

Approved: April 7 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 23, 1995 in Room 220-S of the Capitol.

All members were present except: Bob Tomlinson

Committee staff present: Don Cawby, Legislative Research Department
Leona Fultz, Committee Secretary

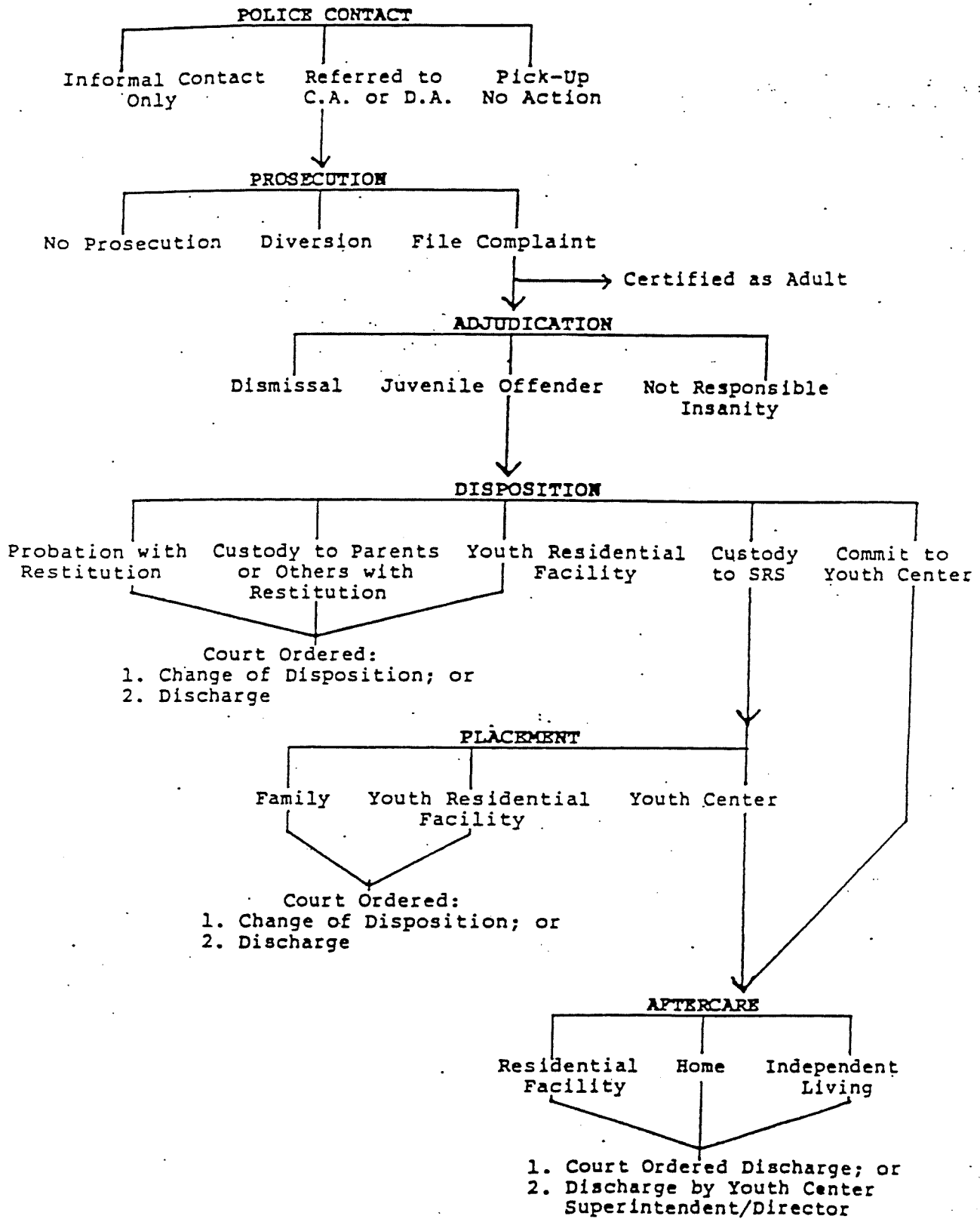
Conferees appearing before the committee: None

Others attending: See attached list

Chairman Adkins presented the Committee with several handouts. One was from the Legislative Research Department that was a flow chart on the Juvenile Offender Programs. (Attachment 1). The second handout was from Mike Heim that had been presented to Senator Marge Petty. (Attachment 2). The third handout was a memo that had been presented to Representative Belva Ott from Ben Coates, Acting Commissioner in SRS. (Attachment 3).

