

Approved: 3/20/97  
Date

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY.

The meeting was called to order by Chairperson Tim Carmody at 3:30 p.m. on March 11, 1997 in Room 313--S of the Capitol.

All members were present except: Representative Howell (excused)  
Representative Kline (excused)  
Representative Mays (excused)  
Representative Pauls (excused)  
Representative Powell (excused)  
Representative Wagle (excused)  
Representative Ruff (excused)  
Representative Shriver (excused)

Committee staff present: Jerry Ann Donaldson, Legislative Research Department  
Mike Heim, Legislative Research Department  
Jill Wolters, Revisor of Statutes  
Jan Brasher, Committee Secretary

Conferees appearing before the committee: Representative Adkins  
Mark Gleeson, Office of Judicial Administration  
Gary Brunk, Executive Director, Kansas Action for Children  
Carol Smith, United Community Services of Johnson County, Inc.  
Joseph A. Ruskowitz, Kansas Community Corrections Association

Others attending: See attached list

The Chair called the meeting to order at 3:45 p.m. The Chair explained that the Committee will hear two bills dealing with the Juvenile Justice Act. The Chair stated that HB 2415 supplements the Juvenile Justice Act passed in 1996. The Chair explained that HB 2506 was a bill referred to House Judiciary Committee from the Appropriations Committee.

HB 2506: Department of social and rehabilitation services and secretary retain custody of juvenile offenders

HB 2415: Juvenile Justice Reform

Representative Adkins testified in support of HB 2415. Representative Adkins stated that this bill was necessary to move forward with juvenile justice reform. The conferee referred to a brochure, "A Policymaker's Guide to Comprehensive Juvenile Justice" by Kansas Juvenile Justice Summit. The conferee stated that the information included presents an overview of the kind of comprehensive strategy developed by the National Conference of State Legislators. The conferee explained that information in the brochure sets forth foundational assumptions used by the Youth Authority. The information discusses the placement matrix, it explains the need for a full continuum of community based options, and it addresses the need of dealing with serious chronic juvenile offenders.

The conferee referred to a bound book, "Kansas Juvenile Justice Reform: Safe Communities, Successful Kinds." (Transition Blueprint) prepared by the Kansas Youth Authority, David Adkins, Chairman, March 1997. The conferee referred to the book as a primer on the history of juvenile justice reform. The conferee stated that this book contains the overview and guide on which the reforms are based. The conferee reviewed the contents of the book. The conferee referred to a replacement for page 13, "Juvenile Justice Authority/Governor's Budget" (Attachment 1) (Legislative Research Department has copies of this book)

The conferee referred to a resume of Albert Murray, the Youth Authority Commissioner. (Attachment 2) The conferee referred to data on the Kansas Youth Center System. (Attachment 3) The conferee related information about the Comprehensive Evaluation and Treatment Unit (CETU). Representative Adkins stated that a determination on what to do with CETU needs to be considered. The conferee stated that the predominant group in this population are pregnant young girls committed to YCAB. (Attachment 4)

## CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON Judiciary, Room 313-S Statehouse, at 3:30 p.m. on March 11, 1997.

The conferee discussed the reforms that the Youth Authority wants to implement. The conferee discussed the need to find resources that reduce risk and provide protective factors. The conferee stated that a comprehensive community approach is necessary. The conferee discussed the need for an appropriate information system and for a collaborative effort between communities and the state. The conferee stated that a bill has been introduced to create an oversight committee to provide feedback to the legislature.

Russ Jennings, Director of Southwest Juvenile Detention Center, testified addressing four issues relating to HB 2415. The issues deal with: juvenile detention facilities fund; detention criteria; the failure of this bill to address legal responsibility for detention services; and the per diem rate for detention services. (Attachment 5)

Mark Gleeson, Office of Judicial Administration testified in support of HB 2415 and opposing HB 2506. The conferee requested that three dates be shifted to July 1, 1999 in HB 2415 to provide communities the opportunity to budget for the costs. The conferee outlined the problem created by abolishing the Corporation for Change and transferring the funds in the Family and Children Investment Fund to the Kansas Juvenile Justice Authority and the Kansas Advisory Group. The conferee stated that the Office of Judicial Administration is willing to accept and administer the Permanent Families account to insure that those funds would be used in a manner consistent with the approved community juvenile justice program. The conferee discussed Section 55 and suggested that the courts should be responsible for determining the most appropriate assessment tool for risk assessment. Referencing New Section 1, the conferee suggested that the time allowed in that section may not be sufficient for many judicial districts due to deadlines for submitting county budgets. The conferee discussed supervision fees, county funding issues, and the role of the courts in diversion programs. The conferee suggested language changes in Section 43 (d) on line 36. The conferee suggested including the what constitutes a "sanctions house" in K.S.A. 38-1602. The conferee stated that Court Services Officers who, also provide field services, might be at risk if funding is shifted from the judicial branch budget. The conferee concluded by requesting that sufficient time and resources to plan and develop community-based programs, supported by state standards, and funded by a mix of local and state dollars be provided to the various entities. (Attachment 6)

Gary Brunk, Executive Director, Kansas Action for Children addressed the Committee in support of HB 2415. The conferee discussed the importance of maintaining a focus on prevention and concerns about the transfer of two existing trusts funds to the Juvenile Justice Authority. The conferee stated that KAC supports the transfer of the Permanent Families Fund to the Office of Judicial Administration. The conferee related that KAC would support for the time being, the transfer of the Family and Children Trust Fund to the SRS. (Attachment 7) The conferee referred to a handout titled, "Youth Crime Prevention Programs Work." (Attachment 8)

Carol Smith, United Community Services of Johnson County, Inc. testified in support of HB 2415 with the caveat that the SRS will retain their current juvenile offender services for at least nine to twelve months after July 1, 1997. The conferee also recommended that the SRS not privatize juvenile offender services. The conferee expressed the county's concerns with the state's placement matrix. Ms Smith recommended on behalf of UCS that sufficient funding be identified and that the state commit funding to aid communities in funding their comprehensive plans at the end of the two year planning period. (Attachment 9)

Joseph A. Ruskowitz, Kansas Community Corrections Association, testified in support of HB 2415. The conferee suggested on behalf of KCCA that language be included in the legislation to make the option of using the community corrections advisory board available to counties during the entire planning process. (Attachment 10)

The Chair adjourned the meeting at 5:05 p.m.

The next meeting is scheduled for March 12, 1997.

