



Kansas Juvenile Justice Oversight Committee

2022 Annual Report

Executive Summary

2022 marks the six-year anniversary of the passage of 2016 Senate Bill 367 (SB 367), landmark legislation that re-envisioned the juvenile justice system in Kansas. Much progress has been made in those six years, and much work also remains ahead. This year, like in previous years, Kansas juvenile justice system stakeholders and youth and families impacted by the system continued to adjust and adapt to an ever-evolving landscape related to changes brought on by the COVID-19 pandemic.

The Kansas Juvenile Justice Oversight Committee (JJOC) sought to find the opportunity during these unprecedented times to assess its duties and responsibilities and find new and creative ways to be a more effective and impactful body. The JJOC's responsibility is to monitor and collaborate with juvenile justice system agencies and stakeholders to ensure best practices are followed and justice-involved youth receive appropriate supervision, assistance, and accountability—all with the goal of better outcomes for youth and communities.

Despite a challenging couple of years, members of the JJOC and broader juvenile justice system continued to collaborate to assist youth and their families as they navigate the juvenile justice and child welfare systems. Across the system, improvements have been made—including better data collection and reporting by race/ethnicity—and progress has continued.

Key Takeaways

- Overall case filings for youth continued to decrease, a trend that started before SB 367 was passed. **As of FY 2022 the number of misdemeanor case filings has decreased at a faster rate than the number of felony case filings, demonstrating that youth with low-level offenses are being kept out of the juvenile justice system.**
- Overall use of Immediate Intervention Programs (IIP)¹ continue to demonstrate successful outcomes for participating youth; **92.3% of youth in pre-file IIP and 89% of youth in post-file IIP completed their programs successfully in FY 22.**
- **In FY 2022 Kansas utilized over \$19 million from the Evidence-Based Programs Account.** This account ensures the reinvested costs are used to invest in programming that is most effective at helping you avoid reoffending.
- Notices to Appear (NTA) allow youth to avoid arrest and coming to a Juvenile Intake and Assessment Center (JIAC) for intake and processing. **This practice is showing promising outcomes; in FY 2022, 89.2% of youth issued a NTA complied.**

¹ One of the goals of SB 367 is to divert youth, assessed as low risk to recidivate/reoffend, away from the juvenile justice system, while holding them accountable and providing age-appropriate supervision. Pre-file IIP occurs after a youth has been charged, to avoid court; Post-file IIP occurs once youth are already engaged in the court process.

- **The use of detention has declined in recent years; in FY 2022 13.2% of youth assessed by the Kansas Detention Assessment Instrument (KDAI) were detained.** The KDAI is used to inform decision making, in determining when the use of detention is appropriate and necessary, or when the youth is best served in the community.
- **The number of youths placed in the Juvenile Correctional Facility (JCF) has decreased significantly, by 68%, since FY 2013.** In FY 2022 only 118 youth were placed in JCF, in comparison to 360 youth in FY 2013.

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Introduction

Kansas Juvenile Justice Oversight Committee (JJOC)

Created by SB 367, the JJOC is tasked with guiding implementation of the changes in law; defining performance measures and recidivism; approving processes for comprehensive data collection to measure performance, recidivism, costs and outcomes; considering systems for data collection and analyses; ensuring system integration and accountability; monitoring implementation and training efforts; calculating avoided state expenditures by reductions in out-of-home placements to make recommendations to the Governor and Legislature; and, reviewing topics related to continued improvement of the juvenile justice system.

The JJOC seeks to execute its duties as effectively and collaboratively as possible, and amidst the challenges of the COVID-19 pandemic and changing membership, took the opportunity to rethink its structure in 2021. In 2022 the JJOC continued to embrace the revised structure, making a commitment to quarterly JJOC meetings, monthly subcommittee meetings, and adopting a mission and vision statement to guide the JJOC's work moving forward.

Vision Statement:

Improve the lives and well-being of all youth in Kansas.

Mission Statement:

The Kansas Juvenile Justice Oversight Committee (JJOC) is a statutorily defined, multidisciplinary team of stakeholders of youth-serving systems. The JJOC is responsible for regularly reviewing information and data on progress and outcomes across all parts of those systems. The JJOC provides policy and funding recommendations and influences stakeholders across agencies and branches of government, on sound, data-driven, evidence-based implementation, and sustainability of juvenile justice reforms.

JJOC subcommittees:

The JJOC and its subcommittees work collaboratively to ensure efforts are coordinated and streamlined. All the subcommittees and the JJOC strive to meet the JJOC's vision of improving the lives and well-being of all youth in Kansas. To support this goal, all JJOC members serve on at least one subcommittee. Each subcommittee focuses on action items in a specific area: Data, Communications, and Reinvestment.

- **The Data subcommittee** defines performance measures, prepares updated and new data for inclusion in the committee's annual report, and facilitates quarterly data presentations to JJOC.
- **The Communications subcommittee** manages the completion and dissemination of the annual report, as well as legislative communications. This includes identifying opportunities to go before committees both during regular session and interim session.
- **The Reinvestment subcommittee** focuses its work on the Evidence-Based Programs Account (EBPA), which was created by SB 367 to capture cost savings that the state realizes by keeping youth out of locked facilities and in their communities. These savings must be used "for the development and implementation of evidence-based community programs and practices for juvenile offenders, juveniles experiencing

mental health crisis and their families...”² The subcommittee ensures that access to funding is clear to JJOC members, other system stakeholders, and the public; identifies grant recipients to record testimonials about their program/successes/outcomes/individual stories of youth participants; strengthens communication of details on how evidence-based fund dollars have been spent; and facilitates discussions about potential new spending areas.

In addition, the Reinvestment subcommittee and the Communications subcommittee collaborate to work on bolstering and more broadly disseminating information about the EBPA. The subcommittees meet regularly to perform their work and then share their progress with the full JJOC.

² KSA 75-52,164

Legislative Post-Audit Report

In January 2020, the Legislative Division of Post Audit (LPA) issued a report evaluating the effects and successes of SB 367 to the Kansas juvenile justice system and identifying remaining challenges. The report is a helpful tool for all stakeholders to improve systemic reforms for justice-involved children in Kansas. Included in the report was an evaluation of the monitoring requirements of the JJOC as outlined in SB 367; specifically, the report examined 11 responsibilities of the JJOC. Throughout 2021 and 2022 the JJOC continued to monitor progress on these responsibilities and will continue working towards full implementation of all monitoring responsibilities in the year ahead. The following table outlines progress made thus far across the 11 responsibilities examined by the LPA:

