Senate Bill 367:
Components and Impacts of the Bill

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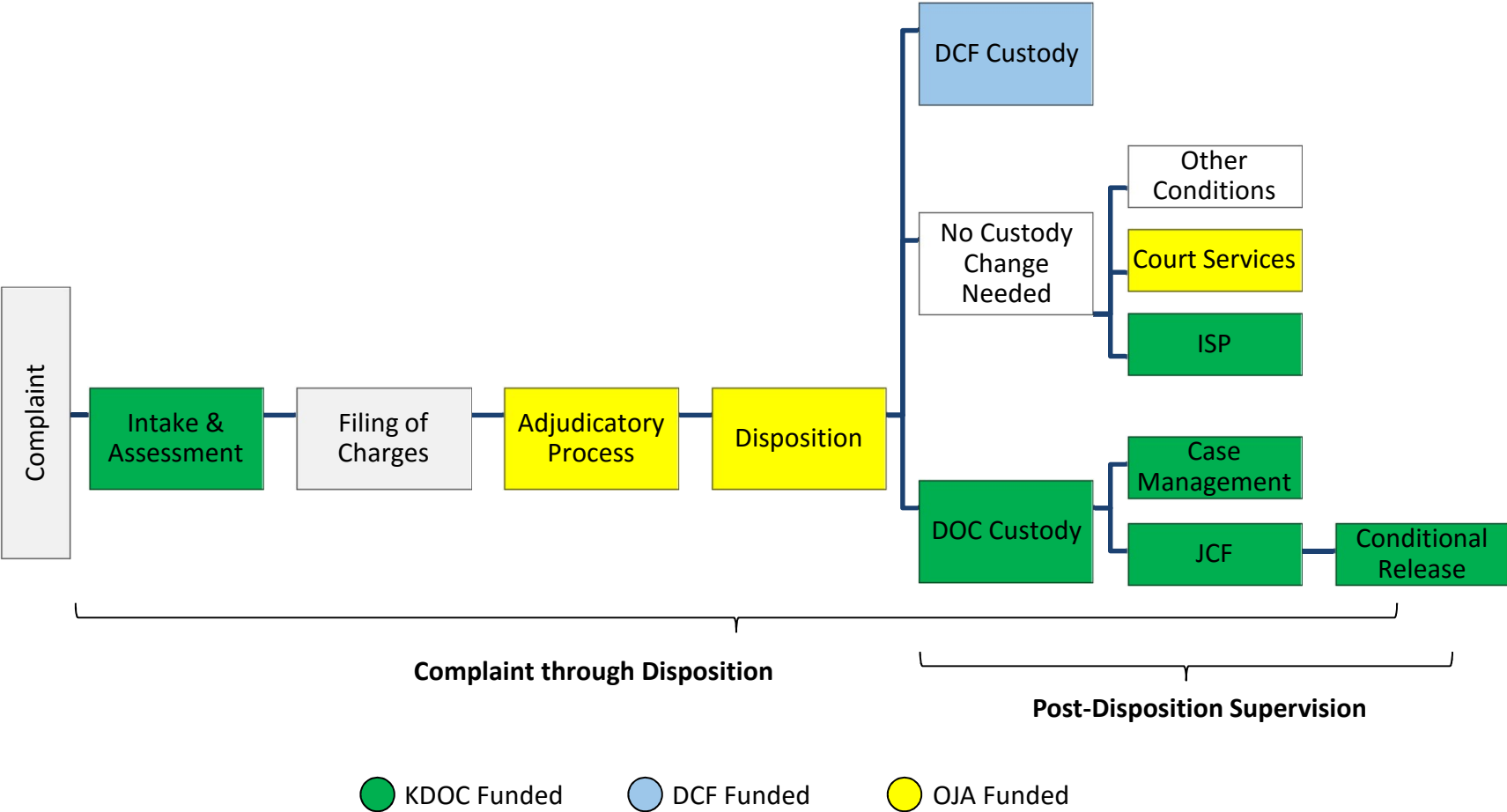
Presentation Overview

- During this presentation, we will discuss
  - Overview of the Juvenile Justice System in Kansas
  - Research Leading to Senate Bill 367
  - Smart on Juvenile Justice Initiative
  - Policy Changes due to SB 367
  - Frequently Asked Questions

Overview of the Juvenile Justice System in Kansas

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Section Overview

- This section will provide a brief overview of the Kansas Juvenile Justice Workgroup Process and Findings, including information on
  - The structure and flow of the Juvenile Justice System
  - The charge to the Juvenile Justice Workgroup and process
  - A brief description of Workgroup data findings

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Juvenile Justice System Structure

Complaint → **Intake & Assessment** → **Filing of Charges** → **Adjudicatory Process** → **Disposition**

Disposition branches to:
- **DCF Custody**
- **No Custody Change Needed** → **Other Conditions** / **Court Services** / **ISP**
- **DOC Custody** → **Case Management** / **JCF** → **Conditional Release**

Complaint through Disposition

Post-Disposition Supervision

● KDOC Funded   ● DCF Funded   ● OJA Funded

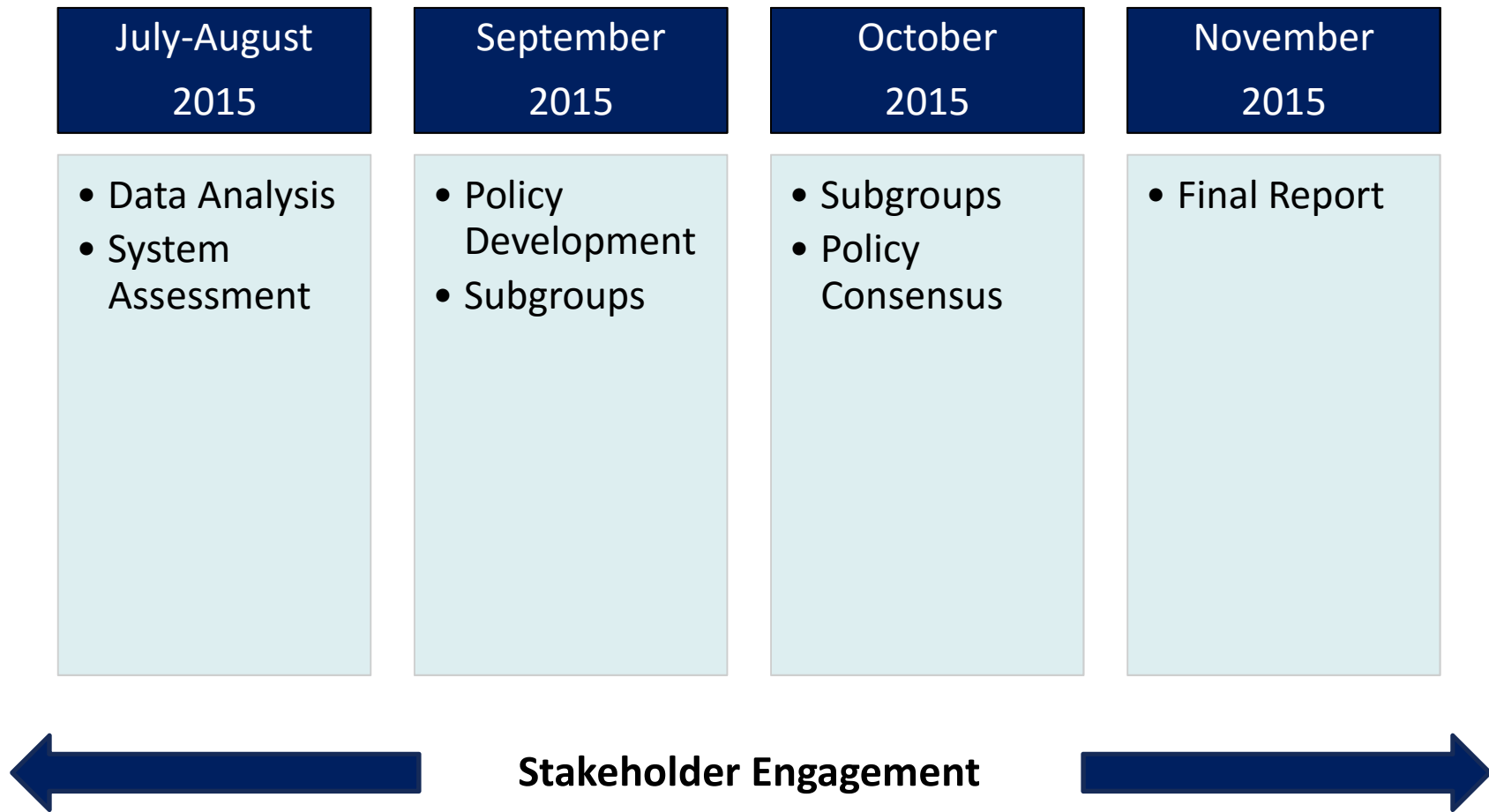# Charge to the Kansas Juvenile Justice Workgroup

