

Approved: February 22, 1995  
Date

MINUTES OF THE HOUSE SELECT COMMITTEE ON JUVENILE CRIME.

The meeting was called to order by Chairperson David Adkins at 9:00 a.m. on February 9, 1995 in Room 513-S of the Capitol.

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

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

Conferees appearing before the committee: Judge Ross McIlvain, Dist. Mag. Judge for Greenwood and  
Butler Counties  
Jane Adams, Exec. Dir. Keys for Networking

Others attending: See attached list

David Adkins introduced Judge McIlvain to the Committee. He said he had two major problems that he would like to discuss with the Committee. He believes one of the major issues with juveniles today is that "no one is in charge". The judges have very little control once the juvenile is in SRS custody; and SRS has to answer to many different placement facilities, each operating independently. His recommendation would be a separate juvenile agency. His second major concern is placement options; he would like to see an intermediate facility for offenders. (Attachment 1).

David Adkins introduced Jane Adams who told the Committee about Keys for Networking. Keys represents families with children of severe emotional problems and have six support groups in the state. Keys would like to see juveniles left in the homes as long as possible but with help being provided to the families. (Attachment 2).

Jane Adams introduced Cheryl and Chad Singleterry. Cheryl spoke to the Committee about the problems she faced as a single parent of a juvenile that had committed crimes. Chad has lived in several different group homes including YCAT at Topeka. Chad then spoke to the group. He was released from YCAT in December, is now working and hopes to start college this next August. He spoke to the Committee of his experiences within the juvenile system.

Jane Adams then introduced Rosie Cooper, a staff person at Keys and a parent of a son who is now serving time at Lansing. Her main concern is that she would like to see more help provided to the family while the juveniles are still living at home. This could possibly prevent further more serious crimes from being committed.

The minutes of the January 25, 26, 31, February 1 and 2 meetings were distributed and approved.

The Committee adjourned at 10:15. The next Committee meeting will be February 14, 1995.

# SELECT COMMITTEE ON JUVENILE CRIME GUEST LIST

DATE: February 9, 1995

NAME	REPRESENTING
Mark Gleeson	OJA
Rosie Cooper	Keys for Networking
Jane Cedar	Keep for Watch
Dina Kosterick	Keys for Networking
Meryl Singletary	parent
Chad Singletary	youth
Michael Dale	self
Jeremy Kohn	KSC
TLC Shively	KS LEGAL SERVICES

Ross R. McIlvain  
District Magistrate Judge

February 8, 1995

### NOBODY'S IN CHARGE

Good Morning.

Folks, the juvenile system is definitely broken - and it definitely needs fixed.

I'm Ross McIlvain - and by way of introduction I'm a Magistrate Judge from Greenwood County. I'm not exclusively a juvenile judge, but I hear all the cases for Greenwood, and - I would estimate - about 95% of the juvenile cases in Butler County. (It's right next to Sedgwick County - so of course the case load is fairly sizeable there.)

I'm not going to even try to give you a detailed, point by point plan to overhaul the system - or my opinion of one. I'm going to concentrate instead on two (2) major problems.

The first is - nobody's in charge. We have a crazy - quilt, haphazard, patched - together "system" - so disorganized, with such extreme diffusion of responsibility and authority... It shouldn't be a surprise it works poorly. We should be surprised it works at all.

Most people, certainly most of the kids and parents, assume the judge is in charge. Definitely not; once they're in SRS custody I have very little control. SRS isn't in charge, because among other things, they've got to dance to the tune of all these placement facilities, operating like independent little kingdoms. As I say, nobody's really in charge.

Once upon a time, things didn't seem so bad; even as little as 10 years ago. The system wasn't that great then either - but we didn't have the huge case load we do now. Despite the problems we could make it work, more or less, most of the time. Almost everybody in the system was willing, back then, to take the extra time, to take a very flexible, common-sense approach, to bend over backwards to work around problems in the laws or in the system. We were pretty much all pulling together to overcome any problems and come up with the best program for each individual kid.

Those days are gone.

Those of us willing - hardly ever have the time or the resources to make it work that way. When juvenile offenders are coming at you like water out of a fire hose - the system has to work efficiently - or pretty soon it won't work at all.

