

Testimony on SB367  
To  
The House Corrections and Juvenile Justice Committee

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I thank you for the opportunity today to testify in support of SB367 which passed the Senate on a 38-2 vote and is based upon the recommendations made by the Kansas Juvenile Justice Workgroup. As you will undoubtedly hear from many organizations and individuals in favor of this bill, I will limit my testimony to a few key components.

First, the Juvenile Justice Workgroup recommendations incorporated in SB367 represent the only comprehensive assessment of the Kansas juvenile justice system since the mid 1990's. That is not to say the system has not changed. Many of us have contributed to important improvements in the justice system in the past two decades. Those improvements happen as a need is identified and usually impact a portion of the system or the practices of a few individuals or organizations. All too often such improvements have a limited, or no, impact on statewide practices, and may not include a diverse representation of juvenile justice stakeholders.

As a member of the Juvenile Justice Workgroup, I can share with you that the membership was representative of the major decision making groups in our juvenile justice system and sought input across the system. We conducted over two dozen roundtable discussions across the state with key system stakeholders including: judges, law enforcement, crime victims and victims' advocates, prosecutors, educators, Juvenile Intake and Assessment Services (JIAS) staff, diversion staff, Community Corrections, Court Services, Juvenile Correctional Facility (JCF) staff, YRCII staff, Juvenile Detention Center (JDC) staff, service providers, juvenile offenders, youth found to be Children in Need of Care—Non-Abuse and Neglect (CINC-NAN), youth advocates, and parents and families. In addition Staff from KDOC, DCF, Court Services, the judiciary, the legislature, and other agencies also provided information through interviews and surveys were conducted of Court Services Officers (CSOs) and Community Corrections Officers (CCOs), gathering 99 CSO responses from 23 judicial districts and 155 CCO responses from 83 counties.

In summary, the product before you in SB367 is representative of the input of all of these stakeholder groups as well as the extensive opportunity for additional input that was conducted by the Senate Corrections and Juvenile Justice Committee.

Next, I would like to comment toward the use of residential placements. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) periodically conduct a point in time census of juveniles in residential placement across the country. In the most recent data from 2013, Kansas has the 6th highest rate among the 50 states and Washington D.C. of youth in residential placement at 278 per 100,000 youth. We cannot continue with a legal system which contributes to this overreliance on residential placement and to expend the people's limited resources to support this practice. For comparison purposes, currently the Kansas adult prison population ranks 36<sup>th</sup> in the nation. I offer to this committee that such a ranking would be more consistent with our Kansas values and the goals of our juvenile justice code (K.S.A. 38-2301).

During the Juvenile Justice Workgroup process of examining the data, seeking input from stakeholders, reviewing the research on effective responses to juvenile crime, and ultimately crafting our recommendations; at no point do I recall anyone suggesting this could be done without a full reinvestment of resources into additional and new interventions. Under SB367, justice involved children will not go without intervention, however this bill presents the opportunity, really it sets an expectation of adults and justice organizations, for those interventions be based upon risk to reoffend and evidence of what works to change criminal behavior.

To achieve this future, clearly we must implement different alternatives than what currently exist. The research helps us to understand that focusing upon youth who are high risk to reoffend, and then using the types of programs that are most likely to be effective in reducing recidivism. These programs include certified "model" programs such as Functional Family Therapy, Multisystemic Therapy, and Aggression Replacement Training (ART) among others and general program types such as cognitive-behavioral therapy, social skills training, group counseling, family counseling and others.<sup>1</sup> Focusing upon control approaches such as discipline, deterrence and surveillance are less effective, or even counter to the goal of improving public safety.

Within KDOC-JS, we are working to identify potential intervention options and engaged in discussion with a multitude of stakeholders as to their thoughts on needed interventions and the most effective means for implementation. Since the hearings on SB367 began in the House, KDOC-JS have met with the: Community Advisory Committee, hosted a statewide meeting of Administrative Contacts and Juvenile Corrections Directors, Association of Community Mental Health Centers, Mental Health Coalition, Governors Behavior Health Services Planning Council, Stuart Little as a lobbyist for multiple stakeholders, Kansas Advisory Group, Kansas Association of Addiction Professionals. In addition, I have met in person or by phone with 15 of the 30 Directors of the local Juvenile Corrections agencies in Kansas, and will continue placing calls until I have spoken with each, to discuss their specific local needs to be successful with a presumed implementation of SB367. The input we are receiving is exceptionally helpful and will be informative to our development of a specific set of implementation tasks.

Finally, I would like to offer that the policies in SB367 have been developed to work together, and that reinvestment of existing resources is a key to the success of these policies and to improving the safety of our public. I trust that improving public safety is a goal we all share, and commit to you that I, and our team in KDOC Juvenile Services, will do the work necessary to implement these changes when they become law.

I thank you for this opportunity, and am happy to stand for any questions at the appropriate time.

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<sup>i</sup> Juvenile Justice Research: Implications for Intervention and Policy, Edward P. Mulvey, Ph.D., Western Psychiatric Institute and Clinic, University of Pittsburgh School of Medicine and Mark W. Lipsey, Ph.D., Peabody Research Institute, Vanderbilt University, Presentation for Pew Foundation Topeka, Kansas September 9, 2015