- "In developing proposals for reform, the group's priorities will be to
  - Promote public safety and hold juvenile offenders accountable
  - Control taxpayer costs
  - Improve outcomes for youth, families, and communities in Kansas
  - The Workgroup's recommendations will be used as the foundation for statutory, budgetary and administrative changes during the 2016 legislative session"

Governor Brownback	Senate President Wagle	Senate Minority Leader Hensley
Chief Justice Nuss	House Speaker Merrick	House Minority Leader Burroughs

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Workgroup Members

- Senator Greg Smith (Co-Chair)
- Representative John Rubin (Co-Chair)
- Representative Gail Finney
- Senator Pat Pettey
- Judge Thomas Foster
- Judge Mary Thrower
- Judge Delia M. York
- Mark Gleeson, OJA
- Stephanie Springer, 27th Dist. Chief CSO
- Ray Roberts, former KDOC Secretary

- Terri Williams, Deputy Secretary of Juvenile Services, KDOC
- Randy Bowman, Director of Community Based Services, KDOC
- Melody Pappan, Cowley County Youth Services Administrator
- Jaime Rogers, DCF Deputy Secretary
- Trent Wetta, Kansas Legal Services
- Karen Griffiths, Assistant County Attorney
- Ed Klumpp, Kansas Association of Chiefs of Police and Kansas Sheriffs Association

Workgroup Process and Timeline

July-August 2015	September 2015	October 2015	November 2015
• Data Analysis • System Assessment	• Policy Development • Subgroups	• Subgroups • Policy Consensus	• Final Report

**Stakeholder Engagement**

Stakeholder Engagement

- Individual or group meetings with
  - Crime victims, survivors, and advocates
  - Youth and families
  - Law enforcement
  - Judges
  - Juvenile Intake and Assessment workers
  - Prosecutors
  - Defense attorneys

  - Diversion and Prevention Service providers
  - Educators
  - Youth advocates
  - Community Corrections Directors
  - Chief Court Services Officers
  - Others requested by the Workgroup

Workgroup Findings Summary

- Despite 50% decline in juvenile arrests since 2004, youth
  - Spend more time on supervision
    - Average supervision periods are 10.9 months for Jos on Court Services, 24 months for Case Management, and 37 months for JCF
  - Cycle through a greater number of facilities
    - Youth placed in JCF average 8.3 out of home placements
  - Go missing from facilities at a higher rate
    - 36% of Case Management youth go AWOL; 41% of these events are for one month or longer
  - Remain out of home longer than they did a decade ago
    - Youth in Case Management spend an average of 14.6 months out of home; youth in JCF are out of home for an average of 25 months

Workgroup Findings Summary

Average Supervision and Out of Home Lengths in Months

	CM Supervision	JCF Supervision	CM OOH	JCF OOH
2004	19.5	22.7	14.7	21.7
2014	24	37.4	14.6	25.3
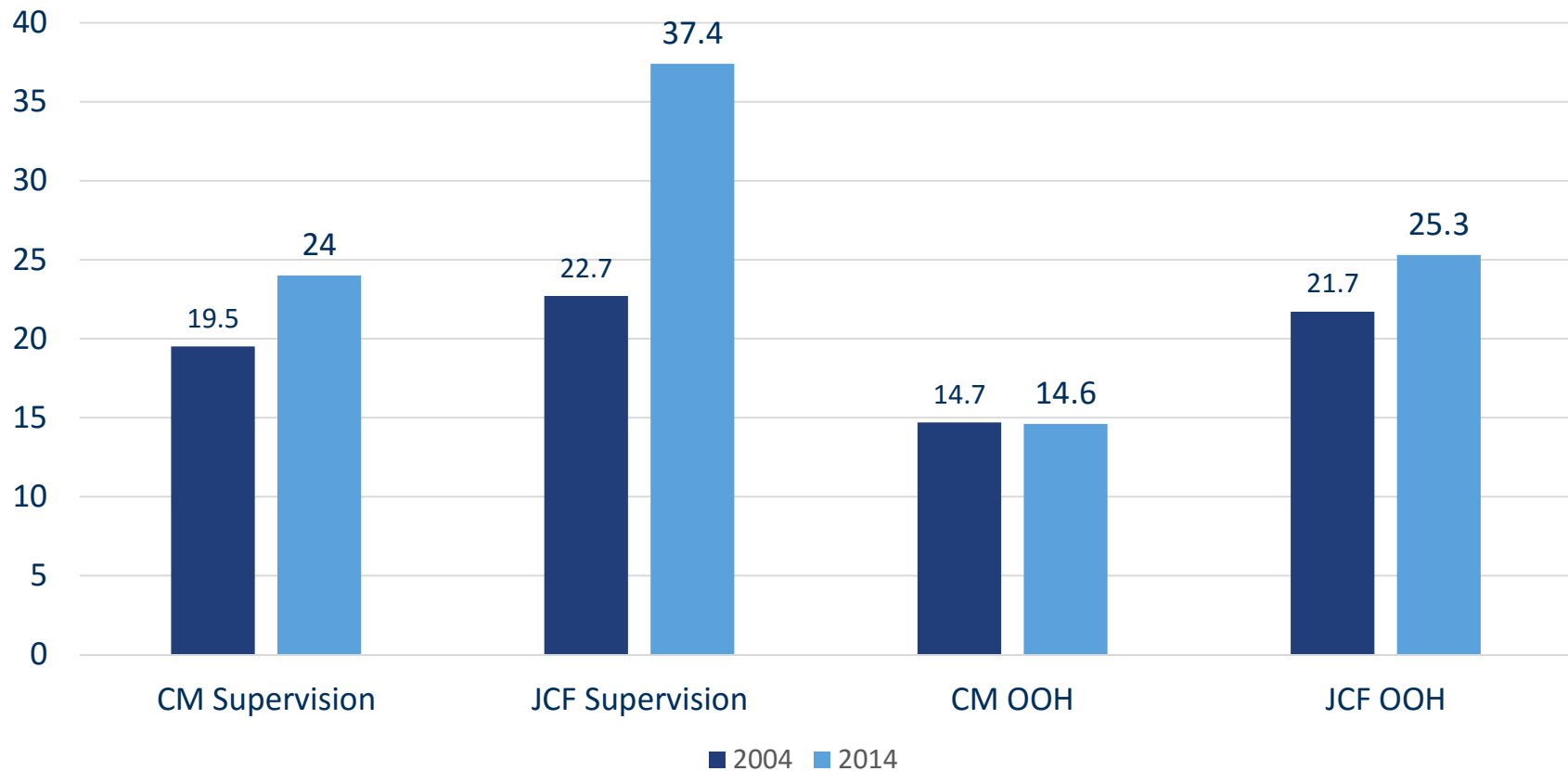
Workgroup Findings Summary