Table 1

Juvenile Justice Oversight Committee – Monitoring Requirements	
<p>1. Monitor KDOC expenditures to identify new state savings resulting from the bill’s reforms.</p>	<p>Status: Implemented; ongoing effort</p> <p>Description: As the state realizes savings from the policy changes that decrease out-of-home placements, the JJOC monitors fund reinvestment into the Evidence-Based Programs Account.</p>
<p>2. Develop and monitor training efforts related to the bill reforms</p>	<p>Status: Implemented; ongoing effort</p> <p>Description: The Office of Judicial Administration developed a training protocol for judges, defense attorneys who work in juvenile court, and county and district attorneys. The training protocol was released July 12, 2017. It recommends this same group obtain continuing education in a number of areas.</p>
<p>3. Define program outcomes and recidivism to help measure bill’s success.</p>	<p>Status: Implemented; ongoing effort</p> <p>Description: In 2017, the JJOC formed a Data subcommittee that developed a definition of recidivism adopted by the JJOC - Recidivism is measured as a delinquency adjudication or adult conviction in Kansas while under court supervision or in DOC custody, or within 24 months of discharge from supervision or custody. The subcommittee began the process of identifying outcome and performance measures related to SB 367 and continue to develop strategies for improving data collection, troubleshooting challenges, and reporting to the JJOC quarterly.</p>

Juvenile Justice Oversight Committee – Monitoring Requirements	
<p>4. Approve a plan developed by KDOC and OJA to gather and review juvenile data to evaluate performance measures, outcomes, recidivism, and costs.</p>	<p>Status: Implemented; ongoing effort</p> <p>Description: Representatives from OJA and KDOC serve on the JJOC data subcommittee and developed a plan identifying what data must be collected to report out on the necessary measures. This plan is structured in two phases – the first capturing data is that currently available and accessible for collection and report out, and the second capturing data that the OJA and KDOC are working to make available and accessible for collection and report out.</p>
<p>5. Analyze data on probation extensions and how they were used.</p>	<p>Status: Not implemented</p> <p>Description: The JJOC will focus on this in 2023.</p>
<p>6. Review detention risk-assessment data to identify any disparate treatment.</p>	<p>Status: Partially implemented</p> <p>Description: Efforts were made throughout 2021 and 2022 to complete a validation analysis on the Kansas Detention Assessment Instrument. A technical assistance provider was identified to complete the analysis and data-sharing MOUs were shared with OJA and KDOC, as those two entities have the data needed for the analysis. KDOC signed and returned the MOU, however OJA did not and thus the needed data could not be obtained, and the analysis was not completed.</p>
<p>7. Analyze gaps in the juvenile justice system.</p>	<p>Status: Implemented; ongoing effort</p> <p>Description: The JJOC Reinvestment subcommittee initially established in 2017 worked to identify gaps in programs and services in the community for justice-involved youth. The subcommittee has since been re-established and will continue identifying these gaps. Additionally, as the Data subcommittee’s work continues, other gaps may be identified through reviewing more robust data on juvenile justice in the state.</p>
<p>8. Study and address disparities of mental health treatment among juvenile offenders.</p>	<p>Status: Partially implemented</p> <p>In 2022 the JJOC partnered with the Opioid Response Network (ORN). An evaluation was completed, and results shared among JJOC and other invested state agencies. Currently developing work groups to evaluate need for implementation of programs.</p>

Juvenile Justice Oversight Committee – Monitoring Requirements	
<p>9. Monitor fidelity of implementation efforts.</p>	<p>Status: Implemented; ongoing effort</p> <p>Description: In 2022 the JJOC started to focus on this requirement and began to incorporate quarterly data reviews. KDOC and OJA deliver these report outs by discussing progress made in data collection and key takeaways. Moving forward each agency will improve the consistency and comprehensiveness of the data presented during quarterly report outs.</p>
<p>10. Make recommendations for continued improvement on areas such as confidentiality, confinement, and juvenile due process.</p>	<p>Status: Not implemented</p> <p>Description: The JJOC will focus on this in 2023.</p>
<p>11. Make recommendations when consensus between KDOC and OJA does not exist on implementation reform.</p>	<p>Status: Not implemented</p> <p>Description: The JJOC will focus on this in 2023.</p>

Monitoring Expenditures and Savings Reinvestments

Evidence-Based Programs Account

One of the critical tasks assigned to the Juvenile Justice Oversight Committee is reinvesting funds into evidence-based practices and programs that exist in the community. As the state realizes savings from the policy changes that decrease out-of-home placements, SB 367 requires these funds to be set aside into the Evidence-Based Programs Account (EBPA) dedicated to evidence-based practices and programs that serve justice-involved youth in their communities. The EBPA supports programs related to intake, diversion, probation, and conditional release. SB 367 requires that funds are used for the development and implementation of evidence-based community programs and practices for youth in the juvenile justice system, youth experiencing mental health crisis and their families. Proper implementation is key to the success of these community-based services, where research has shown success can reduce reoffending and improve other outcomes for youth. These priorities and target areas are consistently associated with bigger impact on reducing recidivism.

Savings from the youth residential centers and the Kansas Juvenile Correctional Complex are transferred to the EBP account. Those funds are then awarded through grants, to community-based organizations and JCAB's to create and sustain evidence-based programs, targeted to reduce recidivism, and increase public safety. In 2019, the JJOC approved a spending plan that strategically focused on implementation in three phases. The last phase was delayed pending final decision on the amount of money that would be removed from that fund. What then resulted was a reduction of \$21,000,000 from the balance of the fund and an additional reduction of \$1,800,000 from the base allocation. However, that \$21,000,000 was restored for the fiscal year of 2023.

In addition to community-based programs, the EBPA funds certain statewide contracts to address some of the needs that are consistent across Kansas. The programs are cognitive-behavioral in nature and include Functional Family Therapy, Community-Based Sex Offender Risk Assessment and Treatment, Youth Advocacy Programs and Moral Reconation Therapy. In addition, two training curricula are consistent across the state: Mental Health First Aid and the Parent Project training. The table below reflects the amount of funds received by statewide contracts and curricula from the EBPA.

Table 2

Statewide Contracts and Curricula	FY 2022EBPA Funding
Functional Family Therapy	\$ 1,387,000
Sex Offender Risk Assessment and Treatment	\$ 325,000
Youth Advocacy Programs	\$ 665,524
Moral Recognition Therapy	\$ 42,000
Mental Health First Aid Training Curriculum	\$ 44,000
Parent Project	\$ 50,000

Table 2 describes various statewide contracts and the funding they have received from the EBPA, funds are used for implementation efforts and administrative costs. From risk and needs assessments to data system development, these costs are to specific state agencies to further the collaboration and implementation of reform. Falling into this category is a contract with Georgetown University McCourt School of Public Policy’s Center for Juvenile Justice Reform (CJJR) to implement the Crossover Youth Model using the Evidence Based Fund. The fund not only pays for the contract but also three (3) coordinator positions for the Department of Corrections, Office of Judicial Administration, and the Department for Children and Families. The team’s focus is on intentional interagency collaboration, the facilitation of information sharing, adaptability and accountability, and the active incorporation of youth and family voices in decisions.

However, because the JJOC has long recognized that local needs are individualized and unique to each community, the bulk of the EBPA funds are distributed through grants to local communities. Several grant opportunities are available to local community supervision agencies and to the local Juvenile Correctional Advisory Boards (JCABs). Grants totaling \$4,605,000 were available to the local agencies to implement and sustain evidence-based practices. \$5,000,000 was available to JCABs to address needs that were identified by the multidisciplinary representative that serve on these boards. A list of grant awards to the local agencies through Reinvestment and Collaboration Grants and the grants awarded to the local Advisory Boards (JCAB) are listed in **Appendix A**.

