

Testimony on HB 2456
To
The Senate Judiciary Committee

By Joe Norwood
Secretary
Kansas Department of Corrections
March 1, 2018

The Department supports HB 2456. HB 2456 was passed by the House 120-0. HB 2456 amends K.S.A. 38-2391. K.S.A. 38-2391 is the foundation for the juvenile corrections best practice of establishing an overall case length based on the adjudicated offense; and the risk and needs of the juvenile. HB 2456 addresses two components of the “overall case length”;

- When does the case length start?
- If a juvenile absconds from supervision, when does the service of the case length begin again?

In regard to when the sentence begins, HB 2456 amends currently law which dictates the case length “begins upon disposition or 15 days after adjudication, whichever is sooner” by addressing the situation wherein the juvenile does not appear at his or her dispositional hearing. The bill provides for the tolling of the running of the case length until the juvenile is returned to the Court.

HB 2456 also addresses when a term of probation will begin again after it has tolled due to the juvenile having absconded from supervision. HB 2456 provides that the term of probation will resume upon both the offender being located and he or she is brought back to the jurisdiction. There may be occasions when an absconder is located and in custody but unable to return to the original jurisdiction.

The department urges favorable consideration of HB 2456.