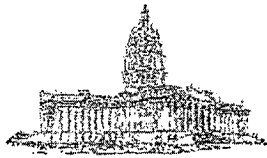


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HOUSE OF  
REPRESENTATIVES  
SPEAKER PRO TEM

COMMITTEE ASSIGNMENTS  
CHAIR: LEGISLATIVE POST AUDIT  
VICE-CHAIR: INTERSTATE CORPORATION  
MEMBER: CALENDAR AND PRINTING  
LEGISLATIVE BUDGET

May 10, 2013

President Susan Wagle  
Chair, Legislative Coordinating Council  
Statehouse Room 333-E  
Topeka, Kansas 66612

Dear President Wagle:

On behalf of the Legislative Post Audit Committee, I am requesting that the Legislative Coordinating Council authorize the Joint Committee on Corrections and Juvenile Justice Oversight interim study as recommended in the November 2012 performance audit, *JJA: Evaluating the Kansas Juvenile Correctional Complex, Part 2*. The audit report recommended that an interim committee look at the statutory provision that excludes state institutions from having to comply with state substance abuse treatment licensing requirements.

The audit found that under current state law, juvenile correctional facilities are allowed to provide substance abuse services without being licensed as a treatment facility. However, providing unlicensed substance abuse treatment could affect the quality of services and limit some funding opportunities. Although most offenders in Kansas' juvenile correctional facilities need substance abuse services to reduce the likelihood they will reoffend, the substance abuse services at KJCC are not properly designed to meet the individual needs of offenders.

I have enclosed the highlights document for this audit; the information on substance abuse treatment is on pages 3-4. If you have questions regarding this request, please contact Scott Frank, the Legislative Post Auditor, at 785-296-3792. Thank you very much for your consideration.

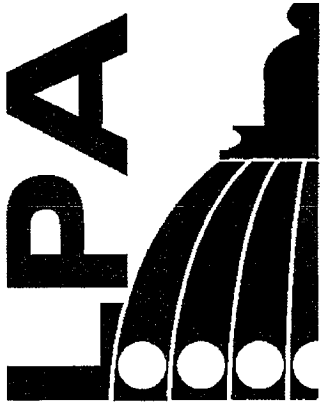
Sincerely,

Representative Peggy Mast, Chair  
Legislative Post Audit Committee

Enclosure

cc: Members, Legislative Coordinating Council  
Members, Legislative Post Audit Committee  
Scott Frank, Legislative Post Auditor  
Raney Gilliland, Director of Legislative Research  
Scott Wells, Revisor of Statutes' Office

**Joint Committee on Corrections and Juvenile  
Justice Oversight  
June 20, 2013  
Attachment 3**



# Legislative Post Audit Performance Audit Report Highlights

Highlights

## Juvenile Justice Authority: Evaluating Safety and Program Issues at the Kansas Juvenile Correctional Complex, Part 2

### Report Highlights

November 2012 • R-12-011

#### Summary of Legislator Concerns

Legislators have expressed concerns about the adequacy and equity of the educational and technical programs at Kansas Juvenile Correctional Complex (KJCC), as well as the adequacy of substance abuse treatment programs at both juvenile facilities.

#### Background Information

The Juvenile Justice Authority (JJA) is responsible for supervising and providing services to all juvenile offenders in state custody.

The Kansas Juvenile Correctional Complex (KJCC) is a medium and maximum-security facility located in Topeka. KJCC houses about 220 male and 20 female juvenile offenders.

JJA contracts with the Southeast Kansas Education Service Center (Greenbush) to operate Lawrence Gardner High School within the facility. The average number of students attending the school at any given time is about 230.

**QUESTION 1:** *Are Education Programs at the Kansas Juvenile Correctional Complex Adequate to Prepare Offenders for Future Academic and Work Opportunities and Are the Programs Equitable for Male and Female Offenders?*

#### Findings Related To Academic Programs:

- The Kansas Juvenile Correctional Complex (KJCC) provides adequate academic programs to help juvenile offenders earn a high school diploma or equivalent.
  - The high school and GED programs are accredited through the Department of Education.
  - The programs are flexible and accommodate frequent entry and exit of juvenile offenders.
  - They provide juveniles basic literacy skills such as reading, writing, and math.
  - They also provide basic job skills.
- In general, the academic programs at KJCC are equitable for male and female offenders, although there are some exceptions.
  - Male and female offenders are generally provided the same core academic courses and electives.
  - Although the way in which academic courses are delivered to male and female offenders is different, these differences do not necessarily mean the courses are inequitable.
  - However, we did identify two academic courses—physical education and life skills—that were not provided equitably to both male and female offenders.

#### Findings Related To Technical Education and Work Study Programs:

- The technical education and work study programs at KJCC are not adequate to prepare juveniles for future work opportunities.
  - KJCC's technical education and work study programs do provide juveniles adequate training in basic job skills.
  - However, the technical education and work study programs do not provide juveniles adequate training in advanced job skills or provide them work experience in high-demand occupations or industries.

- KJCC's technical education and work study programs are not equitable because female offenders do not have access to comparable programs.
  - Male offenders have access to all seven technical education programs and all eight work study programs.
  - On the other hand, female offenders have access to only two technical education programs and only three work study programs.