A complete list of JJOC approved programs and services for FY22 are listed below in Table 3 showing a total of over \$19,367,000 in approved funding.

Table 3

JJOC approved programs and services for FY22	Funding
Crime and Justice Institute Technical Assistance	\$ 372,957
Moral Reconciliation Therapy (MRT)	\$ 42,000
Aggression Replacement Training	\$ 50,000
Mental Health Training Curriculum	\$ 44,000
Parent Project	\$ 50,000
Crossover Youth Practice Model	\$ 246,000
CYPM staff for DCF & KDOC	\$ 250,043
MAYSI-2 Screening Tool	\$ 12,000
YLS Screener	\$ 12,000
Family Engagement and Family Guide	\$ 500,000
Mental Health Services	\$ 750,000
Substance Abuse Counseling for Families	\$ 750,000
Functional Family Therapy	\$ 1,387,000
Youth Advocate Program	\$ 665,524
Community Based Sex Offender Risk Assessment & Treatment	\$ 325,000
OJA Data Collection & Training	\$ 244,800

JJOC approved programs and services for FY22	Funding
Culturally Responsive Services	\$ 60,000
Juvenile Defense Improvements	\$ 500,000
JAG- K	\$ 3,500,000
Reinvestment County Grants	\$ 4,000,000
Collaboration Grants	\$ 605,748
JCAB Requests	\$ 5,000,000

Innovation Grants

In April 2022 JJOC discussed and approved the use of one-time funding to provide large grant opportunities for Innovations in Juvenile Justice. The JJOC discussed the need in the community for additional support for different, unique needs in each community. That can include support for juvenile intake, gaps associated with custody of youth, and promote and increase collaboration among agencies and officials. The Innovations in Juvenile Justice Grant provides an opportunity to improve and/or enhance the community response to promoting positive outcomes for youth, increase public safety, and strengthening families and communities. This program must demonstrate a collaborative approach that addresses the multi-faceted issues related to youth involved in the justice system. JJOC intends these grants to focus on civil rights and racial equity, increased access to justice, supportive of crime victims, and building trust with law enforcement. Agencies will be awarded a one-time grant to establish a program for 36 months and will agree to subsequently sustain the program after the grant. In addition, other agencies should be able to model, and implement within their respective agencies. This will allow for successful integration of evidence-based services into the juvenile justice operations. A motion was approved to put out an RFP for innovation programs in juvenile justice, allocating \$15 million to the grants. KDOC is finalizing the grant application process and anticipate making the allocated funds available to agencies before the end of December 2022.

Expanding Professional Development and Training

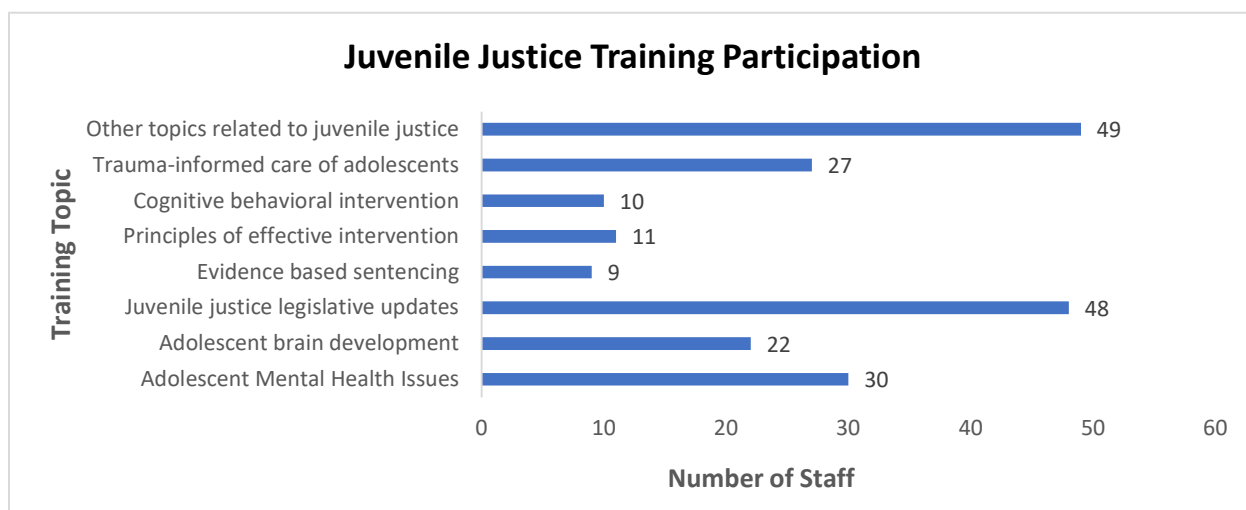
K.S.A. 20-318a requires that the Office of Judicial Administration develop or designate a training protocol for judges, defense attorneys who work in juvenile court, and county and district attorneys. The training protocol was released July 12, 2017. It recommends this same group obtain continuing education in at least one of the following areas:

- Adolescent mental health issues
- Adolescent brain development
- Evidence-based sentencing
- Principles of effective intervention
- Cognitive behavioral intervention
- Trauma-informed care of adolescents

- Juvenile justice legislative updates
- Other topics related to juvenile justice

The protocol, the reporting tool used to comply with the data requirements of the statute, and the news release are on the judicial branch website. As of October 18, 2022, 47 individuals self-reported participating in 378 hours of continuing legal education or continuing judicial education training as outlined in the protocol. Figure 1 demonstrates staff participation across various training topics.

Figure 1.



On November 30, 2022, OJA will host its first in a series of juvenile justice webinars – Childhood Trauma and the Impact of Toxic Stress. OJA is planning four more webinars in 2023.

Court Services Officer Training

K.S.A. 38-2394 requires that Court Services Officers who work with juveniles receive training in evidence-based programs and practices. The judicial branch currently contracts with the University of Cincinnati Corrections Institute (UCCI) to train Court Services Officers. The institute is a national leader in evidence-based practices training. Court Services Officers receive training in the use of the Youth Level of Service/Case Management Inventory (YLS/CMI) risk and needs assessment, case planning, and evidence-based practices, including Effective Practices in Community Supervision (EPICS). Between July 1, 2021 and June 30, 2022, over 240 Court Services Officers attended 1788 hours of training. Additionally, the judicial branch provides access to on-demand, e-learning modules purchased from UCCI. [Table 4](#) reflects the amount of training in evidenced bases practices that Court Services Officers have participated in for FY22.