# HOUSE JUDICIARY COMMITTEE COMMITTEE GUEST LIST

DATE: 3-11-97

NAME	REPRESENTING
<del>Joyce Abert</del>	<del>Johnson County Court</del>
JOE Ruskowitz	Kansas Community Corrections Assoc
David Tamm	KANSAS BAR ASSN
Julio Fairman	Ks Sentencing Comm
<del>Ken Jones</del>	<del>KCA - Juv. Comm -</del>
<del>William Miller</del>	<del>SIAS - OJA</del>
Anne Spiess	Peterson Public Affairs Group
Alice Ogbo	SRPARS, Topeka
Stephanie Klein	Attorney General's office
Dina Hales	Shawnee Co Youth Center
Jean Donnelly	So Co Day Reporting Center
<b>TOM MERKEL</b>	"
Larrie Ann Brown	Kans Hosp. Assoc
Don Pulledge	SRS
MARC HEINZE	DEPT. OF ADMIN.
Mark Gleeson	OJA
Fawn Sperrer	OJA
Gary Brunl	Kansas Action for Children
KATHLEEN RIETH	Ct. Serv. Jo. Co (10 <sup>th</sup> Dist)

# HOUSE JUDICIARY COMMITTEE COMMITTEE GUEST LIST

DATE: 3-11-97

NAME	REPRESENTING
Risë Haneberg	Court Services 10 <sup>th</sup> Jud Dist/JoCo
Carol Smith	United Community Services JoCo.
Dodie Lacey	Ks Children's Service League
Bruce Lindas	Children's Alliance

**JUVENILE JUSTICE AUTHORITY  
GOVERNOR'S BUDGET**

**REVENUE**

SRS Transfer (includes Youth Centers)	37,917,012
OJA Transfer	4,180,743
Community Corrections Transfer	3,485,328
Corporation for Change	975,000
Other	330,633
	46,888,716

**EXPENDITURES**

Administration	638,918
Intake and Assessment	4,180,923
Community Corrections	3,485,328
Family and Children Investment Fund	975,000
Juvenile Justice and Delinquency Prevention	903,544
Other Field Services	12,215,073
Youth Center Operations	24,489,930
	46,888,716

**REQUESTED ADDITIONAL FUNDING**

Juvenile Justice Community Planning Fund	2,000,000
SRS/CETU/A&D	1,322,455
Management Information System (MIS)	750,000
State General Fund	250,000
State Institutional Building Fund	500,000
Byrne Grant	
Subtotal MIS	1,500,000
Existing Facilities Rehabilitation and Repair (SIBF)	1,055,200
Total	5,877,655
DOC/Federal Building Fund (\$4,400,000)	
Planning Maximum Security Facility	850,000

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Attachment I  
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Albert Murray  
109 Bella Court  
Nashville, Tennessee 37207  
(615) 741-9723 (w) (615) 865-6054 (h)

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EDUCATION

Middle Tennessee State University  
Murfreesboro, TN

1973

*Master of Education in Guidance Counseling*

Tennessee State University  
Nashville, TN

1969

*Bachelor of Science (English)*

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WORK EXPERIENCE

Tennessee Department of Children's Services, Nashville, TN

Assistant Commissioner

1996 to present

Re-appointed June, 1996, by the Administration of Governor Don Sundquist to work for Commissioner George W. Hattaway within the Department of Children's Services newly created by the Tennessee General Assembly May, 1996. Responsible for supervising the management of departmental treatment facilities to include four juvenile institutions, ten group homes, three halfway houses, one day treatment facility, an Observation and Assessment Center, and the Tennessee Preparatory School for dependent and neglected youth. Responsible for a total of 1261 staff which represents 35% of total department. Must assure that a program of treatment is in place at each facility to address the total needs of each child. Must assure that operational policy and procedures are in place at each facility consistent with the Tennessee Code Annotated and consistent with professional standards as established by the American Correctional Association. Responsible for assisting the Commissioner with the enforcement of departmental policies, working with state legislature, juvenile court judges, and serving the general public.

Tennessee Department of Youth Development, Nashville, TN

Assistant Commissioner

1989 - 1996

Responsible for supervising the management of state-operated residential programs within DYD to include institutions, group homes, halfway houses, and special mission programs. Responsible for assuring that programs are conducted in accordance with departmental policy and procedures, applicable TCA statutes, and applicable standards established by the American Correctional Association (ACA). Responsible for directly supervising a contingent of central office staff to include statewide directors, program managers, and secretaries. Supervise a total of 915 staff which represents 75% of total staff (1268) employed by DYD. Responsible for working closely and cooperatively with Commissioner's immediate staff and assisting with special projects as appropriate. Responsible for fostering good working relationships among employees, projecting a good departmental image with the general public, and assuring that each juvenile offender is provided a substantive treatment program in a safe and secure environment. Responsible for the development and evaluation of all employees.

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Tennessee Youth Center, Joelton, Tennessee

Superintendent

1981 - 1989

Responsible for the total management of juvenile facility which included 27 separate structures located on 125 acres of state property. Supervised staff of 106 with a juvenile population of approximately 100. Responsible for the supervision of a comprehensive treatment program for juveniles which included an approved school, vocational education, counseling, tutoring, volunteer services, and work program. Responsible for the safety and security of all juveniles and staff. As a Joelton resident, was responsible for establishing and maintaining good rapport with the community and citizens of the area. Responsible for public relations, budget/fiscal management, and employee personnel actions. Lead facility successfully through ACA accreditation process during its final year of operation.

Tennessee Youth Center, Joelton, Tennessee

Assistant Superintendent

1976 - 1981

Responsible for the supervision and coordination of a comprehensive treatment program for juvenile offenders. As second in command to the superintendent, was responsible for writing local policy, hiring and supervising staff, monitoring day-to-day operations on all shifts, and being on "first call" for incidents and emergencies. Assisted with the preparation of the annual budget, coordinated the student disciplinary and grievance process, and assisted the superintendent with special projects as appropriate.

Youth Center, Nashville, Tennessee

Director of Cottage Life

1974 - 1976

As third in command to the superintendent, was responsible for total operations on second and third shifts and weekends. Functioned as chief of security by supervising a contingent of 86 security officers including corporals, sergeants, and lieutenants. Served as chairman of student discipline committee, investigated allegations by students and staff, and worked closely with day shift treatment staff on all student issues. Reported to assistant superintendent as immediate supervisor.