- Lower-level youth make up a large and growing share of both community supervision caseloads and residential beds
  - Research has shown that, overall, 70-80% of youth who come into contact with the juvenile justice system will not be involved in the adult criminal justice system
  - 90% of youth in both out-of-home case management and intensive supervision probation have two or fewer adjudications prior to placement
    - 7 out of 10 offenses are misdemeanors
  - More than 400 youth placed out of home for truancy, running away, or other behavior problems

Workgroup Findings Summary

- Evidence-based services in the community are unavailable for court-involved youth in most jurisdictions
  - Youth are referred to the same services in the community regardless of whether they are on community supervision or are in a non-secure placement though DCF custody or KDOC Case Management
  - These are publicly available services that any youth may access without court intervention
    - Publically available services are generally not evidence-based for reducing recidivism and are not monitored for quality by the juvenile justice system

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Research Leading to Senate Bill 367

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Section Overview

- This section will provide a description of information that was presented to the Workgroup tasked with investigating and considering juvenile justice reform including
  - Research reviewed by the Kansas Juvenile Justice Workgroup that informed SB 367 policy recommendations
  - An introduction to the Principles of Effective Intervention as they relate to the juvenile justice system

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What Works in Juvenile Justice

- Use objective structured assessment and decision-making tools to reduce reoffending
  - Routine, consistent use of structured decision-making tools allows for staff to implement optimal sanctions and placement in programming
  - Distinguish youth at high risk for continued criminal behavior from those at low risk in a consistent and sustained manner
  - A structured system of graduated sanctions and incentives encourages youth compliance

What Works in Juvenile Justice

- Match placement, supervision, and treatment to youth's risk and needs
  - Supervision and services as well as placements should be matched to the youth's risk level and criminogenic needs
    - Needs assessment instruments support matching of programs to criminogenic needs
    - For a given program type, service must be delivered in adequate amounts and quality (dose)

What Works in Juvenile Justice

- Invest in evidence-based programs monitored for quality, ensuring appropriate intensity to lower recidivism and improve outcomes
  - Community-based services can reduce reoffending and improve other outcomes
    - Many with identifiable problems (e.g., substance abuse problems) linked to their offending do not receive services
  - Higher quality program implementation is strongly and consistently associated with bigger effects on recidivism
  - Programs must be implemented with fidelity to meet recidivism reduction goals
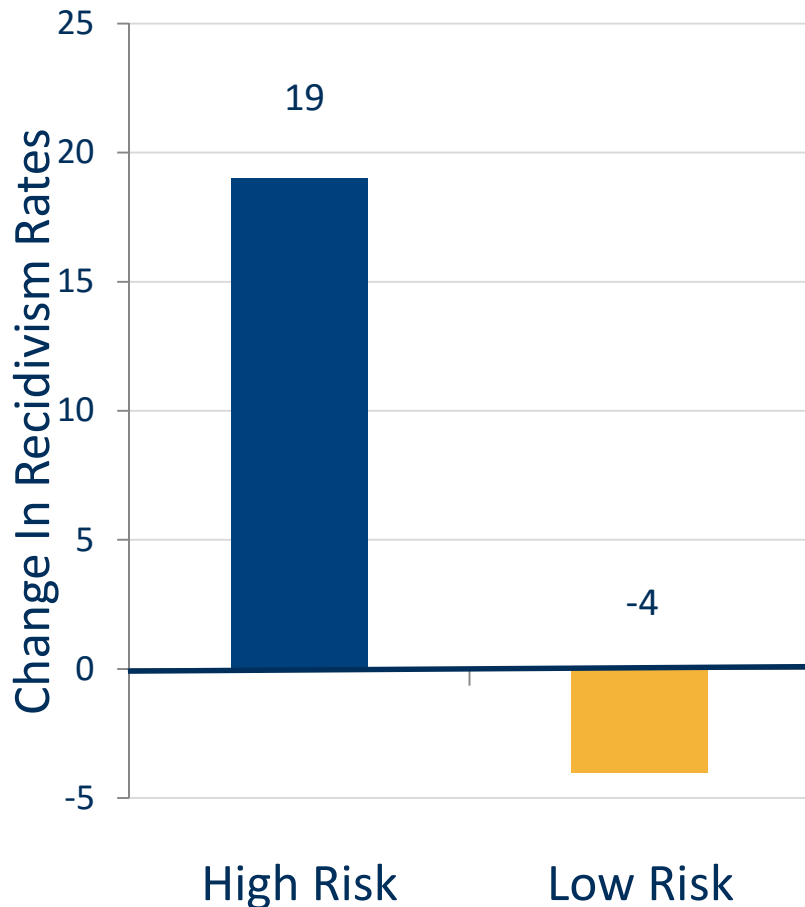
What Works in Juvenile Justice

- Target supervision and services to the highest risk offenders
  - Adolescents who have committed serious offenses are not necessarily on track for adult criminal careers
  - Over-involvement with the justice system can cause harm to for low-risk offenders

What Works in Juvenile Justice

- Do no harm to the youth at low risk of reoffending
  - A high proportion of the youth who come into the juvenile justice system (70-80%) are not on a path to adult crime; they are just afflicted with adolescence
  - Over-involvement with the juvenile justice system can make things worse for those juveniles

What Works in Juvenile Justice

Change In Recidivism Rates

High Risk: 19
Low Risk: -4

(Dowden & Andrews, 1999a)

- Research shows that high risk individuals given interventions targeted at high risk, recidivism is reduced 19%, but when low risk individuals were targeted, recidivism increased 4%
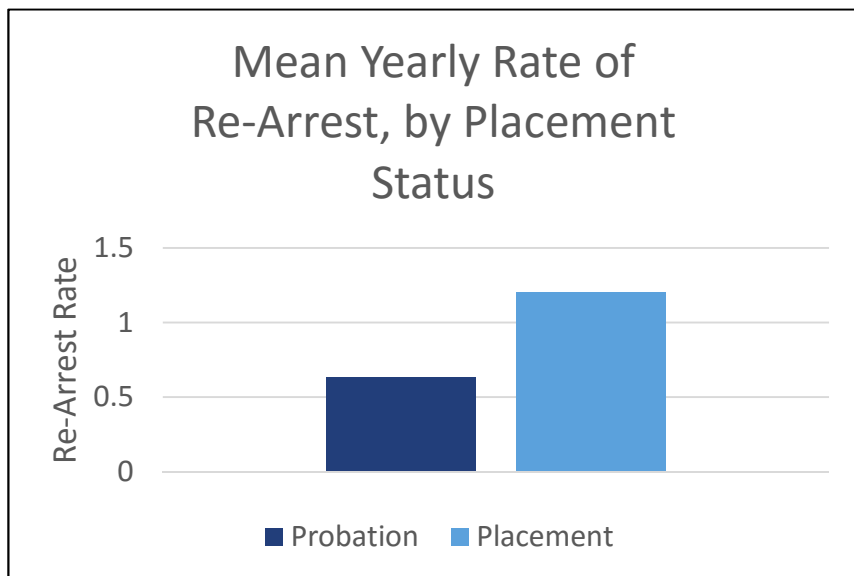
What Works in Juvenile Justice