**Findings Related To Postsecondary Programs:**

- KJCC does not currently offer any postsecondary programs to juvenile offenders.
  - The postsecondary programs have been offered only sporadically since Fall 2008.
  - When postsecondary programs have been offered at KJCC, they have not been made available to female offenders.

**Findings Related To Overarching Management Issues:**

- JJA and KJCC officials have taken a hands-off approach to education programs.
  - JJA and KJCC officials have not formulated plans or established partnerships for appropriate technical education, work study, or postsecondary education programs at the facility.
  - JJA and KJCC officials have not regularly or systematically assessed the effectiveness of the facility's education programs.

*In addition to KJCC, which is located in Topeka, JJA oversees Larned Juvenile Correctional Facility (Larned). Larned is a medium and maximum-security facility that houses about 110 male juvenile offenders.*

*Currently, both facilities use a program called Pathways to address juvenile offenders' substance abuse needs. This program focuses on behavior modification. All juveniles identified with substance abuse needs are given this same program.*

**SUMMARY OF RECOMMENDATIONS**

**Question 1 Recommendations:**

- We made a series of recommendations aimed at addressing the specific issues with educational programs at KJCC. These included recommendations to develop and implement plans for technical education, work study, and postsecondary programs, and for monitoring, evaluating, and modifying education programs based on outcomes.
- We also recommended that JJA and KJCC officials develop a plan for bringing the quality and availability of education programs for female offenders in line with what is provided to male offenders.

**QUESTION 2: *Is the Juvenile Justice Authority Legally Authorized to Operate Its Juvenile Correctional Facilities as Unlicensed Substance Abuse Treatment Facilities, and What Effect Does That Have on Services?***

**Findings Related To Operating Unlicensed Treatment Facilities:**

- Under current state law, juvenile correctional facilities are allowed to provide substance abuse programs without being a licensed facility.
  - State law does not require state institutions to be licensed in order to provide substance abuse treatment.
  - In 2009, JJA voluntarily stopped licensing the substance abuse programs at its juvenile correctional facilities.
  - JJA officials told us they are considering relicensing those programs.
- Providing unlicensed substance abuse treatment could affect the quality of services and limit some funding opportunities.
  - An unlicensed substance abuse treatment facility is not reviewed independently, which could increase the risk that juvenile offenders will not receive effective services.
  - Having an unlicensed program could also limit some opportunities for federal funding.

**Findings Related To The Quality of Substance Abuse Services at KJCC:**

- Most offenders in Kansas' juvenile correctional facilities need substance abuse services to reduce the likelihood they will reoffend.
  - An estimated 70-85% of the offenders in Kansas' juvenile correctional facilities need substance abuse services. We were not able to quantify the exact number because of incomplete and inaccurate data maintained by KJCC.
  - Providing effective substance abuse services is an important key to keeping juvenile offenders from reoffending.
- Substance abuse services at KJCC are not properly designed to meet the individual needs of offenders.
  - KJCC offers only a small portion of the substance abuse services that juvenile offenders really need.
  - All juvenile offenders at KJCC receive the same substance abuse services with little to no individualized treatment.
  - Being able to provide good substance abuse services is further hampered by not having valid screening and assessment tools in place.

- JJA officials suspended all substance abuse services at KJCC for nearly six months in 2011.
  - In 2008, JJA officials significantly reduced substance abuse services provided at KJCC. Individualized substance abuse services were stopped and officials focused on providing "Pathways," a curriculum that focused on behavior modification.
  - Juveniles at KJCC did not receive any substance abuse services from July 2011 through January 2012.
- JJA and KJCC officials lack sufficient management information to ensure that juveniles receive adequate and appropriate substance abuse services.
  - KJCC officials do not know how many male juvenile offenders need substance abuse services.
  - Facility officials do not have a mechanism in place to determine whether substance abuse services were effective.
  - In general, substance abuse records at KJCC were in disarray.
  - Because KJCC officials have not tracked the services provided, staff told us some juvenile offenders have been released from JJA custody without receiving needed substance abuse services.

## SUMMARY OF RECOMMENDATIONS

### Question 2 Recommendations:

- We made a series of recommendations aimed at addressing the specific issues related to the quality of substance abuse services at KJCC.
- We also recommended that JJA, KJCC, and Larned officials reconsider whether the facilities should be licensed.
- We recommended the Legislative Post Audit Committee consider requesting an interim study of the statutory provision related to exempting state institutions from substance abuse licensing requirements.
- We further recommended that JJA officials provide a status update on the education and substance abuse programs to the Legislative Post Audit Committee and the Joint Committee on Corrections and Juvenile Justice Oversight by June 1, 2013.

### AGENCY RESPONSE

- Agency officials agreed with the findings and indicated they would implement the recommendations.

#### HOW DO I GET AN AUDIT APPROVED?

By law, individual legislators, legislative committees, or the Governor may request an audit, but any audit work conducted by the Division must be approved by the Legislative Post Audit Committee, a 10-member committee that oversees the Division's work. Any legislator who would like to request an audit should contact the Division directly at (785) 296-3792.

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Scott Frank  
Legislative Post Auditor

For more information on this  
audit report, please contact

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