Spencer Youth Center, Nashville, Tennessee

Counselor I, II, III

1970 - 1974

Served as caseworker for caseload of students incarcerated at facility. Conducted individual and group counseling sessions, interacted regularly with court and probation workers throughout the state, and communicated with the parents and families of the many young people at the facility. Assumed special program responsibilities after promotion to counselor II and III levels that dealt with the intensive treatment of hard to manage juveniles.

Central State Psychiatric Hospital, Nashville, Tennessee

Psychiatric Aide

1968 - 1969

Worked with mentally ill patients of all ages, trained to take vital signs, administer medication, conduct recreation, and document significant patient behavior. Worked second and third shift while attending undergraduate classes during the day at Tennessee State University. Reported to RN charge nurse as immediate supervisor.

## PROFESSIONAL MEMBERSHIPS

- American Correctional Association, Certified Auditor since 1984
- Tennessee Correctional Association, President, 1993
- Southern States Correctional Association
- Tennessee Government Executive Institute (TGEI) Class of 1987
- Northwest YMCA, Chairman, Board of Managers, 1995 - 96
- Tennessee State University Alumni Booster Club
- Criminal Justice Panel, Annual Legislative Retreat

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## PERSONAL

Married to Connie Murray, Accountant II, State of Tennessee; two daughters: Andrea and Camille Murray, both college students.



Albert Murray  
109 Bella Court  
Nashville, Tennessee 37207

## RESUME ADDENDUM

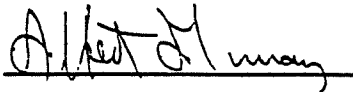
### Professional Services

The American Correctional Association (ACA) sets nationally recognized standards for the operation and management of prisons, juvenile facilities, group homes, and other programs of a correctional nature. Accreditation is awarded to those facilities which submit application and are found to be in compliance with 90% or more of rigid professional standards. Certified auditors are contracted by ACA to conduct accreditation audits of appropriate correctional facilities dealing with all aspects of the operation.

In 1984, I became a certified auditor for ACA after completing required training in San Diego, California. In this capacity and through personal contract with ACA I have conducted accreditation audits at a number of juvenile correctional facilities over the nation. These audits have provided me an inside close-up look at the policies, procedures, and practices of the following state correctional systems: Kentucky, Alabama, Texas, New York, Ohio, and Alaska. The accreditation process requires a team of two to three auditors spend approximately three days at a facility examining records and files, interviewing staff and juveniles, followed with a written recommendation to ACA for or against accreditation.

Professional training and experience as an auditor has been very valuable to me as a professional and practitioner. It has assisted me in assuring the continued accreditation of all Tennessee juvenile facilities. This includes four juvenile institutions, ten group homes, three halfway houses, and several special mission facilities.

Further, the auditing experience has exposed me to some of the best professionals in the business of correctional management and administration. Included are Commissioners, Superintendents, judges, and other skilled professionals nationwide. Such contacts allow for continuous networking and the regular sharing of information, ideas, new trends and practices for the improvement of juvenile services.

  
Albert Murray, Certified Auditor

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JUVENILE JUSTICE AUTHORITY  
DATA:

**The Kansas Youth Center System:**

- Total Capacity = 516
- Total FTE = 543
- Youth Center at Atchison - 100 beds  
Population = 13-15 1/2 year old males; approximately 30% violent offenders; 20% mental health problems.
- fte's = 128
- Youth Center at Beloit - 84 beds  
Population = 13-20 year old females;
- fte's = 87
- Youth Center at Larned - 116 beds  
Population = 13-20 year old males;
- fte's = 122
- Youth Center at Topeka - 219 beds  
Population = 13-20 year old males;
- fte's = 205
- \* There are 30 beds at CETU not counted in the total above

**The Kansas Detention Center System**

Total Capacity - 380

- North Central Regional Detention Center  
Geary County - 21 beds
- Southeast Regional Detention Center  
Crawford County - 20 beds
- Southwest Regional Detention Center  
Finney County - 25 beds
- Northeast Regional Detention Center  
Douglas County - 20 beds
- Leavenworth County Regional Detention Center - 8 beds
- Franklin County Juvenile Facility - 7 beds
- Forbes Juvenile Attention Center (Private)  
Shawnee County - 68 beds
- Johnson County Juvenile Hall - 34 beds
- Wyandotte County Juvenile Detention Center - 52 beds
- Saline County Juvenile Center - 10 beds
- Shawnee County Youth Center - 22 beds
- Youth Residence Hall  
Sedgwick County - 45 beds

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- Reno County Juvenile Detention Center  
12 Detention/ 24 Shelter
- Greater Western Kansas Juvenile Detention Center  
Wakeeney - 12 beds

**YOUTH in SRS Custody:**

Total as of March 30, 1996 = 1,609  
Total as of June 30, 1996 = 1,963  
Total as of December 1996 = 2,033

**Breakdown by Placement type for December population:**

*Youth Centers* = 508  
*Out of Home Placements* = 773  
*In Home Placements* = 752

**ARRESTS/ADJUDICATIONS:**

*KBI/1994*

Juvenile Arrests = 26,286  
CINC/curfew & runaway only = 4,603  
(Adjusted total) = 21,683

Total Adjudications/JO's = 6,565

*Office of Judicial Administration/ 7-1-95 thru 6-30-96:*

Total Adjudications = 8,409

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## COMPREHENSIVE EVALUATION AND TREATMENT UNIT

The Comprehensive Evaluation and Treatment Unit (CETU) has provided residential treatment for mentally ill and mentally retarded juvenile offenders since January 1994. CETU is accredited by JCAHO and draws Medicaid matching funds. Because it is a Medicaid funded facility, CETU also provides services for offender youth who have medical conditions requiring extensive treatment and/or expense. The Medical Services Commission pays the SGF share of medical costs for these youth.

In 1993 the Program Analysis Unit of Children and Family Services conducted a case reading of youth center residents and found that 76 of the current youth center residents required treatment that was not readily available in the facilities. At that time CETU had a capacity of 30 beds.

Because of the need for increased treatment capacity, SRS sought and received legislative authority to expand CETU to 45 beds in the FY 1995 budget. Twenty-four additional unclassified staff were authorized at an expansion cost of over \$800,000. Through FY 95 it became clear that the "special population" at CETU consisted of at least two subtypes: those who could benefit from short-term intensive treatment in a non-secure setting and those who were violently mentally and required long term secure treatment. As a result, SRS sought and received legislative authority to create a special behavior unit at YCAT beginning in FY 96. The legislature approved the addition of 4 FTE and \$160,000 for eight months to convert a 16-bed security unit to provide a physically secure unit for long term high security treatment needs. CETU was to place its focus on short-term minimum security intensive treatment and catastrophic medical conditions.