- Out-of-home placements do not improve outcomes for most youth
  - Residential placements do not necessarily reduce juvenile reoffending and may increase recidivism for certain 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 protecting public safety
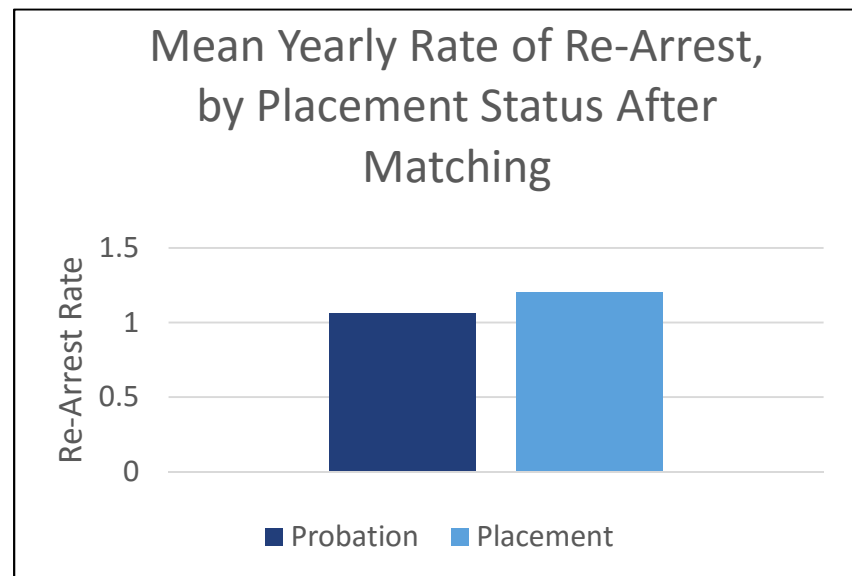
What Works in Juvenile Justice

- Research has found that placement has no effect on rate or re-arrest
  - In Kansas, the cost of placement is ten times that of community supervision

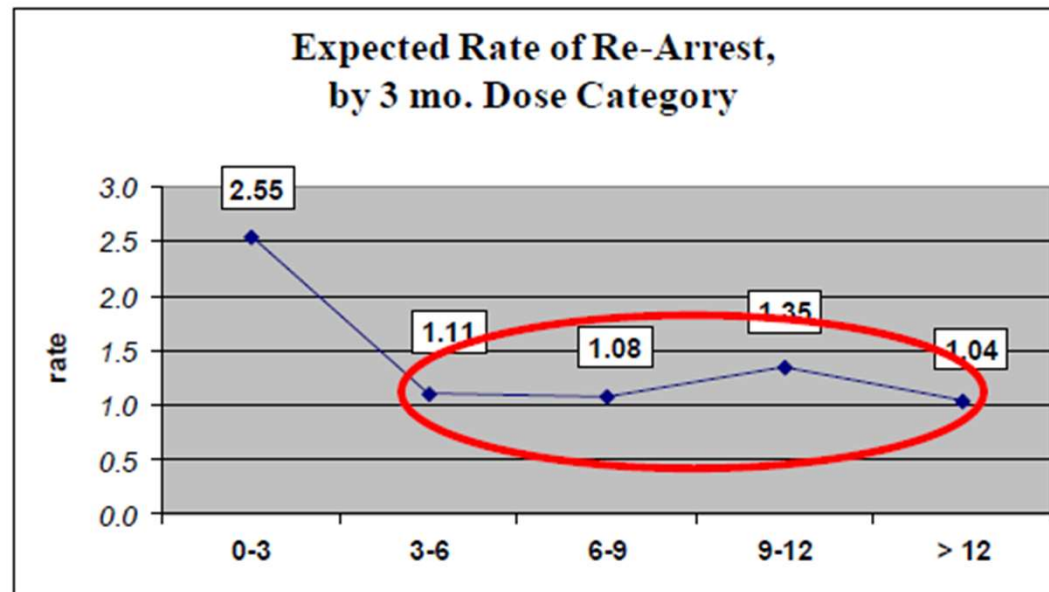Comparing placement and probation without controls

Treatment effect of placement after propensity score matching on 66 baseline variables

Mean Yearly Rate of Re-Arrest, by Placement Status

Re-Arrest Rate

1.5

1

0.5

0

■ Probation ■ Placement

Mean Yearly Rate of Re-Arrest, by Placement Status After Matching

Re-Arrest Rate

1.5

1

0.5

0

■ Probation ■ Placement

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What Works in Juvenile Justice

- 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

Expected Rate of Re-Arrest, by 3 mo. Dose Category

Dose Category	Rate
0-3	2.55
3-6	1.11
6-9	1.08
9-12	1.35
> 12	1.04

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What Works in Juvenile Justice

- Do not rely on predominantly punitive policies to promote public safety
  - Predominantly punitive policies and programs do not foster prosocial development or reduce recidivism
  - Specific programs and interventions that emphasize only control or deterrence point to poor outcomes for juvenile offenders

What Works in Juvenile Justice

- Fairness (perceived or real) promotes positive outcomes for youth
  - Holding youth accountable for wrongdoing and encouraging them to accept responsibility in a fair process (perceived and real) promotes healthy moral development and legal socialization
    - Conversely, holding them accountable and punishing youth in an unfair process (perceived or real) reinforces social disaffection and antisocial behavior

Principles of Effective Intervention

- Risk Principle – tells us **WHO** to target

- Need Principle – tells us **WHAT** to target

- Responsivity Principle – tells us **HOW** to target

- Fidelity Principle – tells us how to do this work **RIGHT**

Risk Principle

- The Risk Principle tells us *who* to target
- Risk assessments should be used to objectively and appropriately classify a youth's risk to commit further delinquency
- Target supervision and interventions to those individuals with higher probability (higher risk) of recidivism
 - Dosage and intensity correspond with risk level

Risk Principle

- **High risk** youth are more likely to recidivate and are more active when they do recidivate
  - Require the most intensive intervention (supervision and treatment) for the appropriate dosage
- **Low risk** youth are not as likely to recidivate
  - Too much intervention can increase likelihood of recidivism
  - Intervention may not be necessary