A discussion was held by the Committee and Chairman Adkins presented his recommendations for further action. (Attachment 4).

The Committee meeting adjourned at 10:00. The next Committee meeting will be February 24, 1995.



KANSAS LEGISLATIVE RESEARCH DEPARTMENT

**300 S.W. 10th Avenue
Room 545-N – Statehouse**

Phone 296-3181

February 14, 1995

TO: Senator Marge Petty

Office No. 422-S

RE: Juvenile Studies

The following is a list of interim committees of the Kansas Legislature that have studied juvenile offender issues since 1990.

1. 1990 Special Committee on Judiciary, report to the 1991 Legislature -- Juvenile Offenders (page 141).
2. 1991 Special Committee on Judiciary, report to the 1992 Legislature -- Juvenile Issues (page 141).
3. 1993 Senate Federal and State Affairs Committee, report to the 1994 Legislature -- Juveniles and Guns (page 94).
4. 1993 Senate Judiciary Committee, December, 1993 report to the 1994 Legislature -- Juvenile Crime and Juvenile Justice System (page 114).
5. 1993 Joint Committee on Children and Families, report to the 1994 Legislature -- Juvenile Detention and Juvenile Offender issues (pages 2-33).
6. 1994 Special Committee on Judiciary, December, 1994 report to the 1995 Legislature -- Juvenile Offender Issues (pages 2-6, 10).
7. 1994 Blue Highway Committee on Crime, Report to the 1995 Legislature.

Copies of each report are enclosed.


In addition to the Legislative Committees listed above the following are examples of other groups that either have or still are studying the juvenile crime issues:

1. Juvenile Offender Policy Conference staffed by Social and Rehabilitation Services, two-day conference in 1990

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2. Koch Crime Commission Juvenile Justice Committee
3. Criminal Justice Coordinating Council Task Force on Juvenile Crime
4. Juvenile Offender Advisory Council
5. Kansas Supreme Court Permanency Planning Task Force
6. Court Education and SRS Liaison Committee

I hope this is useful.


Mike Heim
Principal Analyst

MH/jar

Enclosures

ASR BY AGE AND
TYPE OF OFFENSE

FROM TO
01 1994 -- 12 1994

STATE TOTALS

OFFENSE	<10	10-12	13-14	15	16	17	JUVENILE TOTAL
Murder	0	1	7	6	8	12	34
Rape	0	1	8	13	7	8	37
Robbery	1	11	50	49	60	59	230
Aggravated Assault	15	67	145	109	117	146	599
Burglary	44	157	373	247	282	338	1,441
Larceny(Theft)	167	816	1,709	1,025	1,014	1,061	5,792
Motor Vehicle Theft	1	16	141	92	87	55	392
Arson	26	24	34	17	6	12	119
TOTAL CRIME INDEX	254	1,093	2,467	1,558	1,581	1,691	8,644
Neg. Manslaughter	0	0	0	1	0	0	1
Other Assaults	68	402	746	468	470	475	2,629
Forgery	4	0	11	12	33	24	84
Fraud	0	0	0	2	9	9	20
Embezzlement	1	1	1	2	2	3	10
Stolen Property	0	7	25	23	40	39	134
Vandalism	117	264	420	232	287	237	1,557
Weapons	6	33	118	99	127	122	505
Prostitution	0	0	0	0	0	1	1
Other Sex Offenses	6	22	42	25	22	29	146
Sale-Narcotics	0	0	2	6	10	11	29
Sale-Marijuana	0	1	18	11	19	16	65
Sale-Synth Narc	0	0	0	3	2	3	8
Sale-Other	1	0	0	0	0	0	1
SALE SUBTOTAL	1	1	20	20	31	30	103
Poss-Narcotics	0	4	10	17	26	33	90
Poss-Marijuana	1	15	107	130	204	253	710
Poss-Synth Narc	0	0	3	4	1	3	11
Poss-Other	1	0	8	6	10	6	31
POSSESSION SUBTOTAL	2	19	128	157	241	295	842
DRUG OFFENSE TOTAL	3	20	148	177	272	325	945
Bookmaking	0	0	0	0	0	0	0
Numbers	0	0	0	0	0	0	0
Other	0	0	0	1	0	2	3
GAMBLING TOTAL	0	0	0	1	0	2	3
Family Offenses	58	20	45	27	17	20	187
DWI	3	1	1	10	58	181	254
Liquor Violations	0	6	92	173	349	533	1,153
Drunkenness	0	0	0	0	0	0	0
Disorderly Conduct	25	108	355	189	222	196	1,095
Vagrancy	0	0	2	2	1	0	5
All Other	37	177	499	494	643	740	2,590
Suspicion	4	3	4	0	8	4	23
Curfew-Loitering	14	53	328	319	298	294	1,306
Runaway	20	224	983	741	664	410	3,042