Table 4

Training Topic	Training Hours	Number of Sessions Held	Total Number of Participants
YLS New User and Case Planning	16	4	15
YLS Booster Training	4	1	175
EPICS New User and Coaching Sessions	32	2	10
EPICS Booster Training	4	2	240

Earned discharge credit

Kansas Supreme Court Rule 1801 was adopted to establish the process for earning credits and allows the judicial administrator to adopt procedures and forms related to the calculation of EDCs. The judicial administrator adopted these procedures and forms in March 2018 for use by Court Services Officers. To enhance collaboration and encourage consistency, the Office of Judicial Administration shared its procedure and forms with the Department of Corrections. Beginning in July 2018, all Court Services and Community Corrections began reporting the number of EDC days awarded. During fiscal year 2022, 16,226 days or 2,318 weeks of credits were awarded to juvenile probationers supervised by Community Corrections Officers. For Court Services, 540 youth earned 13,620 days, or 1945 weeks, off their probation periods due to compliance. For a total of 29,846 days or 4,263 weeks of credits earned by justice involved youth for FY22.

Monitoring Fidelity and Strengthening Practices

Dashboard

KDOC's implementation of Athena, a new data system, created opportunities for collecting and sharing data related to the juvenile justice system. Unique identifiers and a customized experience allow the agency to create dashboards of information that is consistently updated and made available to the public on the KDOC website. The dashboards break down quarters of each fiscal year, updating on the first day of the next quarter.³

While the JJOC Dashboards continue to be fine-tuned and enhanced, there are still challenges and gaps. Migrating data from former database systems posed initial challenges, and efforts are being made to continue to review and correct migration issues. In addition, with a new system, user error is often frequent as users continue to learn a new system, which creates error the data. For example, users may neglect to include a case plan stop date, or agencies may input data inconsistently. Those inconsistencies

³ All Dashboards can be viewed on the KDOC public website at: <https://www.doc.ks.gov//dashboards/annual-report-dashboards>

may include how to categorize situations, such as whether an intake qualifies as a child in need of care (CINC) or juvenile offender (JO).

However, the new system with the capability to track the most important data remains a strong benefit that will allow KDOC and JJOC to make well-informed decisions. In years to come, KDOC plans to continue to provide Athena training to its users. In FY23 KDOC has begun a program called “Athena Champions,” which is designed to give intense detailed training to district appointees so that they can be a local resource for their area. Research and data teams are training local agencies to be able to complete their own quality assurance and review large gaps in data at the local level, so they can identify inconsistencies and trouble areas. JJOC will continue in FY23 to complete Phase 2 data performance measures.

The judicial branch is in the process of implementing its statewide case management system (CCMS). As of the date of this report, 100 Kansas courts are using the new CCMS. OJA anticipates the remaining five courts, all of which are urban districts, to join the CCMS before the end of 2024. The CCMS will provide better data collection and reporting features than the legacy system. Additionally, judicial branch court services officers will be using a new supervision case management system which will allow OJA to collect and retrieve significantly more robust data than with the prior system. Further information about the CCMS project can be found on the judicial branch website: <https://www.kscourts.org/Ecourt/Centralized-Case-Management-System>.

YLS/CMI

The YLS/CMI is an assessment instrument used to assess potential risk of reoffending, determine intervention targets, measure change, and establish the foundation for case management practices. Currently over 350 community supervision officers use the YLS/CMI. In 2021, OJA entered into a contract with the University of Cincinnati Corrections Institute (UCCI) to utilize its Certify System for annual recertification of assessors. The system will identify training needs for supervision officers as well as assure the YLS/CMI is being scored correctly. KDOC is in discussions with UCCI to utilize the same system. In FY24 a review and validation of the YLS/CMI will occur.

Crossover Youth Practice Model

The Kansas Statewide Policy Team (SPT) has representatives from Kansas Department of Corrections-Juvenile Services (KDOC-JS), Department for Children and Families (DCF), Office of Judicial Administration (OJA), mental health professionals, professionals with expertise in substance abuse treatment, education professionals, courts, prosecutors, defense attorneys, law enforcement, tribes (DCF Tribal Specialist), youth and families with lived system experience, foster care providers and others. The purpose of the team is to discuss and address solutions for youth and families affected by crossover youth issues. The multi-system and multi-agency SPT members meet via virtual platform monthly.

A major accomplishment of the SPT at the end of 2021 was the signing of a Memorandum of Agreement (MOU) between KDOC, OJA, and DCF. The agreement allows for the exchange of specific data which will provide a more comprehensive analysis of the recidivism rate for juveniles, and statistics regarding Kansas crossover youth. The data points are designed to answer three (3) questions: how much done/what

changes were made, how well the changes worked, and if youth and families were properly served. The three data points will guide decision-making for CYPM implementation.

In March of 2022 DCF, KDOC, OJA, and Georgetown University's Center for Juvenile Justice Reform (CJR) proposed a structural change to the SPT. The proposed restructure includes a larger steering committee that will identify and discuss the focus areas of the Crossover Youth Practice Model (CYPM) and smaller workgroups/subcommittees that will perform the hands-on work for implementation. The SPT developed three (3) areas of focus: Policy, Practice, and Uplifting Youth and Families. Establishing areas of focus ensures that the SPT can make a direct and immediate impact on the lives of crossover youth and families. subcommittees were formed to attend to these areas of focus.

Two pilot sites, Montgomery County and Shawnee County, have been working on implementing the CYPM locally. Shawnee County has been developing a protocol around the pathways that lead youth to crossover. The pathway of focus to date addresses those youth involved in foster care who subsequently contact the juvenile justice system. Shawnee County also held a parent/guardian listening session on October 13, 2022. The purpose of the listening session was to hear from parents/guardians about their experiences, positive or negative, with the child welfare and juvenile justice systems.

Montgomery County started the year off similarly to Shawnee County, discussing pathways through which youth become known to both the juvenile justice and child welfare systems. However, due to challenges in staffing, some local team members found it difficult to attend monthly meetings consistently. In addition, several members of the team transitioned to other positions, and new team members were added. A third county, Sedgwick, had previously been implementing CYPM. However, due to staff turnover and changes in policy since the county's initial adoption of the CYPM, Sedgwick County personnel desired support in redesigning their protocols to ensure fidelity to the current CYPM. The county is in the early stages of discussing the pathways youth take through systems and building protocol.

Shawnee and Montgomery Counties have been working on collecting county specific data on Crossover Youth. The purpose of the baseline data is to compare the general population of young people to those youth who are in systems. This data will include historical cases of youth who crossed over between Juvenile Justice (JJ) and Child Welfare (CW) before the CYPM was introduced. This will give the counties an idea of what crossover youth experience and what outcomes looked like prior to CYPM implementation. Lastly the counties will collect CYPM data. This data will include cases of youth who have crossed over between the JJ and CW systems after CYPM implementation. The counties will compare the outcomes of pre-CYPM data to CYPM data and will be able to determine if changes due to CYPM have made an impact to crossover youth and their families.