Believe it or not - in one way, I wouldn't even care who you put in charge - as long as somebody was in charge. It would almost have to be an improvement.

I do have a preference, of course. I don't think SRS should be in charge. I read a quote in the paper not long ago. Unfortunately, when I sat down to write this out, I couldn't find the clipping. So I couldn't look up the name, the county or the precise words - but some county attorney was testifying to the legislature on this very topic. He said something to the effect that SRS was congenitally, philosophically unable to deal with today's juvenile offenders.

I'm basically in agreement, maybe 100 percent; I wasn't there to hear everything he had to say. I think, in absolute terms, it's a bit of an over statement. I've worked with a lot of social workers over the years and other SRS personnel, too. I've talked to a lot of them about how the agency works.

I find that a lot of the front line workers and local supervisors have their heads on pretty straight. The criticisms generally applied to SRS can't fairly be applied to a lot of these folks. But the problem, of course, is that they don't call the shots.

Even if some of them start with what might be characterized or caricatured as a "social worker mindset" most of them soon learn to temper this ideology or outlook or philosophy with practical experience. But they're afraid to step out of line.

They have to follow ream after ream of policies and procedures dictated by upper and middle level bureaucrats. The people making the rules don't have this intense daily contact with the people and the problems that the front-line workers do. The people making the rules are extremely set in their ways and seem to be deathly afraid of letting the workers have any discretion. The people making the rules don't seem to realize that the world has changed since most of them were on the front lines.

The nature of what I believe they might call their client population has changed greatly. Many of the kids have much more drastic problems, are less susceptible to traditional social work problems, and there are a lot more of them.

The people in the middle and upper levels of SRS seem to be typical bureaucrats - and SRS is a mature bureaucracy. Almost by

definition, its next to impossible for them to be flexible and react to changing conditions. For some time now, they've needed to change or get out of the business. They can't seem to change, so I urge you to take them out of the business.

I strongly support the idea of a separate juvenile agency. I'd rather not see Department of Corrections handle it.

I think there are some good arguments for having the juvenile judge in each case be the one in charge. But I could live with having this new juvenile agency be the entity fundamentally in charge of the juvenile system. Either way, there would be somebody responsible for getting things done.

## PLACEMENT OPTIONS

The other major problem I see, of those we can do something about - is in intermediate placement options. We have the youth centers at one end. There may be some problems - but that's not what I'm here to talk about. There's no question we need the youth centers - and that's the right place for some kids.

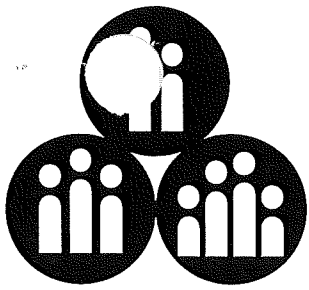
At the other end, we have things like fines, community service and probation. A lot of kids are put on probation - and that's fine, and that works - for some kids. The big thing to bear in mind is - one size does not fit all. There's an infinite variety of kids, problems and situations. In an ideal world, a juvenile judge should have lots and lots of options. The more options in your bag of tricks, the better the odds of getting something to work for this particular kid.

I realize this is Kansas, not Utopia, so I'd settle for one... an intermediate placement facility, at least part of which is a lock-up, for kids who aren't bad enough for the youth center, but don't work on probation or community corrections - and either aren't suited for the group homes or the group homes won't take.

we have a lot of kids in this category. A couple of factors exacerbating the problem are: 1. The placement facilities, other than the youth centers, have gotten very picky. They don't want to take any kid unless he's a young choirboy - who won't ever run off. If he's that kind of kid, why would I want to put him in an institution? 2. There are a lot more kids in this category now, and also a lot more hard cases that I do want to put in the youth center, and I really don't want this group mingling with.

I realize money is tight; if the legislature doesn't think it can afford a new facility, one option would be to convert one of the youth centers. I think the whole system desperately needs more capacity and the youth centers are already over-crowded - but conversion would be better than nothing.