Kansas Juvenile Justice Expenditures

Agency Program or Type of Facility	FY 1994 Actual	FY 1995 GOV Rec	FY 1996 GOV Rec
State-Funded Residential Settings			
SRS State Youth Center Expenditures	\$21,584,700	\$22,959,380	\$22,899,704
SRS Juvenile Offender Aftercare Programs	710,344	710,344	710,344
DOC SRS Contract for Aftercare Program	-	750,000	750,000
SRS Juvenile Detention Fac. - Aid to Counties	309,151	1,417,245	1,500,000
SRS Juvenile Detention Fac. - Placement Costs	555,818	1,540,193	1,540,193
DOE Juvenile Detention Fac. - Education Costs	NA	2,020,580	2,243,340
SRS Foster Care Group Homes	6,572,479	7,083,501	7,083,501
Subtotal Residential	\$29,732,492	\$36,481,243	\$36,727,082
SGF Amount	22,927,311	28,703,573	30,115,230

Community Based Settings			
SRS Family Foster Care	Unable to separate juvenile offender costs from children in need of care costs.		
SRS Kansas Adolscent Juv. Justice Treatment	\$125,517	\$146,040	\$5,000
SRS Juvenile Offender Day Reporting/ISP	1,460,000	1,700,692	2,900,692
DOC Intensive Supervision Program	309,327	3,248,700	3,248,700
Subtotal Community Sv.	\$1,894,844	\$5,095,432	\$6,154,392
SGF Amount	1,039,327	4,949,392	5,249,392

Intake and Assessment			
SRS Topeka Comprehensive Screening Unit	\$1,608,586	\$2,556,266	\$2,523,064
Courts Intake & Assessment Initiative	-	1,500,000	1,491,565
Subtotal Intake & Assess.	\$1,608,586	\$4,056,266	\$4,014,629
SGF Amount	1,056,460	2,803,696	2,778,328

Delinquency Prevention Programs			
SRS Fed. Juvenile Justice & Delinq. Prevention	\$463,174	\$2,025,615	\$621,615
Subtotal Prevention	\$463,174	\$2,025,615	\$621,615
SGF Amount	-	-	-

Total Juvenile Justice Expenditures	\$33,699,096	\$47,658,556	\$47,517,718
Total State General Fund Amount	\$25,023,098	\$36,456,661	\$38,142,950

Federal Funding for Juvenile Offenders

✓ **Title IV-A:** IV-A Family Emergency Assistance is very flexible funding which can be used to provide preventive services to maintain children with their own family. This includes the juvenile offender population. SRS receives reimbursement (at a match rate of 52% federal/48% state) for administrative expenses related to intake/assessment activities (eligibility determination) and for services purchased on behalf of an eligible family. There is no distinction made as to how the family came to the attention of the agency. Day reporting and electronic monitoring are two services that can be purchased for juvenile offenders. This does not preclude staff purchasing other services to alleviate the emergency situation and maintain the youth in the home.