However, in response to the governor's 1995 mandate to cut agency budgets and reduce, both the 1995 expansion of CETU and the creation of the special unit at YCAT were discontinued. The capacity change resulted in a loss of 30 of the 61 special population beds.

With the closing of TSH would close came the necessity to close CETU. SRS will transfer \$538,612 SGF and 18 FTE to the JJA for FY 1998 for provision of CETU-type services, a reduction of \$390,293 SGF from the FY 1997 level. SRS will transfer the mental health functions of CETU to three youth centers. Funding and staff positions will be transferred from SRS to those youth centers at the time that CETU closes its doors.

As indicated above, CETU also provides residential and medical care for juvenile offenders with costly medical conditions. The predominant group in this population is pregnant girls committed to YCAB. CETU had received an average of eight to twelve girls annually on transfer from YCAB at the start of their third trimester. CETU has provided services through their labor and delivery, until such time as they could be released or returned to YCAB. In addition to the daily behavior management cost of care for these youths, the estimated medical cost billed to Medicaid is \$3000 per youth. If other procedures have to be used (e.g., caesarian section delivery), costs can go up to \$4500.

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Shown below are the requested (by SRS) and actual budgets for CETU for the last four years. In addition, \$160,000 was appropriated to YCAT's FY 1996 budget for mental health treatment but not spent.

	<u>FISCAL YEAR:</u>	<u>1995</u>
SGF	\$1,303,696 (Requested)	\$1,161,810 (Actual)
All Funds	\$2,556,266 (Requested)	\$2,255,894 (Actual)
		<u>1996</u>
SGF	\$917,012 (Requested)	\$983,981 (Actual)
All Funds	\$1,730,211 (Requested)	\$1,900,981 (Actual)
		<u>1997</u>
SGF	\$928,905 (Approved)	
All Funds	\$1,819,421 (Approved)	
		<u>1998</u>
SGF	\$538,612 (Requested for transfer to JJA)	
All Funds	\$538,612 (Requested for transfer to JJA)	

Below is a summary of the bed capacity for special populations in the Children and Family Services commission.

<u>FISCAL YEAR</u>	<u>BEGINNING/ENDING CAPACITY</u>
1994	15 / 30
1995	45 / 45
1996	61* / 30
1997	30 / 30
1998	31** /

\* Includes 16 beds at YCAT

\*\* YCAT: 16 beds; YCAB- 8 beds; YCAL- 7 beds

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**SOUTHWEST REGIONAL JUVENILE  
DETENTION CENTER  
507 West Santa Fe  
Garden City, Kansas 67846  
(316) 272-3800**

March 11, 1997

Testimony of: J. Russell Jennings, Director of Southwest Juvenile Detention Center &  
Chairman of Kansas Correctional Association Juvenile  
Justice Committee

Before: House Judiciary Committee

There are four issues relating to HB 2415 I would like to address with you. The opinions stated are not solely my own. These opinions and recommendations represent the consensus of all juvenile detention directors in Kansas. This consensus was arrived at during the past year where detention directors met monthly to determine issues we felt were important to address during the transition of services from SRS to the Juvenile Justice Authority.

**1.) JUVENILE DETENTION FACILITIES FUND**

HB 2415 on page 112 at line 9 -12 includes an amendment to the existing law regarding authorized expenditures of the Juvenile Detention Facilities Fund. We object to this amendment as the fund was established to relieve counties of some of the expense associated with operations of juvenile detention centers. To expand the purpose of the fund will result in a reduction of monies available to counties for detention expense relief. It should be noted that the fund is currently being utilized to augment the fee paid by the state at the rate of \$25.00 for each day of detention services for which the state has legal financial responsibility. To date SRS has established no written simplified grant program as contemplated by the statute, however, two grants have been made in the past three years.

We encourage you to amend HB 2415 to remove the language which expands the purpose of the Juvenile Detention Facilities Funds until such time as the actual financial condition of the fund is fully disclosed and a determination can be made as to whether or not the past expenditures for augmentation of the daily rate for detention services paid by the state were a legitimate use of fund monies.

**2.) DETENTION CRITERIA**

HB 2415 fails to address an issue raised with the Kansas Youth Authority regarding K.S.A. 38-1640 (3) which provides that a juvenile taken into custody that is "awaiting court action on an offense which if committed by an adult would constitute a felony."

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The language in this statute is ambiguous. The statute is applied in two different ways by the court. First, the statute is interpreted to mean that if the present offense for which a juvenile is arrested amounts to a felony then detention is authorized. Second, the statute is interpreted to mean that if a juvenile is arrested for an offense and there is another case before the court which amounts to a felony that was committed before the present offense then detention is authorized.

It seems that the rule of statutory construction suggests that had the legislature intended for all juveniles arrested for what amounts to a felony offense to be eligible for placement in detention the legislature would not have enacted the provisions of K.S.A. 38-1640 (2) which defines the felony offenses for which detention is an available alternative. Therefore, we request that K.S.A. 38-1640(3) be amended as follows:

(3) The juvenile is awaiting court action on ~~an~~ *another* offense which if committed by an adult would constitute a felony.

### **3.) HB 2415 FAILS TO ADDRESS LEGAL RESPONSIBILITY FOR DETENTION SERVICES**

K.S.A. 38-1616 establishes the legal responsibilities for payment of detention service fees. Paragraph 3 of this statute establishes a responsibility upon the state for payment of detention costs for juveniles placed in SRS custody.

The determination of who the responsible party for payment of detention costs varies from SRS Area Office to Area Office and to date the SRS - "Home Office" has not provided detention centers with clear guidelines for determining when SRS will and will not pay for detention services. Area Offices and local courts seem to influence the decision more than any administrative regulation or statute.

Kansas appellate courts have taken two stabs at resolving this question and they have come up with two different decisions, neither of which seems to be satisfactory to SRS or detention centers. Please see *In the Matter of J.L.*, 908 p2d 629, *rev. denied* and *In re C.C.*, 19 Kan. App. 2d 906, *rev. denied*. Upon review of these two cases you will see there is a problem which needs to be resolved. Not only does this problem need to be resolved so that SRS knows in the future which youth they may have responsibility for, but, for the benefit of the Commissioner of Juvenile Justice who may also have liability for payment of detention fees.

