

**JUVENILE JUSTICE OVERSIGHT COMMITTEE
CONFERENCE CALL
09/23/2019 @ 1:30 PM**

PROPOSED AMENDMENTS TO SB367

Members on the Call:

Amy Raymond, Judge Delia York, Derrick Ploutz, Hope Cooper, Janet Waugh, Jeanette Owens, Katrina Pollett, Kevin Emerson, Megan Milner, Melody Pappan, Paula Hofaker, Rep. Gail Finney, Greg Smith, Sen. Pat Pettey, Shanelle Dupree, Rep. Fred Patton

Jennifer Christie, Consultant
Karyl-Ann Roehl, Support

Members Absent:

Don Hymer, Jeff Zmuda, Laura Blake Bors, Max Mendoza, Sen. Carolyn McGinn

Roll Call was taken at 1:32 pm and the results are shown above.

Former Senator Greg Smith opened the meeting and Jennifer started with a suggestion from Don Hymer for "...a 72-hour hold for harm to self that would cover drug abusers and other self-destructive behaviors. This 72-hour hold (excluding court holiday and weekends) would allow the system to locate services for juveniles and family, but it would not be open-ended as in the prior pre-367 law."

Pre-SB367, youth could have been held indefinitely. We would like to see the data supporting this change, so will ask Don to bring it to the October 10th, 2019 meeting.

Judge York had submitted suggestions, the first one saying the terms of the Probation matrix and the eligible terms of the JCF matrix should mirror one another. She says this may be a matter of interpretation, yet the law is not clear. Members agreed the law does allow what she is proposing, and this may be a matter of education rather than a change in the law. The term of the overall case length limit begins upon disposition or fifteen days after adjudication, whichever is sooner.

Judge York went on to say, "Term limits do not take into account transfer of venue cases. There is a lag time between adjudication and receipt of the case file in the venue where the youth resides. Getting a predisposition report and risk assessment completed in the new venue takes time." Judge Hofaker said she had a case like this, and all the processes took time before the case was heard. This shortened the time available for programming. She suggested we consider changing the start time of the overall case length term to a different time in the process.

Judge York said we should consider adding language to the bill to allow prevention services, and Judge Hofaker agreed. Judge Hofaker said there have been discussions with stakeholders at KSU who want to be on the offensive side of programming rather than reactive after youth have entered the system. There would be benefits in investing in youth before they are in the system.

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Sen. Pettey reminded us she asked about the ABC Program. It is evidence-based and has had good results. Katrina said the choice of programs depends on the size of the county and what they have available. Low population areas have less programs available.

Megan said she is aware of parenting and health care prevention programs, yet programs preventing delinquency are few. Further, it is hard to measure preventative services.

Jeanette mentioned they have an evidence-based prevention program for high-needs youth called, "Together Facing the Challenge". This program stabilizes services to prevent foster care children moving from location to location.

Sen. Pettey mentioned schools look at risk factors to determine the needs of youth while in school. Jennifer suggested we bring experts and data together to research the support for preventative programs.

Judge York said we are still waiting on data for decision making. It has been three years now and it is very frustrating. It is about time for recidivism data to start coming into this committee for review and discussion. Do other states have experience in this? Jennifer said most states focus on moderate-to-high risk youth programming that does not include prevention services. She will investigate what kinds of data is needed to inform prevention services, and she will talk with some other states. Sen. Pettey also wants her to ask how other states have handled it when their money becomes a target.

Katrina brought up an issue with the 45-day limit for youth in detention. If a youth serves 45 days, then gets picked up again, what do we do with the youth? Detention centers are exceeding the 45-day limit because there is no place for the youth to go. DCF custody has been tried, yet the youth still just sat in custody. In western Kansas, where there are only a few placements available, this has happened to three youths and she is expecting a case like this for a fourth youth next week. Because of wait lists for PRTFs and the ability of PRTFs to decide who they will or will not accept, it is difficult for these youth to get into those placements. Jennifer would like some data showing what is happening in these detention centers. Katrina will get some details from other JDCs.

Determining our next steps, Jennifer asked if lack of PRTF placements affecting JDCs is an issue for us to consider. How should we proceed? Hope thought we should learn where the youth go and if they are referred to the appropriate place. Then we can define where the youth should go.

There seems to be no accountability for getting youth out of detention in 45 days. Youth may have a place to go, yet it could take six months for the youth to get there. Shanelle suggested we spell out what we have seen to the overseeing agency(s). Judge Hofaker said we might find problems with placements outside of PRTFs.

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Amy suggested we look at the evidence-based account and expand the use of the money if we want the impact(s) intended. She thinks things in the Reinvestment Plan are not covered by the statute. If money is left over, it can be used by the JJOC. Amy will write the verbiage for the suggestion she is making. Greg reminded us if we lose the lockbox, we lose the money.

Megan said KDOC would like to take more time to study the recommendations and turn our focus for the upcoming year to changes to the bill. For the Annual Report, Jennifer suggested we add something about keeping in contact with other groups and examining their results, so we can make good evidence-based decisions for the future. She will also add we continue to watch what is currently happening in juvenile justice and make recommendations based on that. We will continue to ask for data from other interest groups and stakeholders involved in juvenile justice and will make recommendations based on the data we have.

Rep. Finney moved we adjourn, and Melody seconded. The motion carried and we adjourned at 2:41 pm.

GS/kar