205	1,080	6,280
Motor Vehicle Theft	1	31	118	131	118	73	472
Arson	8	22	48	21	18	18	135
TOTAL CRIME INDEX	255	1,201	2,588	1,795	1,947	1,777	9,563
Neg. Manslaughter	0	0	1	0	0	0	1
Other Assaults	61	268	608	428	481	467	2,313
Forgery	1	5	12	12	20	68	118
Fraud	0	0	6	3	7	9	25
Embezzlement	0	0	0	0	2	1	3
Stolen Property	1	5	26	17	25	27	101
Vandalism	149	274	546	306	469	217	1,961
Weapons	9	38	135	118	142	165	607
Prostitution	0	0	0	2	0	3	5
Other Sex Offenses	3	32	72	34	37	42	220
Sale-Narcotics	1	1	4	8	8	16	38
Sale-Marijuana	0	1	5	7	18	22	53
Sale-Synth Narc	0	0	0	2	0	0	2
Sale-Other	0	0	0	0	0	2	2
SALE SUBTOTAL	1	2	9	17	26	40	95
Poss-Narcotics	0	7	16	27	34	39	123
Poss-Marijuana	3	6	66	80	156	176	487
Poss-Synth Narc	0	1	4	3	7	5	20
Poss-Other	0	0	3	0	0	2	5
POSSESSION SUBTOTAL	3	14	89	110	197	222	635
DRUG OFFENSE TOTAL	4	16	98	127	223	262	730
Bookmaking	0	0	0	0	0	0	0
Numbers	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0
GAMBLING TOTAL	0	0	0	0	0	0	0
Family Offenses	0	0	1	1	0	0	2
DWI	4	0	5	17	67	161	254
Liquor Violations	1	6	73	155	393	617	1,245
Drunkenness	0	0	0	2	0	1	3
Disorderly Conduct	19	104	281	163	216	215	998
Vagrancy	0	1	2	0	2	1	6
All Other	43	182	516	450	541	766	2,498
Suspicion	5	1	1	1	2	4	14
Curfew-Loitering	11	70	349	335	418	377	1,560
Runaway	20	127	775	628	606	347	2,503
CLASS II OFFENSES	331	1,129	3,507	2,799	3,651	3,750	15,167
TOTAL	586	2,330	6,095	4,594	5,598	5,527	24,730

ARRESTS BY RACE AND OFFENSE TYPE
 JUVENILE
 FROM TO
 01 1993 -- 12 1993

STATE TOTALS

OFFENSE	WHITE	BLACK	INDIAN	ASIAN	TOTAL RACE	HISPANIC	NON HISPANIC	TOTAL ETHNIC ORIGIN
Murder	8	13	0	0	21	1	20	21
Rape	19	11	0	0	30	4	26	30
Robbery	77	112	2	3	194	11	183	194
Aggravated Assault	462	195	7	5	669	48	621	669
Burglary	1,473	258	7	24	1,762	120	1,642	1,762
Larceny(Theft)	4,750	1,382	35	113	6,280	369	5,911	6,280
Motor Vehicle Theft	308	151	4	9	472	23	449	472
Arson	121	12	1	1	135	2	133	135
TOTAL CRIME INDEX	7,218	2,134	56	155	9,563	578	8,985	9,563
Neg. Manslaughter	0	1	0	0	1	0	1	1
Other Assaults	1,705	589	6	13	2,313	206	2,107	2,313
Forgery	104	13	0	1	118	2	116	118
Fraud	15	9	0	1	25	3	22	25
Embezzlement	3	0	0	0	3	0	3	3
Stolen Property	69	30	1	1	101	3	98	101
Vandalism	1,665	280	5	11	1,961	113	1,848	1,961
Weapons	360	235	10	2	607	43	564	607
Prostitution	5	0	0	0	5	0	5	5
Other Sex Offenses	166	53	0	1	220	12	208	220
Sale-Narcotics	3	35	0	0	38	1	37	38
Sale-Marijuana	43	10	0	0	53	3	50	53
Sale-Synth Narc	2	0	0	0	2	0	2	2
Sale-Other	1	1	0	0	2	0	2	2
SALE SUBTOTAL	49	46	0	0	95	4	91	95
Poss-Narcotics	36	87	0	0	123	5	118	123
Poss-Marijuana	380	103	4	0	487	24	463	487
Poss-Synth Narc	15	5	0	0	20	1	19	20
Poss-Other	4	1	0	0	5	0	5	5
POSSESSION SUBTOTAL	435	196	4	0	635	30	605	635
DRUG OFFENSE TOTAL	484	242	4	0	730	34	696	730
Bookmaking	0	0	0	0	0	0	0	0
Numbers	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
GAMBLING TOTAL	0	0	0	0	0	0	0	0
Family Offenses	2	0	0	0	2	0	2	2
DWI	240	11	3	0	254	21	233	254
Liquor Violations	1,187	49	7	2	1,245	66	1,179	1,245
Drunkenness	2	1	0	0	3	0	3	3
Disorderly Conduct	798	192	0	8	998	141	857	998
Vagrancy	5	1	0	0	6	0	6	6
All Other	1,800	669	13	16	2,498	134	2,364	2,498
Suspicion	14	0	0	0	14	0	14	14
Curfew-Loitering	1,301	242	12	5	1,560	246	1,314	1,560
Runaway	2,011	440	30	22	2,503	141	2,362	2,503
CLASS II OFFENSES	11,936	3,057	91	83	15,167	1,165	14,002	15,167
TOTAL	19,154	5,191	147	238	24,730	1,743	22,987	24,730