Analyzing System Gaps and Addressing Disparities

Juvenile Defense

Kansas advocates have identified juvenile defense as an area with opportunities for improvement in Kansas, and the JJOC has partnered with several organizations to move that conversation forward. One group is the Kansas Advisory Group (KAG) on Juvenile Justice and Delinquency Prevention, which was

established to determine, advocate for, and promote the best interests of juveniles in Kansas. The work, and membership, of the KAG intersects with those of the JJOC and improvement of juvenile defense is an area of juvenile justice reform of which the KAG has taken the lead. In late May 2021, the KAG voted to fund initiatives which would strengthen juvenile defense in Kansas. In consultation with the National Juvenile Defender Center, the KAG voted to approve a multi-faceted training and resource plan. In FY22 The Gault Center partnered with KDOC, with funding from JJOC, to bring multiple Youth Defender Training sessions as part of the Juvenile Defense Training and Resource Hub. In these sessions, Kansas attorneys learned about juvenile defense strategies, youth advocacy, and alternatives to detention, and their duty to protect a youth client's rights. The response received from the participants was very positive regarding its relationship to their practice and quality of presentation. The Gault Center approached the topic with Kansas specific case examples, legislation, and practices.

Family Engagement

In 2022 an RFP was put out to elicit interest in implementing a comprehensive and evidence-based family engagement program for juvenile community corrections programs throughout the state of Kansas. Families have the potential to be the greatest course of positive change and support for youth involved in the juvenile justice system. This type of program educates supervision agencies on engaging families and coaching effective interactions and empowerment with families. A contract is being initiated to implement a comprehensive Family Engagement program in every community. This will include a deep look at current practices in our state, development of curriculum and implementing training, develop standards and performance measures on family engagement. This will be delivered across supervision agencies, state funded programs, and juvenile correctional facilities. Discussion and planning are already underway for this initiative.

Mental Health and ORN

In October 2021 JJOC partnered with Opioid Response Network and requested technical assistance related to Kansas substance abuse and mental health treatment for youth. The Substance Abuse and Mental Health Administration (SAMHSA) funded Opioid Response Network (ORN) assists states, organizations, and individuals by providing the resources and technical assistance they need locally to address the opioid crisis and stimulant use. ORN provides training and technical assistance (TA) via local experts across the country, focusing on applying evidence-based practices in prevention, treatment, and recovery to meet locally identified needs. The JJOC Committee wished to explore gaps in services and access, racial equity, and a more in depth understanding of what barriers exist and what strategies could be developed to overcome those barriers and expand access. ORN completed site visits with a variety of locations in Kansas, interviewing local stakeholders in May of 2022. ORN's report included several high-level findings:

- SB 367 has reduced the number of youth in locked facilities and shifted service provision to local communities
- Funding and support align policies and practices to evidence
- Five-year effort has had an important impact on the workforce
- Kansas does not have the behavioral health workforce and infrastructure capable to provide for youth and families in all communities

- The COVID-19 pandemic further strained the behavioral health system and created new challenges

ORN reflected that in Kansas, there are barriers to accessing evidence-based treatment, particularly among low-income and rural families. While there is a growth in telehealth treatment opportunities, those have complications. While growth in telehealth services is often a good thing, the outcomes, experience, and quality of the treatment experience vary. The ability to engage and benefit from virtual treatment is dependent on the personality of the youth, internet speed, access to quality video equipment, level of privacy in the youth’s home, and the engagement skills and comfort of the provider. Providers who are not familiar with the communities they are serving, may lack the cultural context that is relevant in developing a treatment plan. The ORN identified barriers and some recommendations for steps that the state can take to improve availability: identify and support educational programs that supervision staff can facilitate for trauma and resiliency, support cross-sector convenings for local communities, and support opportunities to address secondary trauma that probation officers and staff experience.

In August of 2022 JJOC shared the detailed results and formed a small work group with individuals representing the Kansas Department for Aging and Disability Services (KDADS), Kansas Department of Health and Environment (KDHE), and Kansas Department of Children and Families (DCF) to further review the information from ORN and make recommendations on implementation of new programs, services, or funding to address gaps in needs and service. The goals of this work group are to identify the most critical needs and use a multi-disciplinary approach to get beyond these barriers. As seen in table 5 below, Kansas was once ranked 8th in the nation for its services addressing mental health. Over the past years, there has been a great decline in the state’s rankings for mental health services.⁴ With the information received from ORN, we will partner with Kansas agencies to explore opportunities for improvement.

Table 5

State Rankings from Mental Health America	2015	2020	2021	2022
Overall Kansas Rank for Youth Mental Health	8	37	26	33

COVID-19 Update

Many state and local agencies have modified their reporting practices while others have returned to “normal” business. With agencies being forced to explore alternatives in the lockdown phase of COVID, there are some agencies that have chosen to continue some of their practices. In rural areas, they discovered the use of virtual office visits to overcome the challenges of traveling across long distances. Some are reporting higher success rates with reporting compliance. The 12th judicial district, for example, has remained in a hybrid model of remote and in-office, and saw an increase of 4% in their successful outcomes in completed Intermediate Intervention Plans from 2020 to 2022. The 12th judicial district has also adopted a virtual platform for juvenile intake. This allows them to employ qualified individuals that may live outside the geographical area. An additional benefit is law enforcement officials have less wait time for an intake staff to arrive on site, where previously law enforcement officers were waiting 2-3 hours

⁴ The state of Mental Health in America. Mental Health America. (n.d.). Retrieved November 9, 2021, from <https://mhanational.org/issues/state-mental-health-america>.

just for a staff member to arrive. With this new practice, they see times where the staff is instead waiting on the officers.

Data Collection and Performance Measurements

Intake

Juvenile intake⁵ and assessment programs operate in all 31 judicial districts throughout Kansas providing intake evaluations for alleged children in need of care and juvenile offenders who are taken into custody by law enforcement agencies.

The two most significant reforms to intake occurred early in the implementation of SB 367 – the ability to issue Notices To Appear (NTA), and the statewide use of the Kansas Detention Assessment Instrument – and are being used consistently. Notices to Appear

Notices To Appear (NTAs) are similar to citations and allow the youth to be processed at a scheduled time at a Juvenile Intake and Assessment Center rather than being arrested and taken to the center immediately. The NTA process became even more prominent and critical in 2020 due to the COVID pandemic. While law enforcement agencies were using caution in arresting and transporting youth to juvenile intake and assessment services across the state, NTAs were a good option for communities to address behaviors of youth while also keeping possible COVID transmission at a minimum. While the number of alleged JOs referred to juvenile intakes increased in FY22 by 30%, the use of NTA's decreased by 7%, as shown below in Figure 3. We have seen a slight increase in FY22 of Juvenile Offenders, however it is worth noting, there are many factors we must consider as communities are returning to a more normal way of doing business, and law enforcement contact reduced during those lockdown periods

Figure 2.