Risk Principle

Change In Recidivism Rates

- 19 — High Risk
- -4 — Low Risk

(Dowden & Andrews, 1999a)
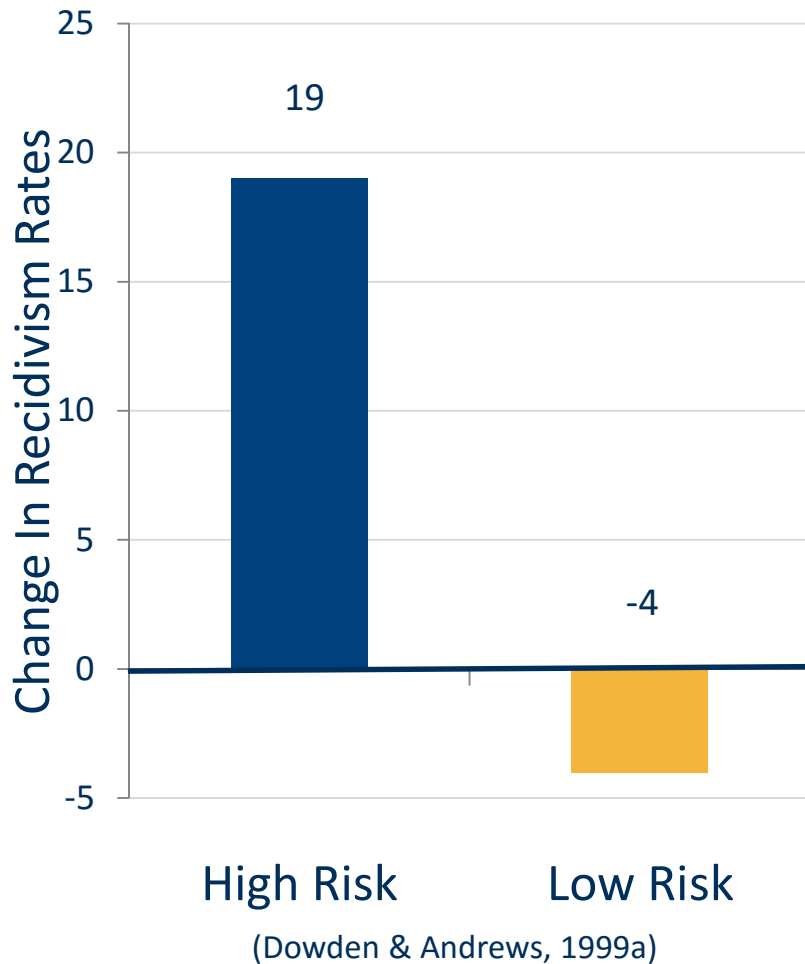
- Dowden and Andrews' meta-analysis shows that when there are interventions targeted at high risk, recidivism is reduced 19%, but target the low risk and recidivism increased 4%

- Knowing who is high risk and who is low risk matters

- Using a risk assessment to properly classify individuals is essential

Risk Principle

(Bonta et al., 2000)
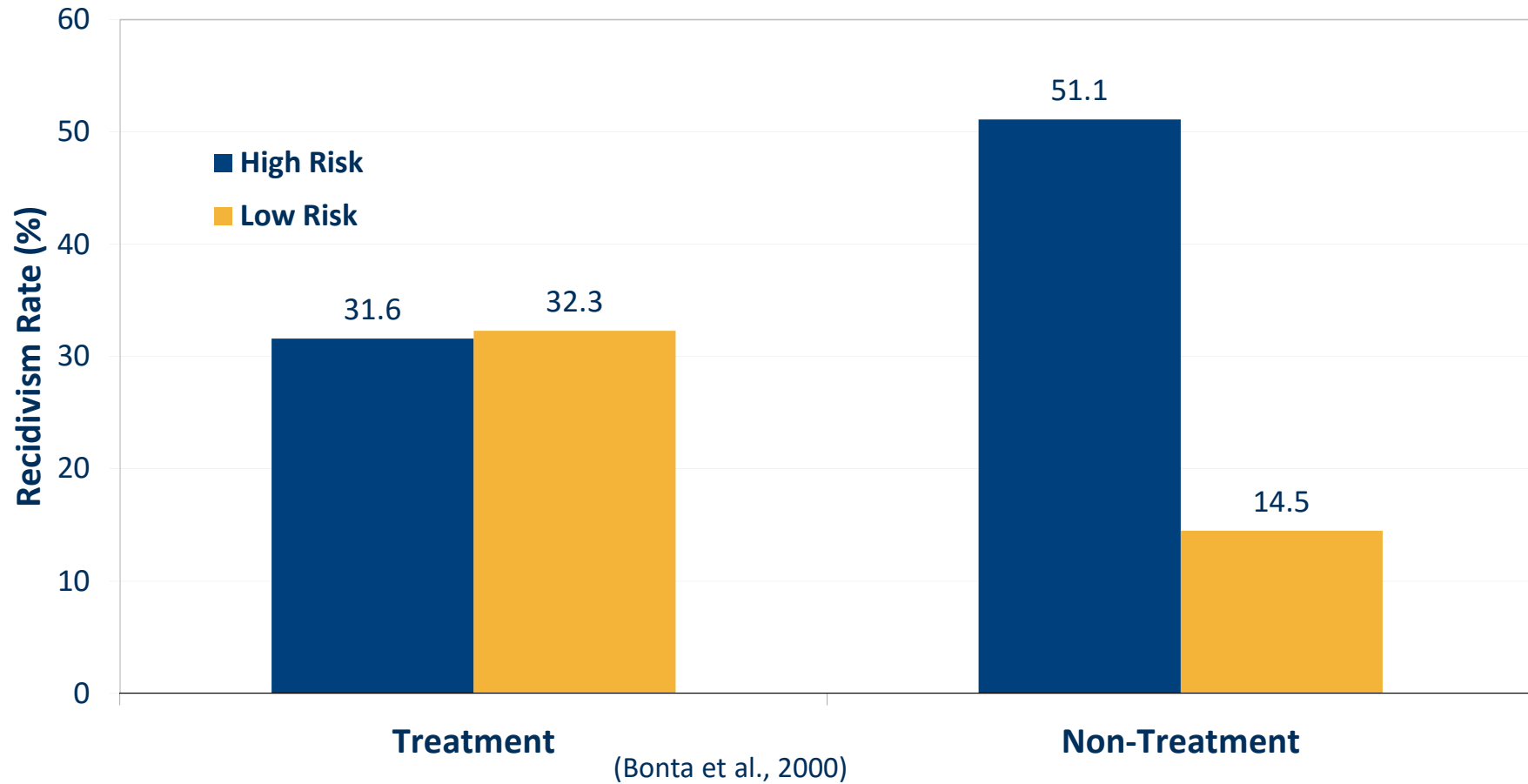
Risk Principle

- Why might dosage matter based on the risk level?
  - Low risk youth may learn antisocial behaviors and attitudes when engaging with high risk individuals
  - While increased dosage works to disrupt antisocial networks of the high risk youth, it decreases prosocial networks for low risk

    (Latessa, 2011)

- Adherence to the risk principle does not provide a 100% guarantee to reduce recidivism
- However, the risk principle provides clear direction

Need Principle

- The Need Principle tells us *what* to target
- Certain factors are tied to recidivism
- Risk factor = any characteristic related to recidivism
  - Static = things that cannot change, such as age at first offense, number of adjudications
  - Dynamic = things that can change, such as drug use, antisocial peers, educational needs
- Criminogenic = crime-producing
- Criminogenic needs = risk factors which predict recidivism AND are dynamic

Need Principle

- "Big Four" – Criminogenic risk factors
  - Antisocial attitudes
  - Antisocial peers
  - Antisocial personality
  - History of antisocial behavior
- Other criminogenic risk factors
  - Substance abuse
  - Employment/education
  - Low family affection/poor supervision/poor communication
  - Leisure/recreation
    (Andrews & Bonta, 1994)

Need Principle

- Non-criminogenic needs
  - Self-esteem
  - Anxiety
  - Creative abilities
  - History of trauma/victimization
  - Medical needs
  - Physical conditioning

- The primary targets of programs and interventions need to address criminogenic needs to reduce future offending

Need Principle

- Must assess and identify criminogenic needs

- Must target the dynamic "Big Four" criminogenic needs and then the secondary criminogenic needs

- Need to reduce or eliminate focus on non-criminogenic needs exclusively

- Use a focused intervention in supervision and programming

Responsivity Principle

- The Responsivity Principle tells us *how* to target
- What gets in the way of the youth benefiting from supervision and programming?
  - Take into account individual learning styles
  - Consider barriers to interventions
- Targeting responsivity factors will increase the likelihood for success

Responsivity Principle

- General
  - Interventions and programs that are based on cognitive behavioral/social learning theories are most effective for individual
    - One meta-analysis concluded that cognitive based programs are twice as effective as non-cognitive based programs (Izzo and Ross, 1990)
  - Can be implemented in all settings and interactions
- Specific
  - Each youth learns differently and has certain barriers that should be removed before programming or addressed during programming and supervision