5-5

ARRESTS BY STATUS AND SEX OF PERSONS ARRESTED
 TYPE OF OFFENSE
 01, 1993 THRU 12, 1993

STATE TOTALS

OFFENSE	JUVENILE MALE	JUVENILE FEMALE	TOTAL JUVENILE	ADULT MALE	ADULT FEMALE	TOTAL ADULT
Murder	21	0	21	99	13	112
Rape	29	1	30	210	1	211
Robbery	171	23	194	419	23	442
Aggravated Assault	559	110	669	1,730	350	2,080
Burglary	1,649	113	1,762	1,780	129	1,909
Larceny(Theft)	4,384	1,896	6,280	6,324	3,832	10,356
Motor Vehicle Theft	401	71	472	211	27	298
Arson	121	14	135	5	9	74
TOTAL CRIME INDEX	7,335	2,228	9,563	11,098	4,384	15,482
Neg. Manslaughter	1	0	1	8	1	9
Other Assaults	1,725	588	2,313	13,380	2,987	16,367
Forgery	69	49	118	479	343	822
Fraud	21	4	25	1,123	1,006	2,129
Embezzlement	2	1	3	26	13	39
Stolen Property	91	10	101	218	29	247
Vandalism	1,800	161	1,961	2,030	372	2,402
Weapons	566	41	607	1,933	231	2,164
Prostitution	0	5	5	145	585	730
Other Sex Offenses	200	20	220	696	59	755
Sale-Narcotics	33	5	38	440	127	567
Sale-Marijuana	46	7	53	538	106	644
Sale-Synth Narc	2	0	2	45	19	64
Sale-Other	2	0	2	45	15	60
SALE SUBTOTAL	83	12	95	1,068	277	1,335
Poss-Narcotics	107	16	123	1,341	475	1,817
Poss-Marijuana	409	78	487	3,454	700	4,160
Poss-Synth Narc	16	4	20	73	2	102
Poss-Other	5	0	5	180	49	229
POSSESSION SUBTOTAL	537	98	635	5,048	1,220	6,308
DRUG OFFENSE TOTAL	620	110	730	6,116	1,527	7,643
Bookmaking	0	0	0	2	0	2
Numbers	0	0	0	0	0	0
Other	0	0	0	39	1	40
GAMBLING TOTAL	0	0	0	41	1	42
Family Offenses	0	2	2	338	77	415
DWI	212	42	254	16,595	2,921	19,516
Liquor Violations	890	355	1,245	4,837	1,166	6,003
Drunkenness	3	0	3	30	5	35
Disorderly Conduct	726	272	998	3,538	1,040	4,578
Vagrancy	5	1	6	33	9	42
All Other	1,966	532	2,498	24,212	6,699	30,911
Suspicion	12	2	14	29	10	39
Curfew-Loitering	1,081	479	1,560	0	1	1,561
Runaway	1,145	1,358	2,503	0	0	2,503
CLASS II OFFENSES	11,135	4,032	15,167	75,808	19,082	94,890
TOTAL	18,470	6,260	24,730	86,906	23,466	110,372

ASR BY AGE AND
TYPE OF OFFENSE

FROM TO
01 1992 -- 12 1992

STATE TOTALS

OFFENSE	<10	10-12	13-14	15	16	17	JUVENILE TOTAL
Murder	0	0	0	2	5	2	9
Rape	1	3	5	4	4	13	30
Robbery	2	11	42	39	45	70	209
Aggravated Assault	26	98	195	116	202	178	815
Burglary	61	186	508	342	488	380	1,965
Larceny(Theft)	250	993	1,710	1,073	1,229	1,064	6,319
Motor Vehicle Theft	6	38	119	95	89	70	417
Arson	23	19	32	14	12	9	109
TOTAL CRIME INDEX	369	1,348	2,611	1,685	2,074	1,786	9,873
Neg. Manslaughter	0	0	0	0	0	0	0
Other Assaults	58	301	572	336	388	428	2,083
Forgery	0	3	23	34	61	65	186
Fraud	1	3	3	0	5	8	20
Embezzlement	0	0	1	0	0	1	2
Stolen Property	1	9	34	28	37	40	149
Vandalism	196	358	536	347	507	298	2,242
Weapons	9	30	126	105	154	161	585
Prostitution	0	1	2	2	0	1	6
Other Sex Offenses	15	40	54	37	35	37	218
Sale-Narcotics	0	0	3	5	22	27	57
Sale-Marijuana	0	1	13	13	21	22	70
Sale-Synth Narc	0	0	0	0	0	0	0
Sale-Other	0	0	1	0	1	2	4
SALE SUBTOTAL	0	1	17	18	44	51	131
Poss-Narcotics	0	2	12	19	25	48	106
Poss-Marijuana	0	4	45	52	87	131	319
Poss-Synth Narc	0	0	5	4	3	2	14
Poss-Other	0	1	3	2	6	1	13
POSSESSION SUBTOTAL	0	7	65	77	121	182	452
DRUG OFFENSE TOTAL	0	8	82	95	165	233	583
Bookmaking	0	0	0	0	0	0	0
Numbers	0	0	0	0	0	0	0
Other	0	0	1	1	1	0	3
GAMBLING TOTAL	0	0	1	1	1	0	3
Family Offenses	0	0	0	0	0	0	0
DWI	2	1	4	20	82	195	304
Liquor Violations	0	8	104	220	440	678	1,450
Drunkenness	0	1	7	0	3	3	14
Disorderly Conduct	13	84	254	162	184	200	897
Vagrancy	0	0	4	0	0	8	12
All Other	69	227	528	419	559	777	2,579
Suspicion	10	3	10	6	7	6	42
Curfew-Loitering	8	67	393	330	381	398	1,577
Runaway	56	166	856	678	599	380	2,735
CLASS II OFFENSES	438	1,310	3,594	2,820	3,608	3,917	15,687
TOTAL	807	2,658	6,205	4,505	5,682	5,703	25,560