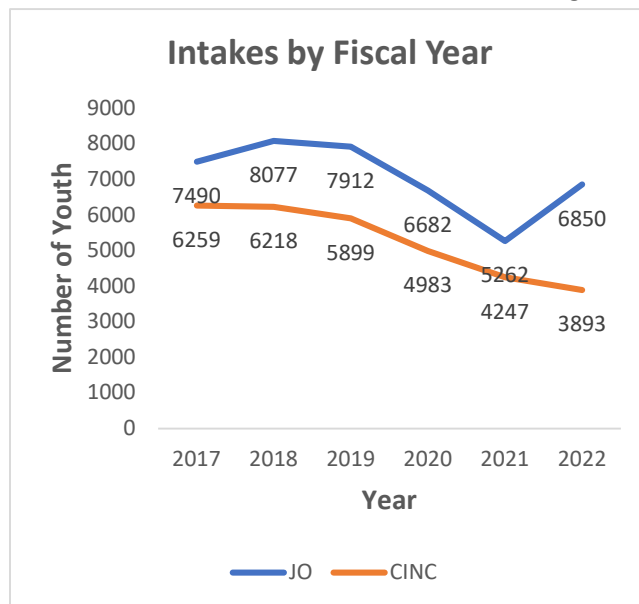
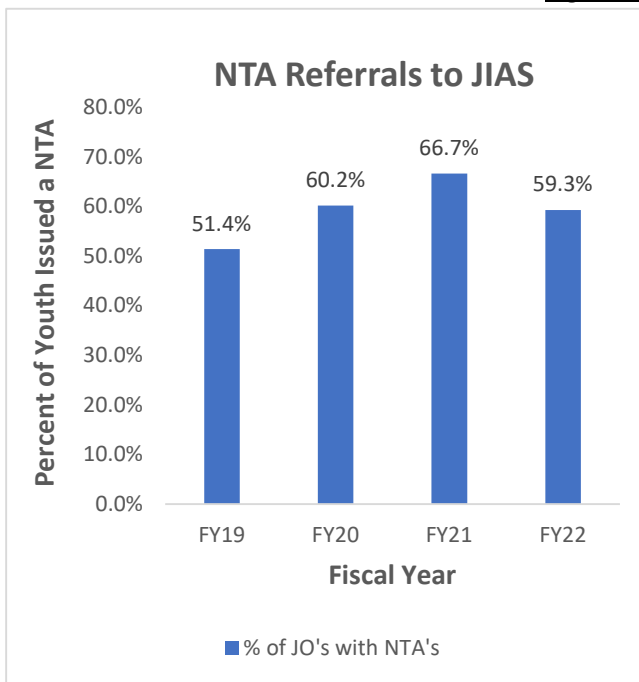


Figure 3.

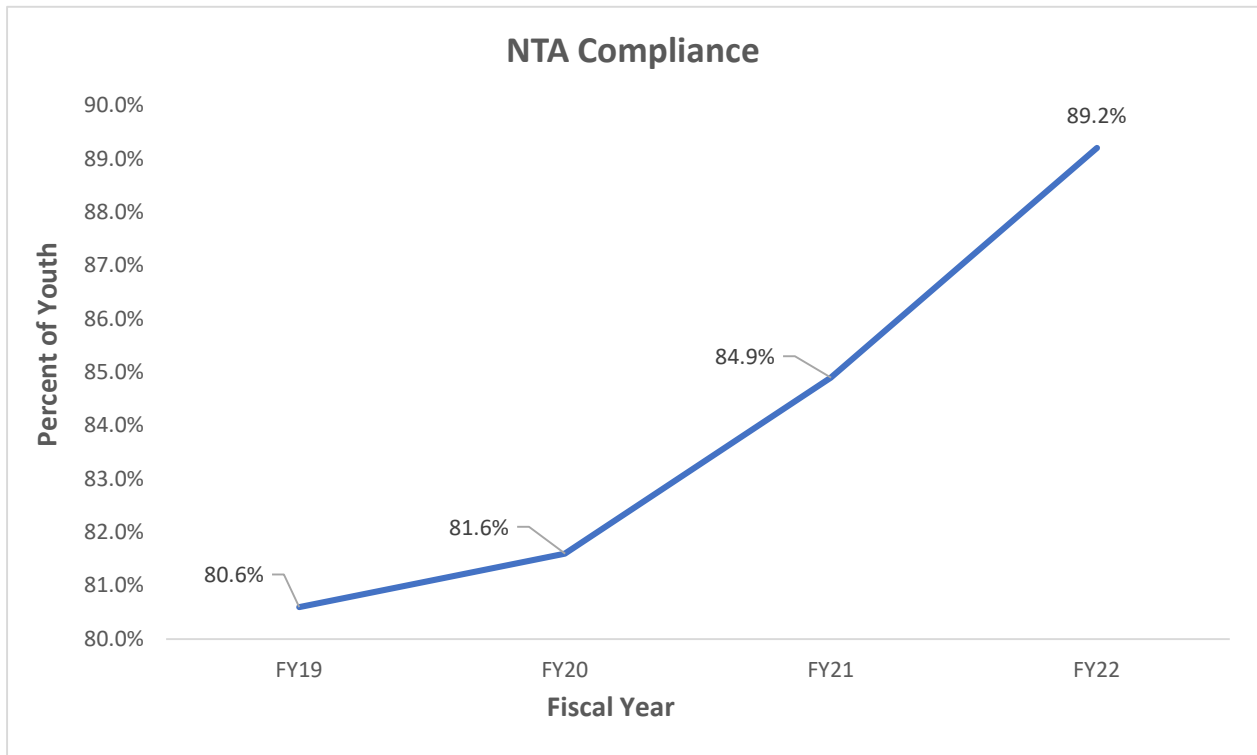


⁵ Intakes for those marked CINC and JO types in Athena.

of FY21. With FY21 being a time of many environmental factors, a slight uptick in FY22 should not be concerning.

The Notice to Appear was an early part of the process of implementing SB 367 reforms, and in its first year of existence we immediately saw a compliance rate (youth reporting to the court in accordance with the notice) of over 80%. That rate increased in FY22 to almost 90%. We now see that the use of NTA in place of immediate custody, demonstrating its role as an effective resource for law enforcement and detention centers. Its use not only benefits the youth and reflects evidence-based practices but serves a benefit to reduce populations in detention centers, avoiding unnecessary use of detention.

Figure 4.



Looking Forward

Since the passage of SB 367, the JJOC has made much progress in implementing the reformed juvenile justice policies and continues working with system stakeholders and community organizations to ensure best practices are followed and justice-involved youth receive appropriate supervision, assistance, and accountability, all towards the goal of better outcomes for youth and communities. The JJOC is committed to achieving their goals and maintaining fidelity in implementation. The following outlines goals of the JJOC and the subcommittees for 2023, as it relates to various responsibilities.

The JJOC will continue to monitor the fidelity of SB 367 implementation efforts by discussing the progress of implementation and reviewing data to better understand the progression. This process will support the JJOC in making recommendations for continued improvement on areas such as confidentiality, confinement, and juvenile due process.

The JJOC will analyze gaps in the juvenile justice system, study, and address disparities of mental health treatment among juvenile offenders. The data subcommittee will support this process by providing data, illustrating how the system is operating. The reinvestment subcommittee will collaborate to identify funding sources that may address system gaps.