Responsivity Principle

- **Mental illness is a specific responsivity factor**
  - Treatment providers may need to address mental health issues in order for a youth to be able to attend and participate in a program fully and effectively
  - Research has shown that for most youth mental illness is not the cause of involvement in the criminal justice system, but can make prosocial changes harder (Fisler, 2014)

- **Trauma is also a specific responsivity factor**
  - A traumatic experience is an event that threatens someone's life, safety, or well-being (Buffington et al., 2010)
  - The prevalence of trauma experienced by youth in the juvenile justice system demonstrates the incredible need for an understanding of the effects of this trauma

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Fidelity Principle

- The Fidelity Principle tells us how to do this work *right*
  - Model fidelity
    - Programs and interventions must be implemented with fidelity to achieve the recidivism reductions reported in the research
  - Training and coaching
    - Program staff must be provided the proper tools, training, and ongoing coaching and support to reduce the likelihood of drift
  - Risk assessment fidelity
    - Tools must be accurately scored and validated

Fidelity Principle

- Adherence to the three principles
  - **Focusing on the risk principle** → those with the highest risk to recidivate receive the most intensive supervision and services and those with lower risk receive limited intervention
  - **Focusing on the need principle** → identifying the dynamic criminogenic needs to target for change
  - **Focusing on the responsivity principle** → identifying and resolving the barriers to successful supervision and services and using cognitive interventions

Model Fidelity

(Andrews and Bonta, 2006)
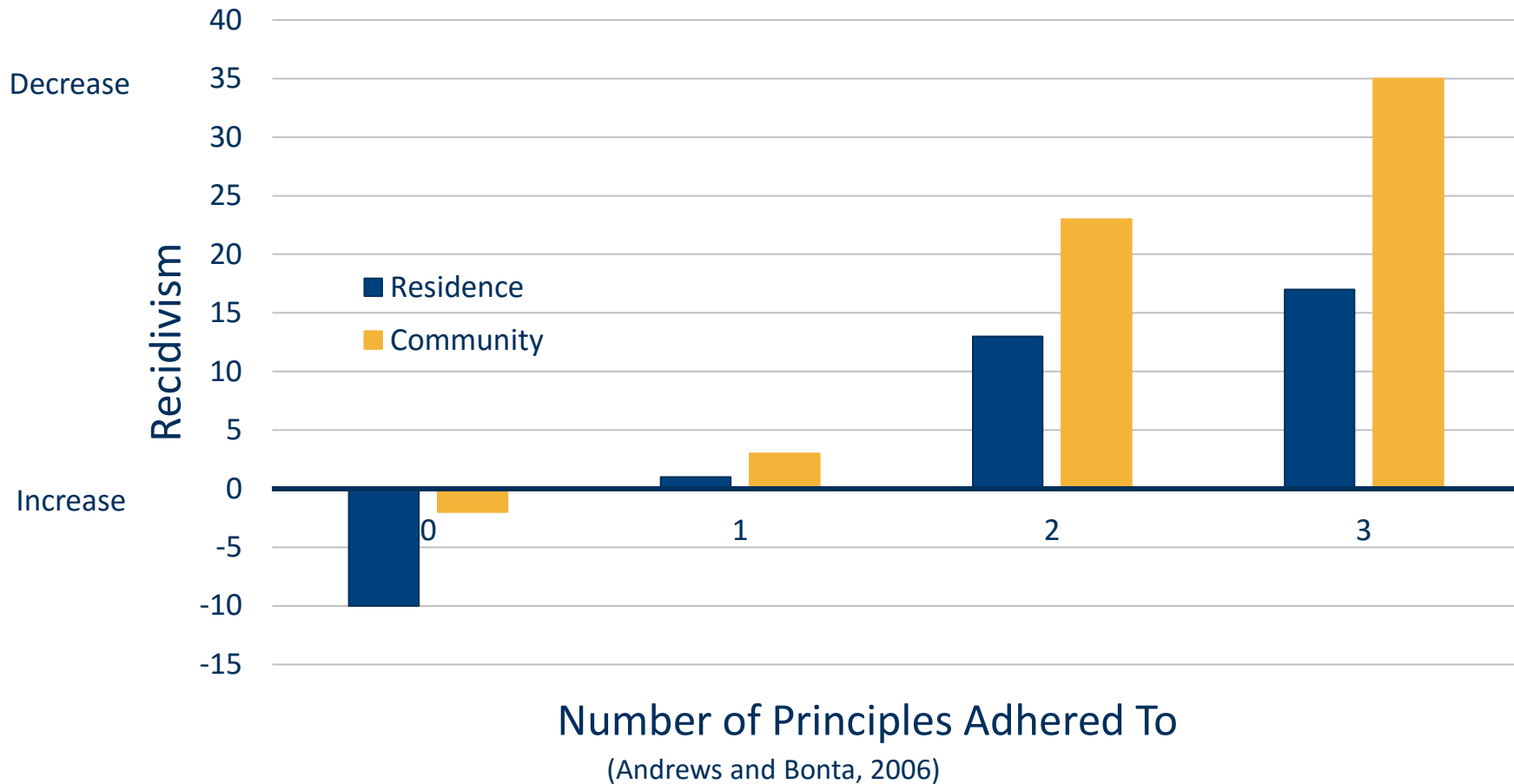
Summary

- In summary, the Kansas Juvenile Justice Workgroup determined that the Kansas juvenile justice system did not measure up to what the research says works to reduce recidivism, and made policy recommendations that subsequently become SB 367 in order to improve outcomes in the system

Office of Juvenile Justice and Delinquency Prevention's (OJJDP) Smart on Juvenile Justice Initiative, Technical Assistance, and Effective Implementation

Smart on Juvenile Justice Initiative

- OJJDP's Smart on Juvenile Justice Initiative aims to assist states in implementing juvenile justice system reform

- The initiative seeks to
  - Embrace a community-based approach that limits out-of-home placement
  - Promote evidence-based practices that follow a developmentally appropriate approach
  - Assist states in maximizing cost savings and reinvesting savings to support system change

Smart on Juvenile Justice Initiative

- Five distinct programs
  - **A Comprehensive Strategy to Juvenile Justice Reform in Georgia, Hawaii, Kentucky, South Dakota, Kansas, and West Virginia**
  - Technical Assistance to Reduce Racial and Ethnic Disparities in the Juvenile Justice System
  - Community Supervision, Training and Technical Assistance Program
  - Juvenile Prosecution Curriculum Development, Training and Technical Assistance Program
  - Enhancing Youth Access to Justice Initiative

Technical Assistance

- About CJI at CRJ
  - The Crime and Justice Institute (CJI) offers a team of experts who provide nonpartisan consulting, policy analysis, and research services to improve public safety in communities throughout the country. CJI develops and promotes evidence-based practices that inform practitioners and policymakers, including corrections officials, police, courts, and political and community leaders, to assist them in making criminal and juvenile justice systems more efficient and cost-effective, and to promote accountability for achieving better results

CJI Trainings

- Trainings aim to provide skills and tools to support staff in helping clients achieve successful outcomes
  - Skills-based to link research with policy and practice changes
- Curriculums are evidence-based and grounded in research demonstrating what works to reduce delinquency
- Trainings help ensure policies are implemented with fidelity and supports statewide consistency in practices
- Train-the-trainer events support sustaining practice changes over time