ARRESTS BY STATUS AND SEX OF PERSONS ARRESTED
TYPE OF OFFENSE
01, 1992 THRU 12, 1992

STATE TOTALS

OFFENSE	JUVENILE MALE	JUVENILE FEMALE	TOTAL JUVENILE	ADULT MALE	ADULT FEMALE	TOTAL ADULT
Murder	9	0	9	103	13	116
Rape	30	0	30	55	3	258
Robbery	187	22	209	513	36	539
Aggravated Assault	703	112	815	2,432	399	2,831
Burglary	1,855	110	1,965	2,332	155	2,488
Larceny(Theft)	4,546	1,773	6,319	6,752	3,954	10,708
Motor Vehicle Theft	331	86	417	397	60	457
Arson	103	6	109	111	26	137
TOTAL CRIME INDEX	7,764	2,109	9,873	12,888	4,646	17,534
Neg. Manslaughter	0	0	0	17	3	20
Other Assaults	1,545	538	2,083	14,280	3,037	17,317
Forgery	146	40	186	764	385	1,149
Fraud	13	7	20	1,895	585	3,280
Embezzlement	2	0	2	51	25	76
Stolen Property	136	13	149	269	41	310
Vandalism	2,080	162	2,242	2,075	892	2,967
Weapons	562	23	585	1,632	72	1,704
Prostitution	2	4	6	98	94	192
Other Sex Offenses	192	26	218	806	49	855
Sale-Narcotics	53	4	57	597	11	718
Sale-Marijuana	59	11	70	645	13	778
Sale-Synth Narc	0	0	0	60	1	73
Sale-Other	3	1	4	31	2	53
SALE SUBTOTAL	115	16	131	1,333	289	1,622
Poss-Narcotics	87	19	106	1,174	347	1,521
Poss-Marijuana	265	54	319	3,127	552	3,679
Poss-Synth Narc	12	2	14	56	13	69
Poss-Other	12	1	13	169	53	222
POSSESSION SUBTOTAL	376	76	452	4,526	965	5,491
DRUG OFFENSE TOTAL	491	92	583	5,859	1,254	7,113
Bookmaking	0	0	0	2	0	2
Numbers	0	0	0	1	0	1
Other	3	0	3	37	0	39
GAMBLING TOTAL	3	0	3	40	0	42
Family Offenses	0	0	0	377	9	76
DWI	252	52	304	19,044	3,221	22,265
Liquor Violations	1,077	373	1,450	5,359	1,223	6,582
Drunkenness	14	0	14	34	5	39
Disorderly Conduct	640	257	897	3,836	1,108	4,944
Vagrancy	12	0	12	57	12	69
All Other	2,052	527	2,579	27,716	7,618	35,334
Suspicion	30	12	42	26	3	29
Curfew-Loitering	1,083	494	1,577	0	0	0
Runaway	1,134	1,601	2,735	0	0	0
CLASS II OFFENSES	11,466	4,221	15,687	84,385	20,828	105,063
TOTAL	19,230	6,330	25,560	97,123	25,474	122,597

ARRESTS BY RACE AND OFFENSE TYPE
 JUVENILE
 FROM TO
 01 1992 -- 12 1992

STATE TOTALS

OFFENSE	WHITE	BLACK	INDIAN	ASIAN	TOTAL RACE	HISPANIC	NON HISPANIC	TOTAL ETHNIC ORIGIN
Murder	4	5	0	0	9	2	7	9
Rape	21	8	1	0	30	0	30	30
Robbery	102	102	4	1	209	9	200	209
Aggravated Assault	575	219	4	17	815	61	754	815
Burglary	1,575	369	15	6	1,965	109	1,856	1,965
Larceny(Theft)	4,906	1,330	18	65	6,319	407	5,912	6,319
Motor Vehicle Theft	286	122	7	2	417	44	373	417
Arson	96	12	0	1	109	9	100	109
TOTAL CRIME INDEX	7,565	2,167	49	92	9,873	641	9,232	9,873
Neg. Manslaughter	0	0	0	0	0	0	0	0
Other Assaults	1,592	476	10	5	2,083	187	1,896	2,083
Forgery	172	13	1	0	186	15	171	186
Fraud	18	1	0	1	20	1	19	20
Embezzlement	2	0	0	0	2	0	2	2
Stolen Property	100	47	0	2	149	9	140	149
Vandalism	2,002	219	12	9	2,242	81	2,161	2,242
Weapons	328	249	7	1	585	23	562	585
Prostitution	3	3	0	0	6	0	6	6
Other Sex Offenses	179	38	0	1	218	12	206	218
Sale-Narcotics	11	45	1	0	57	0	57	57
Sale-Marijuana	46	23	0	1	70	4	66	70
Sale-Synth Narc	0	0	0	0	0	0	0	0
Sale-Other	3	1	0	0	4	0	4	4
SALE SUBTOTAL	60	69	1	1	131	4	127	131
Poss-Narcotics	16	90	0	0	106	2	104	106
Poss-Marijuana	251	66	0	2	319	11	308	319
Poss-Synth Narc	11	3	0	0	14	0	14	14
Poss-Other	13	0	0	0	13	0	13	13
POSSESSION SUBTOTAL	291	159	0	2	452	13	439	452
DRUG OFFENSE TOTAL	351	228	1	3	583	17	566	583
Bookmaking	0	0	0	0	0	0	0	0
Numbers	0	0	0	0	0	0	0	0
Other	0	3	0	0	3	0	3	3
GAMBLING TOTAL	0	3	0	0	3	0	3	3
Family Offenses	0	0	0	0	0	0	0	0
DWI	292	12	0	0	304	12	292	304
Liquor Violations	1,388	55	7	0	1,450	53	1,397	1,450
Drunkenness	12	2	0	0	14	1	13	14
Disorderly Conduct	698	191	4	4	897	69	828	897
Vagrancy	10	2	0	0	12	0	12	12
All Other	1,970	571	19	19	2,579	144	2,435	2,579
Suspicion	38	4	0	0	42	2	40	42
Curfew-Loitering	1,248	319	4	6	1,577	169	1,408	1,577
Runaway	2,225	454	37	19	2,735	129	2,606	2,735
CLASS II OFFENSES	12,628	2,887	102	70	15,687	924	14,763	15,687
TOTAL	20,193	5,054	151	162	25,560	1,565	23,995	25,560

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ASR BY AGE AND
TYPE OF OFFENSE