Title IV-B funds are the most flexible federal funds Kansas receives. They may be used for any costs of delivering child welfare services. With the 1994 amendments (SB 400) to the Juvenile Offender Code, juvenile offenders receiving community services are also clearly eligible for Title IV-B. The only restriction would be that they cannot be used in the Youth Centers. The match rate is 75% FFP to 25% SGF.

✓ **Title IV-E** funds may be used for juvenile offenders determined to be eligible who are receiving out-of-home care in unlocked community based facilities as long as those services are specified in the Kansas Title IV-B plan. Direct services to eligible juvenile offenders qualify for reimbursement of staff salary costs as administrative time. (Documentation of time is required). Those staff costs can be covered even in the Youth Centers. The match rate is 52% FFP to 48% SGF. Training costs are at a 75% FFP rate. Memoranda of Agreement can be negotiated to support the administrative costs of staff in other agencies who are "performing IV-E related tasks that would have been performed by the IV-E agency (SRS) staff if not done by the other agency". Again the other agency must provide documentation of time spent on IV-E services with IV-E eligible youth.

Title XIX: Juvenile offenders in the custody of the Secretary of SRS and removed from their homes are eligible for Medicaid. Thus their treatment needs (outside the Youth Centers) are covered with the medical card. The FFP on Medicaid is 60%.

JUVENILE JUSTICE REFORM


*EARLY PREVENTION & INTERVENTION. EVALUATION OF NEEDS. COURT PROCEDURES. PROGRAMS FOR THOSE MORE VIOLENT. & REINTEGRATION INTO SOCIETY.
FY 1995

		FY 1996	FY 1997	FY 1998
JUVENILE INTAKE AND ASSESSMENT PLANNING LOCAL DEVELOPMENT TRAINING	OJA	\$1.5M	SB 230 JUVENILE INTENSIVE SANCTIONS FUND LOCAL INTENSIVE SANCTIONS FOR 31 JUDICIAL DISTRICTS BASED ON COMMUNITY PLANS ADMINISTERED BY OJA	SB230 ADMINISTRATION TRANSFERRED TO YOUTH AUTHORITY
JUVENILE INTENSIVE SUPERVISION-COMMUNITY CORRECTIONS	DOC	\$ 1.5M	FUNDS ALLOCATED BY FORMULA THROUGH JUVENILE INTAKE & ASSESSMENT NETWORK	FUNDING TO CONTINUE
	DOC	\$ 1.7M		
JUVENILE AFTERCARE	SRS	\$.71M		
JUVENILE AFTERCARE	DOC	\$.75M		
DAY REPORTING	SRS	\$ 1.7M	SB 231 GOVERNOR APPOINTS 5 PERSON AUTHORITY; RECOMMENDATIONS FOR STATUTORY CHANGES '96 SESSION: EXECUTIVE DIRECTOR FOR ONE YEAR	SB231 SECRETARY OF AUTHORITY APPOINTED JUVENILE OFFENDER COMPONENT
JUVENILE DETENTION FACILITIES	A.G./SRS	\$ 3.2M		SB231 CHILD IN NEED OF CARE COMPONENT ADDED
DETENTION EDUCATION	DOE	\$ 2M		
SCREENING UNIT	SRS	\$ 2.5M	PROPOSED LEGISLATION DIVERSION RETAIN 5% EDIF	FUNCTION OF AUTHORITY 1. FISCAL CONDUIT FOR FUNDING COMMUNITY SANCTIONS 2. MONITOR 3. SET GUIDELINES 4. PROVIDE TECHNICAL ASSISTANCE 5. STATE YOUTH FACILITIES
FOSTER CARE GROUP HOMES	SRS	\$ 7M	JUVENILE CODE: CLASSIFICATION OF OFFENSE: RETURN TO JUDGE	
FAMILY FOSTER CARE	SRS	??		
JUVENILE JUSTICE & DELINQUENCY PREVENTION	OJJP	\$ 2M		

*Mark Curriden. Hard Times for Bad Kids. ABA Journal. Feb. 1995. p.68: Juvenile court experts say these are the five basic aspects critical to dealing with youth crime.