Train-the-Trainer Process

- Pre-Train-the-Trainer Event
  - Initial training
    - Trainers see information as it is to be delivered
    - Discuss how to present content, practice all skills-building activities and receive coaching
  - Provide homework, readings to build expertise
  - Webinar to review homework and readings
    - Conduct on-site skills-based coaching

Train-the-Trainer Process

- Train-the-Trainer event: three to five days
  - Day 1 (1-2) training is delivered by CJI
    - Review material
    - Discuss how to present content, teach and coach skills-based activities
    - Cover any expected challenges and how to overcome them
  - Day 2 (3-4) training is presented by agency staff
    - Practice delivering material
    - Receive coaching by CJI trainers
  - Day 3 (5) training presented by agency staff
    - The "go live" event

Train-the-Trainer Process

- Post Train-the-Trainer Event: On-going support
  - CJI trainers observe, support, co-facilitate agency trainers during first few trainings
  - Assist in providing on-going support to training participants

CJI Trainings

- Principles of Effective Intervention (PEI)
- Cognitive Interaction Skills
- Graduated Responses
- Risk Assessment Implementation
- Program Model Fidelity
- Effective Case Management

Implementation Process

- Implementation begins immediately following policy approval and will continue for several years
  - Agencies must be careful to not focus solely on policy deadlines

- For implementation to be successful and sustained, it requires a long-term commitment to
  - Planning
  - Training
  - Using data
  - Collaborating

Implementation Process: Stages

- Implementation happens in stages
  1) Exploration Phase (months 1 to 6)
  2) Installation Phase (months 6 to 12)
  3) Initial Implementation Phase (months 12-24)
  4) Full Implementation Phase (months 24-48)
  5) *Innovation Phase* (*)

- Each stage has relevant tasks needing completion

Stages of Implementation

If one or more stages is incomplete, it can disrupt the fidelity of implementation and impact long-term sustainability

Exploration ↔ Installation ↔ Initial Implementation ↔ Full Implementation
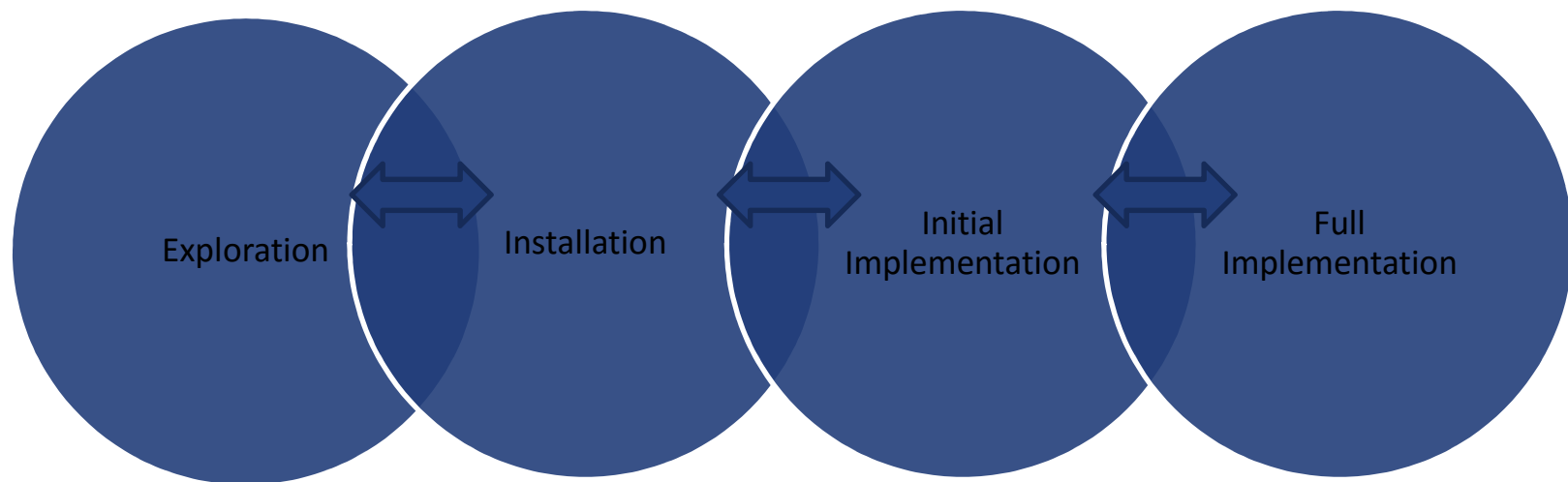
National Implementation Research Network (NIRN) © 2013 Blase and Fixsen

Implementation Progress: Exploration

- Exploration Stage (first 6 months)
  - Assemble committees and workgroups
  - Identify key policy areas for attention
  - Select key policies for development and implementation

Implementation Progress: Installation

- Installation Stage (6-12 months)
  - Establish policy development plan
    - Include policy details, vetting process, data collection and QA plans, and approval plans/timeline
    - Finalize and approve policies
  - Establish agency training plan
    - Include SB 367 training, capacity-building training, policy-specific training, and annual training plans
    - Conduct trainings
  - Develop and finalize inter-rater agreement processes for risk assessments

Initial Implementation

- Initial Implementation (12+ Months)
  - Pilot draft assessments and begin inter-rater agreement process
  - Test and monitor data collection and QA processes
  - Review instruments using recidivism data and inter-rater agreement process
  - Go live with policies
  - Regularly and widely report progress with risk tools, programs, and other changes with staff and stakeholders

Sustaining Full Implementation

- Full Implementation (24+ Months)
  - Begin initial evaluation and program assessment process
    - This is where you see benefits from implementation fidelity (training, implementation, inter-rater agreement, and data collection processes)
    - Conduct full validation process for risk assessment (long-term)
    - Conduct program evaluation
      - Programmatic
      - Process
      - Outcome
    - Strength of implementation fidelity is key to this process

Sustaining Full Implementation

- Full Implementation (24+ Months)
  - Modify policies, instrument, and programs, as needed, following risk assessment validation and program evaluation processes
  - Continue with capacity-building and annual trainings according to training plans
  - Maintain communication with staff and stakeholders

Stages of Implementation Review

- Stages
  - Exploration phase
  - Installation phase
  - Initial implementation phase
  - Full implementation phase
- Importance of establishing plans, adhering to plans, and ensuring fidelity throughout the process
  - Impacts long-term implementation success
- Importance of communication with internal and external stakeholders
  - Collaborate and share resources

Policy Changes Due to SB 367

Policy Changes

- The section will discuss the major components of SB 367
  - Increase in Evidence-Based Services
  - Changes in Decision-making Processes
    - Referrals into System
    - Diversion/Immediate Intervention
    - Detention
    - Transfers to Adult System
    - Disposition Decision-making
    - Violations
    - Length of Supervision

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Increase in Evidence-based Services

- Requires costs averted from reduced out-of-home placements be reinvested into evidence-based practices and programs in the community for use by intake, diversion, probation, and conditional release
  - Priority reinvestment areas target criminogenic needs, including cognitive-behavioral and family-centered therapies, substance abuse, and sex offender therapy

Increase in Evidence-based Services

- Incentivizes the development of effective pre- and post-file immediate intervention diversion programs
- Authorizes development of community-based alternatives to detention, including but not limited to house arrest and other alternatives run through intake, Court Services, or Community Corrections

Referrals Into System

- Increased collaboration with schools and law enforcement (7/1/17)
  - Requires Memoranda Of Understanding between schools and system stakeholders (including courts and county/district attorneys) to reduce referrals to law enforcement and the courts
- Notice to Appear (1/1/17)
  - Authorizes optional Notice to Appear protocol for first contact with law enforcement officer

