KANSAS JUVENILE JUSTICE WORKGROUP
September 9, 2015 Meeting Summary

On September 9, 2015, the Kansas Juvenile Justice Workgroup met for the fourth time. On this occasion, the Workgroup reviewed research on effective juvenile justice practices as well as additional data presented as follow-up to previous meetings. Workgroup members also began planning for their subgroup policy development discussions. Governor Brownback attended a portion of the meeting and thanked the members for their dedication to this issue.

Research on Effective Juvenile Justice Practices

The Workgroup reviewed research presented by Edward Mulvey, Ph.D and Mark Lipsey, Ph.D.

The Science of Adolescence: Dr. Mulvey presented to the Workgroup on the science of adolescence, including juveniles' lack of self-regulation in emotionally charged contexts, heightened sensitivity to external influences, and reduced ability to make judgments and decisions that require future orientation.

Patterns of Offending: A longitudinal research study showing that most serious juvenile offenders were not on track for adult criminal careers was presented. This extensive study of 1,354 serious adolescent offenders showed considerable variability in offending rates and a pattern of reduced offending over time.

Institutional Placements: The same study showed that institutional placements and longer stays do not necessarily reduce reoffending (when compared with probation supervision for similar youth) and may increase recidivism; after three months out of home, there is no marginal benefit. Dr. Mulvey reported that it is therefore possible to reduce the rate and duration of placements and increase community-based services while protecting public safety.

Use of Research and Evidence-based Programs: Dr. Lipsey presented data and research indicating the importance of effectively addressing the juvenile justice system. Available research provides more useful information for improving the performance of juvenile justice systems, and structured assessment and decision-making tools are the vehicles for applying research evidence to routine sustained practice.

Dr. Lipsey identified three approaches a juvenile justice system should use in a consistent and sustained manner:

1) Distinguish youth at high risk for continued criminal behavior from those at low risk;
2) Focus supervision and treatment programs on the high-risk youth in order to reduce their risk of reoffending and protect public safety; and
3) Do no harm to youth, as over-treating low-risk youth can result in higher recidivism.

The Workgroup reviewed research on the risk factors for delinquency and the effects of intervention programs, which can reduce recidivism when implemented with fidelity. The research findings show that it is essential to ensure the right youth is in the right intervention – and that the intervention is delivered with fidelity in order to have the greatest impact on reducing recidivism.

Research findings show that community-based services can reduce reoffending, but many youth do not receive services related to their risk factors and needs linked to their offending. In addition, research demonstrates that programs based on discipline and deterrence result in increased recidivism, whereas therapeutic approaches reduce recidivism significantly. The following key characteristics of effective programs were reviewed:

1) Use a therapeutic approach aimed at internalized behavior change;
3) Deliver services in adequate amounts and quality (dose);
4) Use an explicit treatment protocol and monitoring procedures; and
5) Target high-risk cases (for largest effects).

Follow-Up Data

The Workgroup reviewed the findings of additional data analysis requested after its last meeting. The data discussed included: length of stay in out-of-home placements for youth in the custody of the Department for Children and Families; mapping of KDOC out-of-home placements; and Court Services caseload data and budget information.

Key Research Principles

The Workgroup discussed the following nine principles derived from the research presentations:

- **Use objective structured assessment and decision-making tools to reduce reoffending,** to identify high risk youth, hold youth accountable, assist in appropriate placement, and guide the use of graduated sanctions and incentives.
- **Match placement, supervision, and treatment to youth's risk and needs,** and deliver services in adequate amounts and quality.
- **Invest in evidence-based programs monitored for quality, ensuring appropriate intensity to lower recidivism and improve outcomes:** community-based services implemented with fidelity can reduce reoffending and improve outcomes.
- **Target supervision and services to the highest risk offenders**.
- **Do no harm to the youth at low risk of reoffending**, as over-involvement with the juvenile system can make things worse for low-risk youth.
- **Out-of-home placements do not improve outcomes for most youth**. It is possible to reduce the rate and duration of institutional placements for certain offenders and increase the level of community-based services while improving public safety.
- **There is no convincing evidence that longer lengths of stay in out-of-home placements reduce recidivism**. A recent study showed no change in re-arrest rates for youth staying more than three months out of home.
- **Do not rely on predominately punitive policies to promote public safety,** as they do not foster pro-social development or reduce recidivism. Specific programs and interventions that emphasize only control or deterrence point to poor outcomes for juvenile offenders.
- **Fairness (perceived or real) promotes positive outcomes for youth**; conversely, punishing youth in an unfair process (perceived or real) reinforces social disaffection and antisocial behavior.

Alignment of the Kansas Juvenile Justice System with the Key Research Principles

The Workgroup also discussed several ways the Kansas juvenile justice system does not align with the key research principles. The information gleaned from the principles and misalignment will help inform members as they move into policy development discussions.

Policy Subgroup Planning

The Workgroup began planning the subgroup meetings and broke into the three subgroups:

1) Pre-Adjudication Decision-Making;
2) Evidence-Based Practices and Programming (Investment and Oversight); and
3) Dispositions: Supervision and Placement.

The Subgroups will meet multiple times before the October Workgroup meeting to explore options in these areas and bring recommendations to the larger Workgroup for consideration.

Next Steps

The next meeting will be held on October 21, 2015, in Topeka. The Workgroup will begin its policy development discussions by reviewing initial recommendations from the Subgroups.

The Workgroup is acting on the charge of state leadership to develop proposals for comprehensive juvenile justice reform. In doing so, its focus is to:

1) Promote public safety and hold juvenile offenders accountable;
2) Control taxpayer costs; and
3) Improve outcomes for youth, families, and communities in Kansas.

Any recommendations made by the Workgroup will be used as the foundation for statutory, budgetary, and administrative changes during the 2016 legislative session.