### **4.) PER DIEM RATE FOR DETENTION SERVICES**

The current per diem rate paid by the state for detention services is \$74.70. County operated detention centers charge service users between \$125 - \$150 per day. Actual costs of operations, according to an audit conducted by SRS on 1995 services, range from a "suspect" low of \$87.00 to a high of \$200.00.

As it currently stands, when the state has the legal obligation to pay for services there is a failure to pay an amount equal to what the services cost to provide. The result is counties paying a higher fee to offset the shortfall experienced by state youth being in detention centers. It is interesting to note that the average cost of youth center operations on a per youth basis is approximately \$135.00 per day and the state is unwilling to pay for services provided by counties at a rate that at least covers the expense associated with the service.

The per diem rate must reflect more closely the actual cost for keeping state youth. Repeal of the provision of K.S.A. 38-1616(3)(d) as enacted by the legislature during the 1996 session would at least provide the opportunity for counties to recover their expense in keeping state youth as opposed to the present law which provides that no payment shall " exceed the state approved rate." Unless the process for establishing the "state approved rate" is improved and a clear line is drawn for determining whether the county or state is responsible for detention costs it will be difficult for counties to find reason to participate as a partner in juvenile justice reform with the state based upon their past experiences.



#96  
House Bill 2415 and House Bill 2506

Testimony to the House Judiciary Committee

Office of Judicial Administration

March 11, 1997

Mr. Chairman, members of the committee, thank you for the opportunity to present this testimony on House Bills 2415 and 2506. My name is Mark Gleeson and I am the Family and Children Program Coordinator for the Office of Judicial Administration. We recognize the tremendous amount of work that went into the development of HB 2415, and we congratulate Representative Adkins and the Kansas Youth Authority on being able to deliver a bill which appears to accurately reflect the work of the Kansas Youth Authority. I also want to recognize the contributions of the Koch Commission on Crime for their input and interest on this important government matter.

It is our hope and assumption, in preparation of this testimony, that HB 2506 will cease to exist and that HB 2415 will be revived. The comments I have today will focus on the several aspects of HB 2415 which we believe should be addressed and changed. This should not, however, detract from our general support for this bill and the direction which it takes the Kansas juvenile justice system. Clearly there is a need to continue the changes initiated by House Bill 2900 during the 1996 legislature.

House Bill 2900 established a strict timeline establishing dates on which certain events are to occur. Communities and the Courts are not prepared to observe these dates due to the limited number of programs for supervision and placement of juvenile offenders at the community level. Specifically, three significant changes effective July 1, 1997, are problematic: 1) The requirement that all juvenile offenders taken into custody by law enforcement be processed through intake and assessment; 2) waiver to adult status becomes a rebuttable presumption in certain circumstances; and 3) courts are permitted to sentence juveniles to a juvenile and adult sentence through the extended jurisdiction juvenile prosecution statute.

The Kansas Juvenile Intake and Assessment System is supposed to begin conducting assessments on all juvenile offenders effective July 1, 1997. While the intake and assessment system could be ready, given adequate funding, there is a "net-widening" effect which could seriously overload the court when JIAS is unable to make referrals to immediate intervention programs because these programs do not exist. In theory, using JIAS as the gatekeeper for all juvenile offenders works. However, since the restorative justice programs, restitution programs, victim

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services and other programs do not exist, bringing all juvenile offenders through intake and assessment may overload already burdened prosecutors and courts.

House Bill 2415 also implements a new process to waive juvenile offenders to adult status. This process, for specific offenses, established a rebuttable presumption for adult prosecution, unless otherwise requested by the youth. There is a significant workload impact on many courts with high caseloads who will be hearing motions requesting the youth's case be retained in the juvenile court..

This bill also implements extended jurisdiction juvenile prosecution. This provides to youth to whom extended jurisdiction juvenile prosecution applies, the right to a jury trial. It is difficult to predict the actual impact of this change; however, even a modest increase in jury trials will be difficult to manage with no new resources. This requirement also has a significant impact on local county-funded court operating budgets which are required to pay for attorney fees to represent juvenile offenders.

We would ask that these three dates be shifted to July 1, 1999, to provide communities the opportunity to budget for the costs. This would also make these implementation dates consistent with the July 1, 1999, implementation of the placement matrix.

New Sections 28, 29, 30, 31, 32 and Sections 68 and 82 abolish the Corporation for Change and transfer funds in the Family and Children Investment Fund to the Kansas Juvenile Justice Authority and the Kansas Advisory Group. Two separate accounts are effected by this transfer, the Family and Children trust account and the Permanent Families Account. Our principle interest is the Permanent Families account as these funds directly support Court Appointed Special Advocates (CASA) and Citizen Review Boards (CRB). CASA and CRB programs are established according to Supreme Court Rule, certified by the Office of Judicial Administration, and administered by courts and private organizations in the community. CASA programs provide volunteer advocates for children in need of care with the purpose of assuring that each child to whom a CASA is assigned has the highest probability of finding a safe, successful, and permanent placement. Citizen Review Boards provide another valuable service to the court. Judges are required to review each CINC case every six months. Citizen Review Boards consist of volunteers who hear cases, primarily CINC cases, in lieu of this regular six month review by the court. The CRB then makes recommendations to the court which the judge considers prior to ruling on the case plan.

Placing these accounts with the Kansas Juvenile Justice Authority and the Kansas Advisory Group creates two substantial problems which need to be addressed. First, according to Section 68 (d) (2), the Permanent Families Fund would be used in a manner consistent with the approved community juvenile justice program...". The emphasis of the Kansas Juvenile Justice Authority and the Kansas Advisory Group will, of necessity, be on juvenile offender issues and not on the children in need of care served by CASA and CRB programs. Second, the Kansas Juvenile Justice Authority is an executive branch agency. We question the appropriateness of an executive branch agency administering and controlling funds for programs created, managed, and certified through the Kansas Supreme Court.

Regarding the Permanent Families account, we wish to restate the Office of Judicial Administration's willingness to accept and administer the Permanent Families account, if so requested. This offer has been made to the House Appropriations Committee during hearings on the budget for the Corporation for Change and the Senate Ways and Means Committee during hearings on Senate Bill 187 which also abolishes the Corporation for Change and transfers these funds to the Kansas Juvenile Justice Authority.