FROM TO
01 1991 -- 12 1991

STATE TOTALS

OFFENSE	<10	10-12	13-14	15	16	17	JUVENILE TOTAL
Murder	0	0	2	2	7	4	15
Rape	2	2	11	4	12	13	44
Robbery	0	4	32	44	45	50	175
Aggravated Assault	22	72	124	85	168	127	598
Burglary	67	154	441	375	417	441	1,895
Larceny(Theft)	267	968	1,785	1,023	1,176	1,092	6,311
Motor Vehicle Theft	1	16	107	105	103	74	406
Arson	20	35	25	6	9	14	109
TOTAL CRIME INDEX	379	1,251	2,527	1,644	1,937	1,815	9,553
Neg. Manslaughter	0	0	1	0	1	0	2
Other Assaults	43	246	456	345	330	394	1,814
Forgery	2	2	17	18	33	40	112
Fraud	0	1	2	1	3	12	19
Embezzlement	0	0	0	0	2	0	2
Stolen Property	5	7	25	23	34	30	124
Vandalism	170	342	446	204	284	266	1,712
Weapons	8	32	105	73	109	97	424
Prostitution	0	0	0	0	1	2	3
Other Sex Offenses	4	26	69	56	41	27	223
Sale-Narcotics	0	0	3	9	22	23	57
Sale-Marijuana	0	0	9	8	16	22	55
Sale-Synth Narc	0	0	1	0	0	1	2
Sale-Other	0	0	0	1	1	0	2
SALE SUBTOTAL	0	0	13	18	39	46	116
Poss-Narcotics	0	0	14	12	21	35	82
Poss-Marijuana	4	5	24	50	78	95	256
Poss-Synth Narc	0	0	1	0	3	4	8
Poss-Other	1	1	9	2	2	1	16
POSSESSION SUBTOTAL	5	6	48	64	104	135	362
DRUG OFFENSE TOTAL	5	6	61	82	143	181	478
Bookmaking	0	0	0	0	0	0	0
Numbers	0	0	0	0	0	0	0
Other	1	0	0	0	1	1	3
GAMBLING TOTAL	1	0	0	0	1	1	3
Family Offenses	16	8	7	9	6	11	57
DWI	1	0	7	16	101	242	367
Liquor Violations	2	11	100	198	444	678	1,433
Drunkenness	0	0	0	0	0	0	0
Disorderly Conduct	16	101	211	145	155	184	812
Vagrancy	0	0	0	0	1	1	2
All Other	82	211	579	404	634	709	2,619
Suspicion	0	1	2	7	10	12	32
Curfew-Loitering	15	49	258	238	135	103	798
Runaway	30	171	878	670	668	382	2,799
CLASS II OFFENSES	400	1,214	3,224	2,489	3,136	3,372	13,835
TOTAL	779	2,465	5,751	4,133	5,073	5,187	23,388

ARRESTS BY RACE AND OFFENSE TYPE
 JUVENILE
 FROM TO
 01 1991 -- 12 1991

STATE TOTALS

OFFENSE	WHITE	BLACK	INDIAN	ASIAN	TOTAL RACE	HISPANIC	NON HISPANIC	TOTAL ETHNIC ORIGIN
Murder	9	5	0	1	15	7	8	15
Rape	27	17	0	0	44	7	37	44
Robbery	63	109	1	2	175	3	172	175
Aggravated Assault	427	160	4	7	598	28	570	598
Burglary	1,556	315	11	13	1,895	141	1,754	1,895
Larceny(Theft)	4,863	1,363	36	49	6,311	329	5,982	6,311
Motor Vehicle Theft	260	138	7	1	406	14	392	406
Arson	104	4	0	1	109	6	103	109
TOTAL CRIME INDEX	7,309	2,111	59	74	9,553	535	9,018	9,553
Neg. Manslaughter	2	0	0	0	2	1	1	2
Other Assaults	1,364	438	6	6	1,814	162	1,652	1,814
Forgery	100	11	1	0	112	2	110	112
Fraud	12	7	0	0	19	3	16	19
Embezzlement	2	0	0	0	2	0	2	2
Stolen Property	87	37	0	0	124	2	122	124
Vandalism	1,481	214	11	6	1,712	126	1,586	1,712
Weapons	265	154	0	5	424	20	404	424
Prostitution	1	2	0	0	3	0	3	3
Other Sex Offenses	169	54	0	0	223	13	210	223
Sale-Narcotics	8	49	0	0	57	1	56	57
Sale-Marijuana	49	4	2	0	55	4	51	55
Sale-Synth Narc	0	2	0	0	2	0	2	2
Sale-Other	2	0	0	0	2	0	2	2
SALE SUBTOTAL	59	55	2	0	116	5	111	116
Poss-Narcotics	20	62	0	0	82	1	81	82
Poss-Marijuana	200	54	1	1	256	9	247	256
Poss-Synth Narc	6	1	0	1	8	2	6	8
Poss-Other	16	0	0	0	16	4	12	16
POSSESSION SUBTOTAL	242	117	1	2	362	16	346	362
DRUG OFFENSE TOTAL	301	172	3	2	478	21	457	478
Bookmaking	0	0	0	0	0	0	0	0
Numbers	0	0	0	0	0	0	0	0
Other	1	1	0	1	3	0	3	3
GAMBLING TOTAL	1	1	0	1	3	0	3	3
Family Offenses	52	5	0	0	57	8	49	57
DWI	350	12	5	0	367	17	350	367
Liquor Violations	1,371	52	5	5	1,433	74	1,359	1,433
Drunkenness	0	0	0	0	0	0	0	0
Disorderly Conduct	596	207	9	0	812	89	723	812
Vagrancy	0	2	0	0	2	0	2	2
All Other	2,184	412	7	16	2,619	132	2,487	2,619
Suspicion	32	0	0	0	32	0	32	32
Curfew-Loitering	691	98	3	6	798	87	711	798
Runaway	2,285	458	37	19	2,799	113	2,686	2,799
CLASS II OFFENSES	11,346	2,336	87	66	13,835	870	12,965	13,835
TOTAL	18,655	4,447	146	140	23,388	1,405	21,983	23,388

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ARRESTS BY STATUS AND SEX OF PERSONS ARRESTED
TYPE OF OFFENSE
01, 1991 THRU 12, 1991