Diversion/Immediate Intervention

- Diversion/Immediate Intervention (1/1/17)
  - KDOC and OJA to develop immediate intervention standards (1/1/17)
  - Immediate intervention can be up to 6 months, and can be extended up to 2 months for evidence-based program
  - Unsuccessful youth can be referred to a multidisciplinary team, who can extend the plan up to 4 months

Detention

- Pre-adjudication Detention (7/1/17)
  - Initial detention determinations will be standardized, guided by a validated detention risk assessment instrument
    - Detention should be reserved for high risk youth charged with serious offenses
    - All suitable detention alternatives should be exhausted
  - Judges will receive reports on available detention alternatives and appropriateness of release during 14-day detention review hearings
  - Increased investment in alternatives to detention based on narrowing of detention beds to most serious youth and elimination of temporary custody for juvenile offenses will create safe alternatives in the community

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Transfers to Adult System

- Transferring juvenile cases to the adult system
  - No youth under age 14 may be prosecuted as an adult and the presumption of adulthood burden is now on the prosecution
  - Extended jurisdiction juvenile (EJJ) prosecution eliminated for all but the highest severity offenses

Disposition Decision-making

- Pre-disposition decision making
  - A single, statewide risk and needs assessment will be used and standard processes for providing information to the court will be developed
  - A summary of that standard assessment will be provided to court post-adjudication, pre-disposition
  - OJA and KDOC will also collaboratively case-plan to provide the court and the youth with uniform information on progress

Disposition Decision-making

- Pre-disposition decision making
  - Court is now authorized to compel an assessment by KDADS if mental health or substance abuse treatment is needed
  - DCF must collaborate with the Courts and KDOC to wrap services around the family where there is a dual jacket case

Disposition Decision-making

- Group Homes (1/1/18)
  - Reduces the use of group homes with clear criteria
    - Creates rebuttable presumption that 10-14 year olds serious offender II, III, IV who would otherwise be placed at the JCF will be placed in youth residential facilities
    - Up to 50 beds can be used for this purpose
- JCF (7/1/17) revised matrix
  - The matrix revises offender types, length of stay, aftercare terms, and adds overall case limits
  - Off-grid and 1-4 persons felonies DO NOT change

Violations

- Graduated responses for youth on community supervision (7/1/16)
  - KDOC and OJA developing sanctions and incentives continuum to respond to technical violations of probation
  - Dollars from reduced out-of-home reliance will be used to fund evidence-based programs in the community specifically targeted at reducing recidivism for juvenile offenders
  - Reduced case management from the bench: technical violations may go before the court but only on the third of subsequent violation and failed responses are documented in case plan

Violations

- Post-adjudication detention (1/1/17)
  - JDC can be used if the court makes a finding that the youth is a significant risk of harm to another, charged with a new felony, scores as eligible on a detention risk assessment tool, or violates conditional release
    - Up to 45 days over length of the case
  - JDC may NOT be used solely for technical violations, contempt, violation of a valid court order, to protect from self-harm, or due to failure to find alternatives
  - Reinvestment in community-based alternatives to detention

Length of Supervision

- No overall case length limit for off-grid felony or non-drug severity level 1-4 felony offenders

- Overall Case Length Caps for all other offenses (7/1/17)
    - Up to 12 months for misdemeanor offenders
    - Up to 15 months low-risk and moderate-risk felony offenders
    - Up to 18 months for high-risk felony offenders

Length of Supervision

- Limits on length of probation (7/1/17)
  - Up to 6 months for low-risk and moderate-risk misdemeanor offenders and low-risk felony offenders
  - Up to 9 months for high-risk misdemeanor offenders and moderate-risk felony offenders
  - Up to 12 months for high-risk felony offenders
  - Extensions allowed up to 1 month for low-risk, 3 months for moderate-risk, and 6 months for high-risk
    - Subject to overall case length caps

Frequently Asked Questions

Frequently Asked Questions

- Currently, evidence-based programs such as Family Functional Therapy (FFT) and Multisystemic Therapy (MST) are funded by KDOC. Will these and other programs be available to youth supervised by OJA?
  - Yes. FFT and MST are both currently available for youth supervised by both KDOC and OJA. In the future, other EBPs will be available for all youth under supervision by either OJA and KDOC, as long as the youth meets eligibility criteria, such as risk level and need

Frequently Asked Questions

- How will the changes required by SB 367 be funded?
  - During fiscal years 2017 and 2018, <u>up to</u> $8,000,000 will be transferred for the purposes of facilitating the development and implementation of new community placements in conjunction with the reduction of out-of-home placements
  - Additionally, the legislature permitted KDOC to invest $2 million in FY 17 to jumpstart the investment of these reforms

Frequently Asked Questions

- When will reinvestment of funds begin?
  - Annually, on July 1, (or soon thereafter, as funds are available) actual or projected cost savings will be transferred into a justice improvement fund operated by KDOC
  - The first recommendation for spending any savings is required annually by November 30
    - Priority will be given to regions that demonstrate a high rate of out-of-home placements and few existing community based alternatives

Frequently Asked Questions

- How do the SB 367 policy changes apply to sex offenders?
  - SB 367 makes specific exceptions that allow for youth residential placement for 10-14 year olds serious offender II, III, IV who would otherwise be placed at the JCF
  - Any sex offenses that are off-grid felony or severity level 1-4 felony offenders are not included in the changes to disposition decision-making or length of supervision policy changes

Frequently Asked Questions

- When calculating case limits and required end dates, what date should be used as a start date?
  - Case limits begin with the date of disposition by the court and should be calculated starting on that date

Frequently Asked Questions

- Kansas uses the YLS/CMI risk tool. How do we know it works and is appropriate?
  - The YLS/CMI is a risk and needs assessment tool used in state and local jurisdictions across the country and has been independently validated on numerous post-disposition supervised populations
  - Currently, Johnson County is conducting an independent validation of the YLS/CMI, and SB 367 requires Kansas to conduct a statewide validation by 2020

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Frequently Asked Questions

- Will the reforms lead to an increase in the number of youth entering DCF custody?
  - CINC youth can no longer be detained as of 7/1/19. However, CINC youth can still be placed in shelter care for up to 72 hours
    - This should not have a direct impact on long-term custody dispositions
  - DCF is required to continue to monitor cases where JO youth also have an abuse/neglect case in order to address issues of abuse and neglect by parents and prepare parents for the child's return home

Frequently Asked Questions

- What will happen with youth who chronically run away and won't stay at home or in shelters?
  - The near elimination of the use of group homes means that most youth will not be placed in non-secure out-of-home placement and have the opportunity to go AWOL
  - Youth who runaway from home while on probation can be charged as a run away through the CINC system and receive DCF intervention
    - However, unless the youth commits a new offense, the case length and supervision length caps would still apply to their JO case

Frequently Asked Questions

- In rural areas, how can youth be assured the evidence-based programs that they require?
  - In expanding funding for evidence-based programs, KDOC is focusing on which types of programs can be effective for rural areas
    - For example, Functional Family Therapy is an individualized intervention that can serve youth in their homes – it does not require a certain minimum capacity

Frequently Asked Questions

- How can we know if the reforms are achieving the goals set out (reduce recidivism, cut costs, maintain public safety, etc.)?
  - The Oversight Council is tasked with meeting at least quarterly to review data and implementation progress
  - The Council, with help from CJI, will examine data as often as possible to determine if the changes expected from the reform are occurring
  - Remembering the stages of implementation, however, the Council will be careful not to rush to judgment understanding that changes take time to appear in data

Questions/Comments

- If you desire any additional information or have any further questions, please contact
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Disclaimer

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