Section 55 directs the Commissioner of juvenile justice to designate a risk assessment tool used by courts in sentencing juvenile offenders. This is a significant overstepping of executive branch authority and courts should be responsible for determining the most appropriate assessment tool for this purpose. There are several different types of assessment tools which may be appropriate for use in the manner described in Section 55. The workload impact, however, of these tools varies substantially and this workload impact should be considered prior to deciding on which instrument is most appropriate. Finally, while it is important that a risk assessment instrument of this nature be uniform throughout the state, it should also be sensitive to the availability of court and community resources.

New Section 1 outlines a timeline during which communities will conduct assessments and develop local juvenile justice programs by July 1, 1999. While this sounds like a two-year planning period, it should be recognized that it is a nine-month planning period, since local budgets for calendar year 1999 will be submitted to county commissioners no later than April, 1998. This may not be sufficient time for many judicial districts due to deadlines for submitting county budgets which are on a calendar year cycle.

New Section 2 allows judicial districts the option of establishing a juvenile offender supervision fee. There is concern regarding inequities which the optional

fee may create among judicial districts. In some districts there are only a limited number of families who are able to pay a supervision fee. Many fines and fees ordered by the court are collected in the form of community service work. This is acceptable when the youth completes community service work in lieu of pay; however, the cost of administering the community service work program must be considered as well as the absence of any real revenue. In short, program budgets cannot be based on an anticipated number of hours of community service work. Consideration should be given to establishing a statewide supervision fee and distributing the funds or a portion of the funds statewide.

Requirements for county funding outlined in Section 19 are very confusing. Please clarify what is meant by "base year juvenile corrections expenditures." It is unclear whether a county is obligated to continue spending at its current level or whether the base year juvenile corrections expenditures refers to state funds. Some cities, counties, and private agencies (i.e., United Way, Churches, etc.) already provide funding for community-based programs. It is important to create a system which does not penalize counties which have already been spending local funds and reward those counties which provide very little. Juvenile Intake and Assessment is a good example of how counties can be punished for being proactive. Approximately 12 counties have been required to continue local funding of JIAS while the remainder of the programs, organized after July 1, 1995, have all JIAS operations funded through state general funds.

Section 43 establishes a method for making decisions for those children and youth who are adjudicated both children in need of care and juvenile offenders. Section (d) on line 36 *should* read "If a juvenile has been adjudicated a juvenile offender and a child in need of care," striking the reference to "appearing to be a juvenile offender."

Courts traditionally have had an important role in diversion programs for juveniles and adults. Section 52 eliminates the court from adopting policy or establishing guidelines. We suggest the court's role be restored or, that courts approve diversion agreements as the criminal statute currently provides. Language such as the following: "Nothing in Section (2) will preclude the court from establishing a court diversion program..." should be included in Section 52. It should also be clarified that a youth's economic status will not preclude his or her eligibility for diversion. While many programs already, as a matter of policy, do not restrict eligibility based on ability to pay, it should be made clear that diversion, or immediate intervention programs, are open to all persons regardless of income.

Several groups examining juvenile justice resources have recommended the use of Sanction Houses. Section 55 provides a juvenile may be placed in a sanctions house for up to 72 hours. What constitutes a "sanctions house" should be included in K.S.A. 38-1602. We would also request the time limit for use of a sanctions house be extended to 30 consecutive days.

Finally, Section 87 allows the Commissioner of Juvenile Justice to determine which agency will provide juvenile justice field services in each judicial district. While we presume this means those juvenile offender services currently provided by Community Corrections and the Department of Social and Rehabilitation Services, it does not limit the Commissioner to those agencies. By not further defining field services, Court Services Officers who also provide field services, might be at risk. Shifting funding from the judicial branch budget in an attempt to provide the juvenile justice authority with additional funds for field supervision would be disastrous in many communities. Individual Court Services Officers in most nonurban courts perform many tasks including juvenile offender and CINC supervision, adult offender supervision, preparation of presentence and predisposition reports, and, possibly domestic relations case work. While I am aware some would prefer to transfer judicial branch funds for this purpose, now is not the time to place at risk the court's ability to perform its statutory obligations regarding juvenile offenders.

Again, I thank you for the opportunity to address these issues. Kansas has a unique opportunity to step forward as a national leader in the area of juvenile justice. We have already created a juvenile intake and assessment system that has received considerable national attention. I urge you to provide communities, the new Commissioner, and our state agencies sufficient time and resources to plan and develop community-based programs, supported by state standards, and funded by a mix of local and state dollars.

BEFORE THE HOUSE JUDICIARY COMMITTEE

GARY BRUNK, EXECUTIVE DIRECTOR

KANSAS ACTION FOR CHILDREN

March 11, 1997

I am testifying in support of House Bill No. 2415. I will address two issues: the importance of maintaining a focus on prevention and concerns about the transfer of two existing trusts funds to the Juvenile Justice Authority.

**THE IMPORTANCE OF A FOCUS ON PREVENTION**

I want to make three related points:

- \* First, a sufficient focus on prevention is key to the success of the Juvenile Justice Reform Act of 1996;
- \* Second, effective prevention efforts are shaped and implemented by and in communities, not in Topeka;
- \* Third, although prevention efforts are shaped and implemented in communities, the state has an essential role in supporting community efforts.

**A sufficient focus on prevention is key to the success of the Juvenile Justice Reform Act of 1996**

One of the great strengths of the Juvenile Justice Reform Act of 1996 is that the protection of public safety is closely tied to effective prevention efforts. The Act recognizes that solutions to the issues related to juvenile justice require a balanced approach which includes sufficient secure facilities at one end of the continuum and, at the other end, sufficient investment in strategies to prevent a lifetime of anti-social and criminal activities.

I believe the long-term success of the Act largely depends on our ability to achieve that balance. The unenviable consequence of not achieving balance is that Kansas will continue to pay for new prisons and to contribute to the ongoing increase in the United States' incarceration rate, already higher than that of any nation except Russia.

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Effective prevention efforts get shaped and implemented by and in communities, not in Topeka

Effective prevention efforts are the result of community-wide planning processes that include all of the relevant stakeholders. If it is true that "only you can prevent forest fires," it is also true that only in the context of actual communities can we develop effective measures to prevent youth from becoming serious offenders.

Although effective prevention efforts get shaped and implemented in communities, the state has an essential role in supporting community efforts

For communities to successfully take on the new responsibilities envisioned by the Act they will need support from the state. The support must come in several forms:

- \* There must be adequate fiscal support for the community planning process, so those processes are comprehensive, inclusive, and result in well thought out and actionable plans.
- \* The state must provide communities with responsive and high quality technical assistance.
- \* There must be a long-term commitment to providing financial resources for the local continuum of placements and for prevention.