STATE TOTALS

OFFENSE	JUVENILE MALE	JUVENILE FEMALE	TOTAL JUVENILE	ADULT MALE	ADULT FEMALE	TOTAL ADULT
Murder	14	1	15	98	14	112
Rape	44	0	44	43	2	245
Robbery	165	10	175	55	57	612
Aggravated Assault	529	69	598	2,226	313	3,399
Burglary	1,787	108	1,895	2,225	136	3,341
Larceny(Theft)	4,573	1,738	6,311	6,951	3,996	10,956
Motor Vehicle Theft	354	52	406	38	34	414
Arson	99	10	109	10	28	133
TOTAL CRIME INDEX	7,565	1,988	9,553	12,572	4,580	17,152
Neg. Manslaughter	2	0	2	22	4	26
Other Assaults	1,405	409	1,814	9,885	1,719	11,604
Forgery	87	25	112	606	426	1,032
Fraud	7	12	19	1,720	1,514	3,234
Embezzlement	2	0	2	60	19	79
Stolen Property	110	14	124	252	31	283
Vandalism	1,539	173	1,712	1,940	303	2,243
Weapons	401	23	424	1,254	129	1,383
Prostitution	3	0	3	180	391	571
Other Sex Offenses	212	11	223	897	81	978
Sale-Narcotics	51	6	57	510	103	613
Sale-Marijuana	48	7	55	514	103	617
Sale-Synth Narc	2	0	2	47	8	55
Sale-Other	2	0	2	52	6	58
SALE SUBTOTAL	103	13	116	1,123	20	1,343
Poss-Narcotics	71	11	82	1,075	41	1,416
Poss-Marijuana	216	40	256	2,573	391	2,964
Poss-Synth Narc	7	1	8	75	7	92
Poss-Other	7	9	16	178	5	230
POSSESSION SUBTOTAL	301	61	362	3,901	800	4,702
DRUG OFFENSE TOTAL	404	74	478	5,024	1,021	6,045
Bookmaking	0	0	0	0	0	0
Numbers	0	0	0	3	0	3
Other	3	0	3	44	4	48
GAMBLING TOTAL	3	0	3	47	4	51
Family Offenses	33	24	57	208	56	264
DWI	307	60	367	18,584	2,923	21,507
Liquor Violations	1,046	387	1,433	5,108	1,200	6,303
Drunkenness	0	0	0	3	1	33
Disorderly Conduct	641	171	812	3,300	784	4,093
Vagrancy	2	0	2	9	7	56
All Other	2,010	609	2,619	26,429	8,212	34,641
Suspicion	30	2	32	15	8	33
Curfew-Loitering	562	236	798	0	0	798
Runaway	1,263	1,536	2,799	0	0	2,799
CLASS II OFFENSES	10,069	3,766	13,835	75,686	18,833	94,519
TOTAL	17,634	5,754	23,388	82,258	23,413	111,671

ASR BY AGE AND
TYPE OF OFFENSE

FROM TO
01 1990 -- 12 1990

STATE TOTALS

OFFENSE	<10	10-12	13-14	15	16	17	JUVENILE TOTAL
Murder	0	1	1	3	2	10	17
Rape	0	2	8	8	11	10	39
Robbery	0	6	27	21	41	44	139
Aggravated Assault	26	64	80	77	84	129	460
Burglary	55	171	423	326	379	440	1,794
Larceny(Theft)	274	912	1,524	981	1,150	1,046	5,887
Motor Vehicle Theft	4	23	108	125	135	148	543
Arson	13	43	31	13	10	19	129
TOTAL CRIME INDEX	372	1,222	2,202	1,554	1,812	1,846	9,008
Neg. Manslaughter	0	0	0	0	1	0	1
Other Assaults	58	253	426	280	301	351	1,669
Forgery	4	8	14	25	28	41	120
Fraud	1	2	3	5	10	19	40
Embezzlement	0	0	0	0	2	2	4
Stolen Property	3	6	14	39	41	44	147
Vandalism	158	272	382	243	274	249	1,578
Weapons	0	17	51	47	69	77	261
Prostitution	0	0	0	2	2	4	8
Other Sex Offenses	7	33	59	45	33	37	214
Sale-Narcotics	0	1	0	7	16	27	51
Sale-Marijuana	0	0	4	9	23	29	65
Sale-Synth Narc	0	0	0	0	0	1	1
Sale-Other	0	1	2	0	1	2	6
SALE SUBTOTAL	0	2	6	16	40	59	123
Poss-Narcotics	0	0	3	3	13	27	46
Poss-Marijuana	0	4	33	47	85	134	303
Poss-Synth Narc	0	0	0	0	5	3	8
Poss-Other	0	2	2	3	2	7	16
POSSESSION SUBTOTAL	0	6	38	53	105	171	373
DRUG OFFENSE TOTAL	0	8	44	69	145	230	496
Bookmaking	0	0	0	0	0	0	0
Numbers	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0
GAMBLING TOTAL	0	0	0	0	0	0	0
Family Offenses	0	0	0	0	0	2	2
DWI	5	1	2	14	104	184	310
Liquor Violations	3	5	118	285	589	855	1,855
Drunkenness	0	0	1	2	4	1	8
Disorderly Conduct	14	70	160	125	139	177	685
Vagrancy	0	2	1	1	1	1	6
All Other	80	180	478	405	494	636	2,273
Suspicion	1	2	3	2	5	9	22
Curfew-Loitering	4	30	173	120	138	137	602
Runaway	31	131	762	649	643	350	2,566
CLASS II OFFENSES	369	1,020	2,691	2,358	3,023	3,406	12,867
TOTAL	741	2,242	4,893	3,912	4,835	5,252	21,875