**MEMORANDUM
SOCIAL AND REHABILITATION SERVICES
YOUTH AND ADULT SERVICES**

TO: Representative Belva Ott

FROM: Ben Coates 
Acting Commissioner

DATE: February 23, 1994

SUBJECT: Number of Youth in Custody

You asked me to provide some data on the relative numbers of juvenile offenders being supervised by SRS and the Courts. The Office of Judicial Administration reports there were 8,799 juveniles on probation. Our data indicates that approximately 1,645 (19%) of those youth were in SRS custody; the remaining 81% were supervised by the Courts.

According to SRS data, there were approximately 2,177 juvenile offenders in our custody as of October 1994. Most of them were in non- youth center placements (1,645) and the remaining 532 were in state operated youth centers. If you add both groups together there were 8,799 non-youth center placements and 532 Youth Center ones for a total of 9,331 juvenile offenders in custody. Thus the SRS share of the total population is approximately 23% when youth center placements are figured in, but in any case the Courts supervise the majority of the juvenile offenders in the state.

The SRS database indicates that as of October of 1994 we had the following in our custody:

5,885 youth adjudicated as children in need of care only
1,903 youth adjudicated as juvenile offenders only
274 were dually adjudicated

Please let me know if you need any additional information.

Juvenile Justice in Kansas: A Model for Reform

Information System

Integrated Statewide
Automated Data Base

Network w/ Nat'l
Data Base

Information Sharing

Free information
exchange between
agencies, courts,
schools, private
providers.

Prevention

Public-Private Partnership

tax credit for KS
businesses that invest
in youth programs
designed to alleviate
risk factors

Mentoring Programs
Anti-Violence

Gangs
Drug / Alcohol
School Attendance
Teen pregnancy

Grant program Education

At-risk funding
Alternative Education

Employers

Incentives to hire
juvenile offenders

Youth Recognition

and Involvement

Assessment & Intake

Integrated Delivery
Model — Tampa, Fla.

Team Concept

Prosecutorial Discretion

Statewide Diversion
System

Ability to waive any
juvenile to adult
system.

Parental Involvement

Restitution - shared liability option
Liability for curfew violation
Contract w/ court to
require parent to report
probation / diversion violations
Court appearances required.

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Courts

Increase Placement Options for Judges.

- Menu:
- Community Service
 - House Arrest
 - Electronic Monitoring
 - Treatment Programs
 - Restitution
 - School Attendance
 - Limited Jail Stay on 1st Offense
 - Sanction Houses for probation violations
 - Group Home
 - Medium Security
 - Maximum Security
 - Intensive Supervised Probation

Establish Greater Uniformity in Sanctions Imposed throughout the State

Other Sanctions/Options

- Mentors
- Offender/Convict Panels

Diagnostic Placement

Youth Centers

Populations segregated by crime not age

New Maximum Security Facility

- 150 Beds
- 3 Facilities
- Release approved by judge

Creation of Youth Authority to Administer & Coordinate Juv. Justice Programs

Extend Jurisdiction of Juvenile system to age 25 with automatic call backs to judge at 18, 21 & 25

Group Homes

No discretion in selecting population to be served.

- Increase system capacity
- Incentives for success

Aftercare

Range of Services:

focus on successful reintegration - mentors, school, job support

Family counseling

Integrate w/ local mental health services

Consequences for failure

Juvenile Justice —

Community "Model" Program & Special Resources Team

State develops Model Program for
implementation by communities

Provide training, develop pilot
programs

Crisis - Intervention (SWAT Team)

Assist with implementation of
Community - Based Programs.

Goals

1. Public Safety
2. Rehabilitation of Youth / Punishment of Youth
3. Community - Based Solutions
4. "Team Approach" to Delivery of Services
5. Swift Consequences / Uniform Consequences
6. Appropriate range of placement options
7. Prevention