Ross R. McIlvain  
District Magistrate Judge  
Greenwood County Courthouse  
Eureka, Kansas 67045  
(316) 583-8155



# Keys for Networking, Inc.

The State Organization of the Federation of Families for Children's Mental Health

## House Select Committee on Juvenile Crime

*February 9, 1995*

Representative Adkins, Members of the Committee:

My name is Jane Adams. I am Executive Director of Keys for Networking, Inc. I am appearing today on behalf of Keys and the parents Keys represents. Keys is a statewide organization, operating since 1988 to support and mobilize families with children with emotional and behavioral disabilities through training, education, advocacy, and systems change. Keys is managed by a Board of Directors, the majority of whom are parents of children who have serious emotional and behavioral problems. The work of Keys is to assist families help their children. We advocate for family, child and youth services within the community so families can get the help they need to raise their children. When that is not possible, we work with the family to secure services from juvenile offender authorities.

Today, I represent families from 32 support groups and parent contacts which include the communities of Hutchinson, Kansas City, Pittsburg, Topeka, and Wichita. We sponsor a parent support group at the Youth Center at Topeka.

I am here to represent those families in supporting your work, your study of needed programming for the juvenile offender population. As you study this problem, I ask you to include youth and families--the consumers of these services. As you make decisions to design, redesign juvenile offender programming, I ask you to address family and community needs to better serve children. Thank you for the opportunity to allow us to speak to you today. I have with me

Cheryl and Chad Singleterry, also from Topeka. Chad was released from the Youth Center at Topeka in December.

Rosie Cooper, Keys for Networking staff. Rosie now lives in Topeka. She moved here last November from Hutchinson

Select Committee on Juvenile Crime  
February 9, 1995  
Attachment 1

Our reasons for asking to appear before you are:

1. We ask you to recognize that families need help, sometimes. Our experience at Keys is that families want to and can manage their children, even very difficult children, when they have help. For most

families, that help--when they need it, where they need it, is not available. The services families need, accessible community and home based services are not there. Children have to cross the line, they have to get into trouble, before help is available. Nothing is available until the child commits a crime, not in time to help the family, to help the child stay in school, stay at home. We ask you consider the needs of families of the whole family to help these children. We ask you to listen to families, to what they need as you develop programs--prevention programs as well as intervention and after care programs.

We offer to facilitate for you access to families and youth as we are doing today.

2. Communities need help. Much in the same ways families need help. They do not have adequate programming for children and youth. There is school. Even the special education, school programs rule out socially maladjusted children.. When a child is suspended, expelled from school, there is nothing else. This past year Keys staff were invited to a small rural Kansas community, at the request of the area SRS office. A young man, 14 years old had been suspended from school, long term, 180 days. Because the conditions of the court were that he remain in school to remain at home, he was no longer eligible to remain at home. No foster care placement in the community would accept him because he needed 24 hour attention. His only option was to leave the community. Except school, the community had nothing else to give him.

We know the risk factors:

- alcohol abuse
- drug abuse
- poor grades
- missed classes
- excessive tardies
- absences
- lack of friends (peers or adults)
- low income
- one parent families

When a child accumulates three or four or more of these factors, his/her potential for success is not good. Communities do not have programs and services to address these issues.

3. We ask you to develop not after care but continued care: pre, during and after confinement care. Once children/youth are in trouble the child is taken away to a treatment facility, away from the family. Frequently the child must earn the privilege of a family visit. Families need treatment too. Even if the child gets better the family is the same. After what frequently is little more than a vacation, the youth returns home to the same people,



unchanged people, and unchanged friends, an unchanged community and is lucky to stay out of trouble for maybe a month. Our experience with families across this state is that for child treatment to be effective, to have long term carry over, families must be included. They must be included in planning the treatment, become part of the program, become trained in how to manage and change old patterns of behavior that didn't work.

Cheryl, Chad, Rosie

Summary: Two weeks ago NBC aired a three hour show, "In the Killing Fields of America." The show was devoted to everything from Susan Smith's case to a young man who was murdered for his jacket in Chicago to the child abuse cases in Texas. The narrator ended with, "Only in the family is it possible to change the horror of what is happening in America today." I agree with him. We have presented to you only two families' stories today. Both mothers care, both have documented histories of involvement, continued involvement with their children and with service agencies. Chad cares about who he is, about his mother, about living in his community. There was no help for these families, where and when they needed it. There is still no help.