ARRESTS BY RACE AND OFFENSE TYPE

ADULT

FROM TO

01 1990 -- 12 1990

STATE TOTALS

WHITE	BLACK	INDIAN	ASIAN	TOTAL RACE	HISPANIC	NON HISPANIC	TOTAL ETHNIC ORIGIN	GRAND TOTAL
54	24	2	0	80	3	77	80	97
134	107	1	1	243	16	227	243	282
203	303	2	5	513	24	489	513	652
1,406	789	21	11	2,227	133	2,094	2,227	2,687
1,810	450	27	8	2,295	110	2,185	2,295	4,089
7,321	3,058	108	57	10,544	501	10,043	10,544	16,431
351	135	4	2	492	19	473	492	1,035
66	15	2	0	83	4	79	83	212
11,345	4,881	167	84	16,477	810	15,667	16,477	25,485
10	1	0	0	11	0	11	11	12
7,017	4,046	108	18	11,189	569	10,620	11,189	12,858
546	202	7	2	757	12	745	757	877
2,562	315	43	8	2,928	46	2,882	2,928	2,968
64	27	2	0	93	3	90	93	97
216	123	4	2	345	4	341	345	492
1,437	652	17	4	2,110	73	2,037	2,110	3,688
713	505	8	3	1,229	61	1,168	1,229	1,490
283	301	12	1	597	13	584	597	605
752	129	2	1	884	36	848	884	1,098
270	345	2	7	624	48	576	624	675
587	92	4	1	684	41	643	684	749
57	3	0	0	60	3	57	60	61
66	11	0	0	77	1	76	77	83
980	451	6	8	1,445	93	1,352	1,445	1,568
359	458	4	3	824	26	798	824	870
2,333	443	24	5	2,805	81	2,724	2,805	3,108
66	27	0	2	95	7	88	95	103
164	109	3	1	277	14	263	277	293
2,922	1,037	31	11	4,001	128	3,873	4,001	4,374
3,902	1,488	37	19	5,446	221	5,225	5,446	5,942
0	0	0	0	0	0	0	0	0
0	0	0	5	5	0	5	5	5
20	23	0	0	43	0	43	43	43
20	23	0	5	48	0	48	48	48
285	28	0	8	321	24	297	321	323
18,273	1,465	159	56	19,953	1,367	18,586	19,953	20,263
6,169	697	32	12	6,910	338	6,572	6,910	8,765
21	0	1	0	22	8	14	22	30
3,120	1,093	39	9	4,261	247	4,014	4,261	4,946
28	51	0	0	79	0	79	79	85
22,078	6,626	204	66	28,974	1,020	27,954	28,974	31,247
54	9	0	0	63	1	62	63	85
0	0	0	0	0	0	0	0	602
0	0	0	0	0	0	0	0	2,566
67,550	17,781	675	214	86,220	4,043	82,177	86,220	99,087
78,895	22,662	842	298	102,697	4,853	97,844	102,697	124,572

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ARRESTS BY STATUS AND SEX OF PERSONS ARRESTED
 TYPE OF OFFENSE
 01, 1990 THRU 12, 1990

STATE TOTALS

OFFENSE	JUVENILE MALE	JUVENILE FEMALE	TOTAL JUVENILE	ADULT MALE	ADULT FEMALE	TOTAL ADULT
Murder	16	1	17	76	4	80
Rape	39	0	39	1	2	41
Robbery	137	2	139	45	48	93
Aggravated Assault	412	48	460	1,98	244	2,227
Burglary	1,687	107	1,794	2,15	141	2,295
Larceny(Theft)	4,236	1,651	5,887	6,58	3,963	10,544
Motor Vehicle Theft	505	38	543	432	60	492
Arson	111	18	129	75	8	83
TOTAL CRIME INDEX	7,143	1,865	9,008	12,007	4,470	16,477
Neg. Manslaughter	1	0	1	10	1	11
Other Assaults	1,264	405	1,669	9,605	1,584	11,189
Forgery	72	48	120	485	272	757
Fraud	24	16	40	1,508	1,420	2,928
Embezzlement	3	1	4	63	30	93
Stolen Property	135	12	147	311	34	345
Vandalism	1,432	146	1,578	1,838	272	2,110
Weapons	252	9	261	1,134	95	1,229
Prostitution	2	6	8	97	500	597
Other Sex Offenses	202	12	214	821	63	884
Sale-Narcotics	47	4	51	503	21	624
Sale-Marijuana	56	9	65	557	7	684
Sale-Synth Narc	1	0	1	46	0	60
Sale-Other	5	1	6	57	0	77
SALE SUBTOTAL	109	14	123	1,163	28	1,445
Poss-Narcotics	43	3	46	637	18	824
Poss-Marijuana	263	40	303	2,400	705	2,805
Poss-Synth Narc	5	3	8	69	26	95
Poss-Other	11	5	16	213	64	277
POSSESSION SUBTOTAL	322	51	373	3,319	682	4,001
DRUG OFFENSE TOTAL	431	65	496	4,482	964	5,446
Bookmaking	0	0	0	0	0	0
Numbers	0	0	0	0	5	5
Other	0	0	0	40	3	43
GAMBLING TOTAL	0	0	0	40	8	48
Family Offenses	0	2	2	259	62	321
DWI	244	66	310	17,131	2,822	19,943
Liquor Violations	1,353	502	1,855	5,567	1,343	6,900
Drunkenness	6	2	8	2	2	12
Disorderly Conduct	541	144	685	3,42	776	4,281
Vagrancy	0	6	6	4	25	31
All Other	1,864	409	2,273	22,95	6,579	28,974
Suspicion	17	5	22	60	3	63
Curfew-Loitering	427	175	602	0	0	602
Runaway	1,223	1,343	2,566	0	0	2,566
CLASS II OFFENSES	9,493	3,374	12,867	9,365	16,855	86,220
TOTAL	16,636	5,239	21,875	81,372	21,325	102,697

TESTIMONY ON THE JUVENILE JUSTICE SYSTEM

Michael E. Kitchens
Leavenworth Community Corrections

February 1, 1995

Thank you for the opportunity to speak to the committee regarding the juvenile justice system in the state of Kansas. My plan for coming here is not to tell you in detail how to fix the juvenile justice system but rather to provide you with a road map on how to restore credibility to a system of which there are many components. What works in one county or jurisdiction may not work in another. There are many good programs in the state of Kansas that have been tailored to fit the needs of a particular location and I don't want to mislead you into thinking that with a magic wand we can correct a system that has many faults. In general the system works. However, somehow we have managed to get ourselves into a corner in the state of Kansas. We have an exploding juvenile crime problem and it is time for some frank discussion, not about the juvenile justice system, but about the kids in the juvenile justice system.

My experience is that some of these kids get involved in criminal activity only once and the juvenile justice system works for them. You never see them again. But if all kids were like this we would not be here today in crisis.

I believe we have gotten into this crisis because we have spent too much time arguing about the causes of crime and very simpling ignoring what works for kids.

It seems that when I discuss the juvenile crime problem with various professionals there is a great deal of disparity in the solutions offered if any. Some think we should lock them all up and throw away the key. SRS workers claim they have no resources and want the juveniles out of their custody as soon as possible. Others complain that we never address the root cause of the problem

So what are the answers. As I told you I didn't come here to tell you how to repair the system because it would be a monumental undertaking. But, if I were asked to develop some guiding principles my agenda would include the following:

PUT THE VICTIM FIRST. In the State of Kansas we are not doing our job when it comes to repairing the damage to the victims of crime. We are not acting quickly enough to get their money or property back. We are not providing enough information for them when they are victimized and leaving them in the dark when we should be their guiding light. We are pushing them aside and not including them enough in the process and we are not considering the real financial cost to the taxpayer who are also victims. I know we do have very successful victim assistance programs in many areas. But the staff who work in these programs cannot in all honesty talk with victims of crime with any confidence that the system can help them. Many times they make excuses for the system and the perception is that the juvenile justice system is coddling criminals and I am not sure I don't agree with it.