The reinvestment subcommittee will continue to monitor activity within the EBPA and will make outreach with programs receiving EBPA funding to learn about how the programs operate and serve youth. Specifically, the subcommittee will track KDOC expenditures to identify new state savings resulting from the bill's reforms and identify strategies for reinvesting funds into essential programming and services.

The data subcommittee will continue to monitor program outcomes and recidivism to help measure the bill's success; and will regularly review juvenile data to evaluate performance measures, outcomes, recidivism, and costs. Specifically, the subcommittee will expand their data collection practices; analyze data on probation extensions and how they were used and review detention risk-assessment data to identify any disparate treatment.

The communication subcommittee will continue working to streamline communications across JJOC members and subcommittees, as well as communications between the JJOC system stakeholders, executive and legislative branches of government, and communities. This effort will support agencies, organization, and the public in understanding how SB 367 is helping youth of Kansas and disseminate information about implementation and JJOC activities.

Appendix A – Legislative Timeline

Since the passage of SB 367, further legislative changes have been made to juvenile justice policies. The following is a timeline of legislation enacted after 2016 and the passage of SB 367 that was related to the juvenile justice reforms made in SB 367.

2017

- The Legislature passed House Sub. for SB 42, which adjusted changes made by SB 367 and made further modifications to the juvenile justice system, including changes in the areas of absconding from supervision, immediate intervention programs, sentencing and placement, and the members and duties of the Juvenile Justice Oversight Committee.
- In Senate Sub. for HB 2052 and Senate Sub. for HB 2002, the Legislature:
- Deleted \$6.0 million from the purchase-of-service account for youth residential centers and added \$6.0 million to the Evidence-Based Programs Account (Note: This account is also sometimes referred to as the “Evidence-Based Juvenile Programs Account”) in FY 2017 and FY 2018;
- Transferred \$1.2 million in the State General Fund (SGF) from the Larned Juvenile Correctional Facility (LJCF) to the Kansas Juvenile Correctional Complex (KJCC) in FY 2017 due to the LJCF closure in FY 2017; and
- Added \$6.0 million SGF to KJCC for FY 2018 and deleted \$7.0 million SGF from LJCF in FY 2018 due to the LJCF closure.

2018

The Legislature passed HB 2454, which made further adjustments to the juvenile justice system as reformed by SB 367, including changes in the areas of detention hearings, tolling of probation term and case length limits, and duties of the Juvenile Justice Oversight Committee.

The Legislature also passed House Sub. for SB 179, establishing a framework for juvenile crisis intervention centers providing short-term observation, assessment, treatment, case planning, and referral for juveniles experiencing a mental health crisis who are likely to cause harm to self or others. The bill allows the Secretary of Corrections to enter into a memorandum of agreement with other cabinet agencies to provide funding for juvenile crisis intervention services of up to \$2.0 million annually from the Evidence-Based Programs Account created by SB 367.

In House Sub. for SB 109, the Legislature added \$6.0 million to the Evidence-Based Programs Account and transferred this amount to the Kansas Department of Health and Environment (KDHE) to fund Youth Crisis Intervention Centers for FY 2019. The Legislature also added \$8.4 million SGF for salary adjustments for staff, including all adult and juvenile correctional officers, for FY 2019.

2019

In House Sub. for SB 25 (the appropriations bill), the Legislature:

- Added language in FY 2019 to require the Department for Children and Families (DCF) to establish a working group that will: 1) gather data and issue a report on the impact of SB 367 on youth with offender behaviors entering into foster care placement or in a foster care placement and 2) evaluate services being offered and identify services needed; and 3) include representatives from DCF, child welfare organizations, mental health organizations, the Judicial Branch, law enforcement, and any other organizations with information on services as determined by the Secretary for Children and Families;
- Added additional language for FY 20 to require DCF to study the impact of SB 367 on crossover youth, who are defined as youth in foster care or at risk of being in foster care due to conduct that resulted in, or could result in, juvenile offender allegations;
- Reversed the transfer of \$6.0 million from the Evidence-Based Programs Account to KDHE for Youth Crisis Intervention Centers in FY 2019 and added this amount to the Kansas Department of Corrections (KDOC) budget in FY 2019 and FY 20 for the same purpose; and
- Added \$11.6 million SGF to provide a 15.9 percent salary adjustment for correctional officers (including juvenile correctional officers), and a 5.0 percent salary adjustment for other correctional employees who work with offenders for FY2020.

2020

The Governor, in Executive Reorganization Order (ERO) 44, proposed the creation of a Kansas Department of Human Services, which would merge the Kansas Department for Aging and Disability Services, the Kansas Department for Children and Families, and the Juvenile Services Division of KDOC, including oversight of the Kansas Juvenile Correctional Complex. The legislature, through HR 6032 disapproved the ERO and the reorganization did not take place.

Despite concerns caused by the covid pandemic during 2020 and 2021, there was no reduction in the EBP account.

2021

regarding the EBPA, in 2021 SB 159 was passed adding \$200,000, all from the State Institutions Building Fund, for FY 2022 to study the repurposing of the Kansas Juvenile Correctional Complex and establishment of three or more smaller regional juvenile facilities. The study will also address plans for the former Larned Juvenile Correctional Facility and other underutilized facilities within the correctional system. The report on the study's findings were required to be submitted to the Legislature by July 2022.

Appendix B – Juvenile Corrections Advisory Boards Grants

FY 2022

JCAB Grant Programs by Judicial District/County - Page 1 FY 2022			
Judicial District (County)	Program Name	Original Amount Allocated	Amount Awarded FY22
1st (Leavenworth)	Youth Justice Resource Center (YJRC)	\$ 145,587	\$145,587
2nd (Jackson)	Coordinated & Individualized Community-Based Services	\$ 96,788	\$96,788
3rd (Shawnee)	OASIS	\$ 301,014	\$181,726
	Boys & Girls Club of Topeka		\$75,918
	One Heart Project Kansas		\$42,000
4th (Franklin)	Behavioral Health Services	\$ 91,830	\$80,000
5th (Lyon)	DID NOT APPLY FOR FUNDS	\$ 102,424	\$0
6th (Miami)	DID NOT APPLY FOR FUNDS	\$ 112,690	\$0
7th (Douglas)	DID NOT APPLY FOR FUNDS	\$ 122,935	\$0
8th (Geary)	DID NOT APPLY FOR FUNDS	\$ 157,439	\$0
9th (McPherson)	Mirror, Inc.	\$ 86,756	\$85,908
10th (Johnson)	MH for IIP Youth - Clinical Assoc	\$ 400,773	\$119,162
	Intensive Outpatient Program - Clin Assoc		\$72,131
	Juvenile Drug Court (CS)		\$33,105
	Immediate Intervention Support (DA)		\$45,376
	Parent Management Training - KVC		\$131,000
11th (Crawford)	Program Advocate	\$ 82,827	\$82,827
11th (Labette)	CMHC Contract	\$ 67,613	\$67,613
12th (Cloud)	JAG-K	\$ 59,001	\$59,001
13th (Butler)	Empowered, Engaged & Peaceful Families	\$ 142,009	\$142,000
14th (Montgomery)	Program Specialist	\$ 140,396	\$76,058
	Four County Mental Health Center		\$47,857
15th/17th/23rd (Ellis)	Trauma Informed Resilient Communities	\$ 177,599	\$177,599