**FINDING GOOD HOMES FOR THE TRUST FUNDS**

Kansas Action for Children has a long-standing interest in encouraging the creation of Citizen Review Boards (CRB) and Court Appointed Special Advocate Programs (CASA) and in enhancing the state's investment in programs to prevent child abuse and neglect. Because enactment of HB 2415 would transfer to the Juvenile Justice Authority the funds that support those programs, we offer the following observations:

KAC supports the transfer of the Permanent Families Fund to the Office of Judicial Administration

KAC played an active role in the development of CRB and CASA programs in Kansas and supported the creation in 1992 of the Permanent Families Fund. Our first problem with HB 2415 is the radical change in the purpose of the Fund: if HB 2415 is enacted the Fund would not remain focused on supporting CRB and CASA programs.

However, even if the funding for CRB and CASA programs were maintained we do not believe the Juvenile Justice Authority is the ideal home for the Permanent Families Fund. CASA and CRB programs have a primary focus on supporting permanency for children in need of care. That focus seems at odds with the responsibility for juvenile offenders which will be assumed by the Juvenile Justice Authority. Furthermore, there is no assurance that staff of the JJA would have the skills and experience needed to provide support to CASA and CRB programs.

KAC supports the transfer of the Permanent Families Fund to the Office of Judicial Administration because of its history of working with CRB and CASA programs, including CRB and CASA certification and standards review.

**The Family and Children Trust Fund must be preserved as a source of support for child abuse and neglect programs**

Kansas created the first trust fund in the nation dedicated to supporting the prevention of child abuse and neglect. Prevention programs in Kansas continue to be underfunded, and KAC is concerned about the potential for a shift away from funding abuse and neglect prevention programs after the transfer of the Family and Children Trust Fund to the Juvenile Justice Authority. We urge the Committee to make very clear that wherever it is housed the exclusive mission of the Trust Fund is to support the prevention of child abuse and neglect.

Because of our concerns, we would support, for the time being, the transfer of the Family and Children Trust Fund to the Department of Social and Rehabilitation Services. I say "for the time being" because there is a critical and largely unaddressed need for state-level leadership in the area of child abuse and neglect. We need to have a discussion about how to make sure such leadership is provided, and finding a good home for the Family and Children Trust Fund should be part of that discussion.

In summary, Kansas Action for Children supports enactment of House Bill 2415 because we believe it moves forward the positive vision of reform that is at the core of the Juvenile Justice Reform Act of 1996, and we urge the Committee to closely consider where best to house the trust funds.



#8

**KANSAS ACTION FOR CHILDREN FACT SHEET:**

**Youth Crime Prevention Programs Work**

Prevention programs have been proven to work and to be cost effective at reducing crime.<sup>1</sup> Some examples of the effectiveness of prevention include:

- A recent RAND study indicates that graduation incentive programs would result in a reduction of 250 crimes for every million dollars invested.<sup>2</sup> In addition to being the most cost effective approach investigated by RAND (the other approaches investigated were home visits and day care, parent training, delinquent supervision, and three-strikes laws), the graduation incentives program was extremely successful in reducing crime: **arrests for participating students were 70% lower than that of control students.**<sup>3</sup>
- A Columbia University study of Boys & Girls Clubs in public housing projects provides additional proof that prevention programs are effective. Crime in public housing projects with a Boys & Girls Club was **13% lower** than in projects without a Club. Additionally, **prevalence of drug activity is 22% lower in projects with a Club.**<sup>4</sup>
- In Norfolk, Virginia the Police-Assisted Community Enforcement (PACE) worked to combat crimes through athletic leagues, youth forums and other prevention measures. The PACE program led to a **29% drop in targeted neighborhoods.**<sup>5</sup>
- In the summertime, when Phoenix basketball courts and other recreation facilities are kept open until 2 am, **police calls reporting juvenile crime dropped by as much as 55%.**<sup>6</sup> While such programs are needed year-round, funding is not yet available. Yet these programs are a bargain: with 170,000 participants in Phoenix, the cost is **only sixty cents per youth.**
- In 1993, Dallas police noted there was a **26% decrease in juvenile arrests**, which the police attributed to a Cooperative Gang Prevention Program that focuses on education, counseling, recreation services and job training to reduce crime.<sup>7</sup>
- In Cincinnati, a recreation program with late night basketball and weekend activities **reduced criminal incidents 24% in 13 weeks.** The Cincinnati program was effective at a low cost of **\$0.56 per child.**<sup>8</sup>

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- After implementation of "Comin' Up," a Gang Prevention and Intervention program in Fort Worth, Texas, **city-wide gang related crimes declined 30%** compared to the previous year. According to the Police Department, **crime dropped 28% within a one mile radius of prevention centers** while crime rose an average of 39% in communities where programs did not exist.<sup>9</sup>
- Police records in Kansas City, Missouri, indicate a **25% decrease in juvenile apprehensions from the previous year** in areas with a youth recreation program called Mayor's Night Hoops. **Violent crimes declined 38%, non-aggravated assaults were reduced 67% and property offenses declined 46%.**<sup>10</sup>
- The Glendale Community Mobilization Project in Salt Lake City, Utah worked to prevent gangs and strengthen the community. Since its inception in 1992, **crime is down in all major categories 10% to 30%.** Additionally, there was a **38% reduction in gang-related crime.**<sup>11</sup>
- In Glenarden, Maryland, recreation facilities that combine recreation with life skills workshops are credited with **reducing drug related crime by 60%.**<sup>12</sup>
- Increases in youth violence in Yakima, Washington led to the creation of the Yakima Gang Prevention/Intervention Coalition to provide positive opportunities for youth through community centers. In the neighborhood sites where the Coalition is active, **youth violence has decreased by 80% in a three year period.**<sup>13</sup>

In addition to the programs described above, many other prevention activities were successful in reducing crime and delinquency. Examples of other successful programs include: the Crime Prevention Center (San Juan Unified School District, Carmichael, California); Milwaukee Teen Initiative Program (Greater Milwaukee Crime Prevention Program, Milwaukee, Wisconsin);<sup>14</sup> City Streets: Gang Prevention and Intervention (Phoenix, Arizona); Youth Diversion Program (Commerce, California) and Recreation-Based Drug Prevention in Public Housing (Columbus, Mississippi).<sup>15</sup> Research on delinquency programs in California indicated that \$1.00 spent on prevention produces saving of \$1.40 to the juvenile justice and law enforcement systems.<sup>16</sup>