PUT PUNISHMENT BACK INTO THE SYSTEM. Many people fear the word punishment. The only time I was ever successful with a juvenile offender in getting them to turn around was when I was successful in holding them accountable for their actions. When dealing with juvenile offenders, the length of time is not as important as the time it takes to apply consequences. The way the system is set up now it takes far too long to make something happen to the juvenile. If a juvenile has committed a crime and is given

probation then the consequence for failure is to place them into SRS custody. In some jurisdictions, the net effect is a reward. By the time SRS can or chooses to get someone into a youth center the juvenile has been involved in a variety of crimes. It may take months to get a juvenile off the streets. If you are lucky enough to have a detention center in your area, then the problem is not as bad.

I suggest you consider the idea of a boot camp for juveniles because it can act as an intermediate step in the level of sanctions. Some strongly oppose the boot camp concept because there is not clear research to indicate they work. In my experience not one program can work by itself. However, the offender will modify their behavior only after the cumulative effect of consequences forces them to want to change. The boot camp program in conjunction with good after care can have a major impact on a juvenile.

FIX THE PROCESS, NOT THE PROGRAM. Kids get bounced around from program to program which may continue on for years with no clear starting or finishing point. It is confusing for the person in the profession to understand and I can imagine how the juvenile offender feels. It seems that we have too many agencies providing services to the same kids with no collective purpose. There are three agencies that supervise juvenile offenders in the community-SRS, Court Services, and Community Corrections. Within SRS, they may end up in the youth centers in Atchison, Topeka , or Beloit. This fragmentation contributes to our inability to impose consequences on juveniles right away. The bureaucracy prevents case managers from being responsive to juvenile's needs and more importantly protecting the public by getting out of control youths off the streets . What we must do is either reduce the number of agencies that supervise juveniles or unite them together so that the juveniles do not continue to be shoved from one program to another.

STOP RAISING KIDS FOR PARENTS. The courts have taken on the role of parent and it is time to put the responsibility for raising children back to them where it belongs. There are generally two types of parents that we encounter in the juvenile justice system. One is the parent who has done everything conceivable to get their children to behave. The other is the parent who barely know their kids names or ages or worse yet could care less. In the juvenile justice system we find a great deal of the latter. I think it is imperative that we provide a means to assist both types.

The courts should be backing those parents who can't control their children regardless of economic status while providing intervention and services and punishing those who do not take their role seriously. And we need to provide those services before the juvenile commits a crime. And finally we need to stop accepting excuses from parents who claim they can't meet their parental responsibility .

In conclusion, I think we have an opportunity this legislative session to take some powerful steps in the right directions. There are some solutions to the juvenile crime problem in the state of Kansas . I sincerely hope that you will listen to the people who have been working in the system. The bottom line is to focus not on politics but on what works for kids. What works is not that complicated. Juveniles need love and affection by parents. They need someone who can guide them in their day to day decisions. They need an education to be competitive in todays markets. They need a healthy diet. Most importantly they need limits. They need to know that there are good and bad choices and immediate consequences for bad behavior. The juvenile justice system should be built around those simple principles. The bureaucracy we have built in the state of Kansas is not effective

because we wait too long to make something happen when the juvenile acts out. We don't get involved with the parents before the juvenile commits a crime to provide assistance for the parent to do their job, and we allow parents to not do their job. We are not responsive enough to the victims of their crimes and we keep starting new programs that further fragment the system.

Thank you for your time and the opportunity to address the committee.



THE DISTRICT COURT OF WYANDOTTE COUNTY
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February 1, 1995

Re: Comments on "Free-Standing Youth Authority" (amended)

As "juvenile justice" will be one of the dominant issues for the 1995 Legislature and as the question of a free-standing "youth authority" will be one of the key questions within that issue, I feel that it's important to put some thoughts in writing.

I'm concerned, however, that the State may be asking the wrong question. I'm not sure that the issue is the "administrative location" of certain services as much as it is "availability of resources and accountability for decisions". In spite of this concern, I will create a list of advantages and disadvantages as I see them of the "youth authority". In addition, **I will conclude with a specific suggestion for a modified service delivery system for juvenile offenders.**

FOR: In spite of the fact that Court Services Officers (CSOs) provide primary services on over 85% of the Juvenile Offender cases, CSOs receive little Legislative support because of their attachment to the Judicial Branch. In addition, J.O. issues are considered as low priority in the S.R.S. system. Further, if these services were ever placed under DOC they would face similar internal competition. I feel that I can document this position, but won't take the time to do that here. A free-standing "youth authority" could allow for juvenile offender services to compete on a better footing in the budget process and thus end up with additional resources. As I've said before, resource availability is one of the key issues.

AGAINST: By taking CSOs out of the Court system, the possibility of ever having a model family court are nearly destroyed. For me, the model family courts exist in Hawaii and New Jersey where Domestic, CINC, and JO CSO services are in the courts and under the family court umbrella. Although additional resources are needed, the current system does allow for this move. In addition to destroying the family court possibility, the "youth authority" concept causes CSOs to lose the important, direct connections that the Court provides with Judges and clerks and with easy access to court files and records.

FOR: If a new agency is created, the Legislature may be willing to infuse significant new resources immediately to allow it to show an immediate improvement in the system. In Florida, for example, \$7 million was added up front. In addition, there may be some management efficiency gained in some less populated areas, but very little, if any, in the larger areas.

AGAINST: As you may know, under the Court's system, the State only pays for the CSO's salaries and the counties pay all other costs. If the new "youth authority" is a State agency, like SRS and DOC, and no special provisions are made to require the counties to assume the operating costs, the new agency will require significantly increased funding just to stay even. On the other hand, all money placed in the Court's budget for CSOs would go directly to new personnel and direct services. In essence, the State can get more "bang for their buck" and can put more staff "on the streets" through the Court system than they could through any other arrangement.