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16th (Ford)	DID NOT APPLY FOR FUNDS	\$ 134,615	\$0
18th (Sedgwick)	Administrative Services		\$38,377
	JCAB Training		\$3,345
	Untamed Athletes, Inc.		\$197,000
	Multisystemic Therapy - CSI	\$ 767,536	\$113,707
	ERC Program Enhancements		\$182,450
	Cross-Systems Youth Facitator		\$70,641
	Continuing Legal Education (CLE)		\$61,173
	Coordination of Services- JIAC		\$100,843
19th (Cowley)	Adolescent Co-occurring Treatment Program	\$ 100,263	\$67,140
	Home-based Services Program		\$33,123
20th (Barton)	Program Advocate	\$ 160,391	\$160,391
21st (Riley)	Parent Project	\$ 84,037	\$26,170
22nd (Brown)	DID NOT APPLY FOR FUNDS	\$ 88,142	\$0
24th (Pawnee)	Interventions & IIP	\$ 49,648	\$49,188
25th (Finney)	Big Brothers Big Sisters	\$ 180,299	\$54,000
	LiveWell- MH First Aid		\$60,000
26th (Seward)	Project Engage	\$ 133,077	\$0
27th (Reno)	DID NOT APPLY FOR FUNDS	\$ 163,141	\$0
28th (Saline)	Grief Counseling	\$ 196,567	\$70,513
	CAPS Family Mentoring Program		\$126,054
29th (Wyandotte)	Girls Circle -Court Services	\$ 469,378	\$7,000
	Warriors4Wyandotte		\$462,378
30th (Pratt)	Sumner County MH	\$ 110,887	\$47,497
31st (Woodson)	DID NOT APPLY FOR FUNDS	\$ 74,336	\$0
State Total		\$5,000,000	\$3,692,645

Appendix C – Reinvestment and Collaboration Grants

FY 2021-FY 2023

JUDICIAL DISTRICT:	PROGRAM	Awarded Amount	Correction	Revised Total Award Amounts
1st	Project Change	\$ 100,983.68	\$116,470.00	\$ 116,470.00
2nd	Family Engagement Program	\$ 77,430.00	\$0.00	\$ -
3rd	S.A.V.E	\$ 121,835.89	\$121,899.00	\$ 121,899.00
	One Heart Project	\$ 118,275.30	\$0.00	\$ -
4th		DECLINED		
5th	Spartan Explorers	\$ 19,647.00		\$ 19,647.00
6th	Wrap Around Services	\$ 90,152.00		\$ 90,152.00
7th	Boys & Girls Club/Strengthening Families Program/Youth Crossroads/Therapeutic Support	\$ 98,348.00		\$ 98,348.00
8th	IIP/Cognitive Programming/Parent project	\$ 125,640.60		\$ 125,640.60
9th	The Offender/Victim Ministries (OVM) Community Justice program	\$ 60,061.30	\$69,405.00	\$ 69,405.00
10th	Education Legal Services/Education Advocacy Program/Mental health Assessment Assistance/Substance Abuse Evaluation & Treatment Assistance	\$ 320,618.72		\$ 320,618.72
11th Crawford	Wrap Around Services	\$ 66,262.00		\$ 66,262.00
11th LB/CK		DECLINED		
12th	Interactive Journaling/Seeking Safety	\$ 47,201.00		\$ 47,201.00
13th	Transporting Youth to and from Sedgwick County sponsored Evening Reporting Center (ERC)	\$ -	\$17,334.00	\$ 17,334.00
14th	Day Report Program/Adolescent Co-Occurring Treatment Program (ACTP)	\$ 112,317.00		\$ 112,317.00

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15/17/23rd NWKS	Forward Thinking, Interactive Journaling, Family Engagement (Parent Project)	\$ 142,079.00		\$ 142,079.00
16th	Fidelity and Quality Assurance/Financial Assistance	\$ 107,692.00		\$ 107,692.00
18th	Evening Reporting Center (ERC)	\$ 614,028.00		\$ 614,028.00
19th	Family Engagement Program/Parent Project	\$ 80,210.00		\$ 80,210.00
20th	Parent Project, Family Engagement	\$ 128,313.00		\$ 128,313.00
21st	IIP Youth Court program	\$ 67,230.00		\$ 67,230.00
22nd	Wrap Around Case Management Services	\$ 70,514.00		\$ 70,514.00
24th	IIP/Forward Thinking	\$ 39,719.00		\$ 39,719.00
25th		DECLINED		
26th	Day Treatment/Peaceful Alternatives/Why Try	\$ 106,462.00		\$ 106,462.00
27th	SACK (Substance Abuse)	\$ 80,000.00		\$ 80,000.00
28th	Family Mentoring Program	\$ 157,253.00		\$ 157,253.00
29th	Quality Assurance Coordinator/Youth Empowerment Center/Strengthening Families	\$ 375,503.00		\$ 375,503.00
30th		DECLINED		
31st		DECLINED		
TOTAL REINVESTMENT GRANTS		\$ 3,327,775.49		\$ 3,174,297.32
7th and 10th	Vocational Scholarships	\$ 82,632.00		\$ 82,632.00
9th/13th/18th/19th/30th	Cognitive Behavioral Programming	\$ 250,000.00		\$ 250,000.00
11CR and 6th	RESTORATION (The Circle of Courage)	\$ 114,803.30	\$116,741.72	\$ 116,741.72
TOTAL COLLABORATION GRANTS		\$ 447,435.30		\$ 449,373.72
Total		\$ 3,775,210.79		\$ 3,623,671.04

Appendix D – Notice to Appear Rates

Notice To Appear (NTA)			
FY 2022			
Judicial District	# of NTAS Served by Law Enforcement	# of NTAS Completed by Youth	NTA Compliance Rate
1st	95	88	92.63%
2nd	50	49	98.00%
3rd	159	120	75.47%
4th	69	67	97.10%
5th	123	123	100.00%
6th	35	32	91.43%
7th	46	37	80.43%
8th	148	148	100.00%
9th	55	48	87.27%
10th	1068	907	84.93%
11th - Cherokee & Labette counties	4	4	100.00%
11th - Crawford County	14	14	100.00%
12th	37	37	100.00%
13th	91	91	100.00%
14th	47	43	91.49%
15th-17th-23rd	100	100	100.00%
16th	82	67	81.71%
18th	570	526	92.28%
19th	127	120	94.49%
20th	91	91	100.00%
21st	10	9	90.00%
22nd	60	56	93.33%
24th	3	3	100.00%
25th	106	101	95.28%
26th	104	100	96.15%
27th	183	166	90.71%
28th	225	225	100.00%
29th	271	194	71.59%
30th SCKCCA	17	17	100.00%
30th-Sumner County	78	46	58.97%
31st	N/A	N/A	N/A
Total	4068	3629	89.21%