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2. Greenwood, Peter, et al. *Diverting Children from a Life of Crime, Measuring Costs and Benefits*, Santa Monica:RAND Corporation, 1996.
3. Ibid
4. Mendel, R. Prevention or Pork? A Hard-headed Look at Youth-Oriented Anti-Crime Programs. Washington, D.C.:American Youth Policy Forum, (1995) p 13.
5. Hurley, J. Delinquency Prevention Works, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, (November, 1995) pp A-13, A-29.
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7. Beyond "Fun and Games", Emerging Roles of Public Recreation. National Recreation and Park Association. (October, 1994) p 15,31.
8. Ibid
9. Public Recreation in High Risk Environments, Programs that Work. National Recreation and Park Association. Witt, P. & Crompton, J. eds. (1996). pp 21-29.
10. Ibid
11. Hurley, J. Delinquency Prevention Works, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, (November, 1995) pp A-13, A-29.
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13. Hurley, J. Delinquency Prevention Works, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, (November, 1995) pp A-13, A-29.
14. Pransky, J. Prevention: The Critical Need. Burlington: Burrell Foundation & Paradigm Press, (1991), pp 353-4.
15. Public Recreation in High Risk Environments, Programs that Work. National Recreation and Park Association. Witt, P. & Crompton, J. eds. (1996). pp 18-19, 61-63.
16. Hurley, J. Delinquency Prevention Works, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, (November, 1995) p 5.



United Community Services  
of Johnson County, Inc.

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TESTIMONY

Kansas House Judiciary Committee

March 11, 1997

Good afternoon, My name is Carol Smith. I am the research and public policy director for United Community Services of Johnson County (UCS). UCS is a planning affiliate of Heart of America United Way. As a human service planning agency, UCS examines a broad spectrum of human service needs and how the community addresses those needs. UCS is currently convening a group of community stakeholders on juvenile justice reform in Johnson County. UCS is here to express our support for juvenile justice reform as designed by the Kansas Youth Authority. Because we support the concept of a community-based juvenile justice system, we wanted to express specific concerns about the transition to the new plan.

A significant strength of the Kansas Youth Authority's plan for juvenile justice reform in Kansas is its emphasis on local ownership and community planning. The reform plan is built upon giving communities the flexibility to more effectively collaborate to respond to juvenile crime and its root causes. At UCS, we believe a community-based strategy is superior over the other reform models to be considered, such as privatization. It brings all of the community stakeholders, such as local government, schools, police, families, social services, to the table. To be effective in responding to the changing demographics of juvenile crime, new segments of the community -- not only the current sectors of law enforcement, court systems and SRS -- must develop new ways to make this system work more effectively for youth, their families and local communities. Comprehensive community planning stands the best chance of identifying the new ways to do business and of bringing new players and resources to the table to create local solutions to juvenile crime.

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One of the critical components of juvenile justice reform is the transfer of juvenile offender services from SRS to the Juvenile Justice Authority. With the Juvenile Justice Commissioner not in place until May, 1997, the transition of juvenile offenders out of SRS and to the Juvenile Justice Authority probably cannot take place by July 1, 1997.

There are major implications for local community planning in how the SRS services' transition ultimately does take place. Communities need time to plan without an abrupt shift of these services to any temporary entity. The ideal option for the most creative, cost-efficient planning by local communities would be for SRS to retain these services for at least nine to twelve months and for SRS not to privatize juvenile offender services. Quite literally, communities could lose the bricks and mortar of existing programs if that happens. Communities may then, only one year later, be expected to finance bricks and mortar to complete their local community placement continuum for juvenile offenders required stay in local communities. This added cost to juvenile justice reform - whether ultimately state or locally financed - makes no sense. If the transition of juvenile offenders from SRS to the Juvenile Justice Authority cannot take place during 1997, SRS should be required to not privatize juvenile offender services.

The state placement matrix also raises concerns for local communities in Johnson County -- it probably does for other communities across the state. UCS concurs with the philosophy of the state plan which calls for nonviolent juvenile offenders to be treated in their own communities. Johnson County currently practices that philosophy. Out of approximately 2,900 juvenile offender case filings in 1996, state placement services were only requested for 328. If the placement matrix in HB 2415 were law in 1996, only 56 would have fit the matrix. The matrix may need to be redesigned with more flexibility to identify other factors which define juvenile offenders as serious and chronic. If not, local communities may be faced with a significant new fiscal responsibility.

One of the pivotal issues impacting the future success of juvenile justice reform is funding. While a number of entities in local communities already commit funding to juvenile justice, this plan

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clearly calls upon local communities to step up and assume new fiscal and planning responsibility. For this reform plan to work, the state must continue as a fiscal partner with local communities in improving the Kansas juvenile justice system. UCS urges you to identify and ensure sufficient funding during the transition and to commit that new state funding will be available to aid communities in funding their comprehensive plans at the end of the two year planning period.

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## KANSAS COMMUNITY CORRECTIONS ASSOCIATION

Joseph A. Ruskowitz, KCCA President  
Office: (913) 573-4180  
Fax: (913) 573-4181

March 11, 1997

House Judiciary Committee  
State Capitol Rm-313 S  
Topeka, Kansas 66612

Re: HB 2415

Dear Representatives:

I am submitting these statements on behalf of the membership of the Kansas Community Corrections Association (KCCA). The KCCA has supported the work of the Kansas Youth Authority and encourage the passage of HB 2415.

The KCCA is in favor of the community planning process and agree that the community corrections advisory board, as established in KSA 75-5297 may be designated as the juvenile corrections advisory board. We anticipate many counties will select this option and encourage that it not be deleted during deliberations.

Our Association suggests that language be included in the legislation to make the option of using the community corrections advisory board available to counties during the entire planning process. The community planning teams are for the most part the same as those on the community corrections advisory board.

To develop the strategic plan for community placement options, the existing community corrections advisory boards could be enhanced to include those listed in the bill not currently on the board. This will spare duplication and provide efficiency in the local planning process.

This option will allow for the continuity of planning as communities transition from the initial planning phase to the process which requires the county to submit an annual comprehensive plan.

In addition, it is our understanding that Juvenile Justice Act funding will be leveraged by requiring counties to provide matching funds. With the exception of special grant requests we strongly encourage full funding of community annual comprehensive plans.

Do not hesitate to contact me or your area community corrections director if you have any questions or need additional information about how community corrections can contribute to the success of this important legislation.

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