Select Committee on Juvenile Crime
February 1, 1995
Attachment 7

SUGGESTION: Because I believe that the State will take juvenile offender services out of SRS, I would suggest the following changes in the current system. I do not, however, suggest going to the single youth authority model. As the old saying goes, we need to do more than re-arrange the furniture on the Titanic.

I would suggest that the new organizational matrix have four levels.

1. INTAKE: (Please refer to comments on next page)

2. FIELD SERVICES - COURTS:

I would suggest that all field services be under the Judicial Branch with several changes from the current system. I would place all field correction money from Juvenile Community Corrections into this Judicial system and all SRS field service money and SRS "J.O." field staff money into this Judicial system along with existing CSO money. With the exception of some sub-contracting, all of this money would go to personnel. Operating costs would be covered by the counties. **With these moves, the State would consolidate field services and significantly increase the number of staff providing direct services to youth without increasing State costs.** In addition, this move would clarify the aftercare issue.

Secondly, I would create **workload standards** that would be monitored by Legislative post audit or some other independent evaluation method. When workloads went over the standards, additional staff would be added. It would be better to do this than have the federal courts mandate more beds or other services at twice the costs. As the Court's already have client "risk / needs" tools, these caseload standards could vary from "high risk to low risk cases". In this manner, the state could continue certain "intensive supervision" programs if desired. Further, I would suggest the Legislative and Judicial Branch create **training standards** for CSOs. Taken together, these changes would upgrade field services significantly, give the Court more opportunity to work with families and youth within the community, consolidate field services, and protect the potential for a family court.

3. GROUP HOMES - SRS:

Although SRS would continue to have some responsibility in this area, I would recommend two significant changes. Currently, almost no JOs can go to group homes because SRS can release these youth to their parents without Court approval. SRS does not have this authority in CINC cases, but does in JO cases. Because of this and contrary to Court orders, many of these JO youth are never placed at all, and many receive very few services, if any. If a youth fits this option, **the Court must be given authority to assure placement and review release.** With the possible exception of a separated budget line item, these J.O. youth should be treated similarly to CINCs. This change creates a more accountable system, better services to youth, and a safer community. The second change would involve setting a higher standard before awarding custody (next page).

4. SECURE CARE - DOC (or Independent Division of Juvenile Institutions):

The existing youth centers should be placed under the Department of Corrections (or Independent Division of Juvenile Institutions) and a maximum security youth center should be added. Youth Center commitments should be limited to higher risk youth. **Court's should be able to sentence offenders for, at least, minimum lengths. Bed space should be added when and if population levels require.** These changes deal with the accountability issue and allow the space issue to be addressed from a different direction. The State and the Court can never really "get tough" with serious juvenile offenders unless sentences can be carried out. Current youth center practices of releasing serious offenders over court objection and after only extremely short stays undermines other levels of the system and creates extreme risks for the citizens of our State.

would suggest that the structures be selected / utilized as follows:

I would suggest that when Juvenile Offenders are "convicted" that the Court be given three options based upon a finding that a youth fits one of three categories. Those three categories would be matched up with the three types of "system" service delivery arrangements described earlier (Court Field Services, SRS Group Homes, and DOC Commitments). Those three options are;

1. FINDING: "the youth needs services; that the youth is not a major risk to the community; that the family is not a major risk to the youth"; SENTENCE: "the youth should be assigned to **Court field services for a specific length of time and with specific conditions**";

2. FINDING: "the youth needs services and is at risk in his/her current home due to neglect, abuse, or mental illness and could be found to be a Child In Need of Care pursuant to KSA 38-1502"; SENTENCE: "the youth should be placed in the **custody of a relative with Court field service conditions; OR in the custody of the secretary for group home or foster home placement and that the youth will not be returned to the home without judicial approval; that a reintegration plan will be presented and followed**";

3. FINDING: "the youth presents a serious risk to the community or has exhausted other alternatives available to the Court"; SENTENCE: "**commitment to the Department of Corrections (or Independent Division of Juvenile Institutions) for secure custody for a specified minimum length of time.**" Aftercare would be provided by Court field services.

INTAKE & ASSESSMENT:

Although listed last, this level of the matrix would actually be the first and, in many cases, the only contact point with the "system". Juvenile Intake and Assessment Centers should continue to be developed and fully funded. Intake centers give us the potential for timely and appropriate interventions with community involvement. Problems that are solved or re-directed at the front door are better for youth and families and cost the State much less than other interventions. This development is of critical importance to the juvenile justice system. I compliment the Legislature for creating the most significant new juvenile resource to come along in the last thirty or more years. With the Court system currently providing the implementation in this area through grants to private providers, and if the Court is given full authority for field services, this would be an excellent marriage. Again, it is important that this area be fully funded.

Note: The CINC area should remain as is. Some exciting developments are occurring in this area including both State and private initiatives. If these are continued for long enough, the State should see some significant improvements. It's important not to change horses in mid-stream on these initiatives.

Note: Community Mental Health is a critical component of the juvenile justice system. As the State considers changes in this area, it must keep in mind the big picture. If access doors are closed in the M.H. area, youth may be forced through other doors and into the State's custody.

Note: **The Data Collection System** or Management Information System must be improved significantly. This area was addressed by the Koch Commission in a comprehensive fashion, and I would refer to their report. We must be able to collect data efficiently. More importantly, we must be able to retrieve this information quickly, and we must build in some **evaluation components to measure program effectiveness.**

Again, this plan brings us back to the basic issues that cause our youth and communities to be at risk. Neither the Court, SRS, DOC, or MH systems intend to not do their jobs. The current problems primarily relate to resources (funding streams) and authority (accountability) and not as much to structure! When we have court departments, like the "juvenile court" in Wyandotte County, which have not had new positions for over eighteen (18) years - while at the same time the Legislature has mandated we do more and more - while at the same time workloads and risk factors have gone up, we should not be asking what's wrong with the system. We should instead compliment those professionals who have dedicated their lives to making this system work as well as it does:

In closing, the two most important actions we can take are: 1) stop doing anything - halt all new initiatives unless they are fully funded; and 2) only make changes that fit into a systematic approach recognizing the interrelationships of and necessity for the various levels and components needed to create an effective juvenile justice system. If this had been the tact years ago, we would not be facing the crisis of today.

Terry D. Showalter
Director