

# Juvenile Justice Oversight Committee

## Minutes

Date and Time: January 27, 2017 from 9:00AM – 1:00PM

Location: Kansas Judicial Center  
301 SW 10<sup>th</sup> St.  
Topeka, KS 66612

### Committee Members in Attendance:

Kathy Armstrong, Lara Blake Bors, Randy Bowman, Kevin Emerson, Gail Finney, Paula Hofaker, Donald Hymer, Joe Norwood, Melody Pappan, Derrick Ploutz, Randy Powell, Amy Raymond, Janet Waugh, Terri Williams, Delia York, Karyl-Ann Roehl

### Committee Members Absent:

Carolyn McGinn, Brandon Smith, Greg Smith

### Criminal Justice Institute (CJI) Consultants Present:

Jennifer Christie, Pam Lachman

### 1) Welcome and Review of Agenda

Judge York opened the meeting.

Don moved the minutes be approved and Sen. Pettey seconded. Motion carried.

### 2) Update from each Agency regarding Implementation

Randy presented information on implementation work by the KDOC for SB367. See the handouts from the meeting.

Don said they have experienced barriers in using the ACT screening tool. He will send a report to Terri Williams about what they are doing.

Amy reported her groups at OJA are working collaboratively with KDOC on Earned Discharge, Graduated Responses, Immediate Intervention Process (IIP), and the Detention Risk Assessment Instrument (DRAI).

Kathy reported DCF is working with KDOC to create a process for tracking CINC youth that otherwise would have been a juvenile offender. Her agency is already seeing an increase in CINC numbers due to the Senate Bill.

There were no reports from other members.

### 3) Results of OJA and KDOC Survey

OJA and Juvenile Services surveyed Court Service Officers and Intensive Supervision Officers about the needs they see in their areas. Amy reviewed a PowerPoint presentation explaining survey results.

Amy's slide listing the services the officers felt they needed generated much discussion in the group. Don pointed out a conflict in the law, in that a juvenile may be given an

IIP/NTA for a crime an adult would be arrested for. He sees a gap in how these are handled. He also sees a deficit in how domestic abuse cases would be handled. Judge York sees a need for batterers' intervention programming for youth. We send batterers to anger management classes now and the treatment is just not the same.

Randy reviewed survey results from the ISP's. Their results were comparable to the CSO's. This led to a discussion about cognitive behavioral treatment (CBT). CBT done with fidelity produces good results. Don mentioned mental health centers in the KC metro area are discharging patients to Family Functional Therapy (FFT) services. Juvenile Services (JS) continues to contract with providers for CBT services statewide. A contract is being finalized now for Moral Reconciliation Therapy (MRT) services from a nationwide group. In this CBT program, five (5) youth are required for a group and youth can join or leave the group as needed. This removes one barrier to access. The vendor is allowing JS to try video services. Training will, most likely, be in April. With this contract, CBT services will be available statewide.

#### **4) Performance Measures Presentation**

Pam gave a presentation about the SB367 performance measurement framework. System indicators reflect trends. We use the indicators to look for consistency in the trends over time. Pam gave examples of system indicators and discussed their limitations. Policy-specific performance measures for this group will apply to:

- School Referrals
- Temporary Custody
- Diversion/Immediate Intervention Program
- Detention
- Transfers to Adult Court
- Dispositions: Risk & Needs Assessment
- Dispositions: Limits on Custody
- Violations: Graduated Responses
- Violations: Court Intervention
- Length of Supervision: Earned Discharge
- Length of Supervision: Probation Length
- Length of Supervision: Overall Case Length

A discussion of policy issues and data gaps ensued, specifically in regard to school referrals to law enforcement. Don noted most schools do not do police reports. An SRO may be involved in an incident that did or did not happen at school. He is gathering data about these referral for the School Justice Committee through JIAC. What we consider as entering into the juvenile justice system needs to be discussed. For instance, a case of a student accused of battery does not always go to the district attorney's office. Lara said the schools let the SROs decide if the student's behavior is actionable. Don asked if the decision-making could go to another person. He said some people in Johnson County are coming together to discuss and define what constitutes a referral from law enforcement at a school.

Kathy reported the Every Student Succeeds Act requires MOUs in each district. Janet reported the Department of Education has a big data system for us to consult. Derrick said the KSDE website reports information required by the Safety at School Act.

Superintendents report many offenses youth are picked up for do not happen at school. Data about the genesis of the offense might be helpful. The perception is referrals from schools are too high in number.

Pam asked the group to think about what data we need to see if policy is working or not. Data collection about temporary custody was brought up. Kathy said the removal reasons are inconsistent as the case progresses. Lara agreed, saying there is usually an “intervening act” showing why the youth was determined to be a CINC case.

Measuring what mechanisms are used for diversion was suggested. Gathering detention data will demonstrate if there is consistency in making detention decisions. The DRAI is a repository of data, although pending cases are not being scored. Using the DRAI without fidelity will skew the override data results. We may be able to measure post-dispositions and orders to detention using Full Court. Amy said Full Court is county based, not statewide.

Pam mentioned other data collections items:

- Transfers to the Adult System
- Disposition Data
- Disposition Limits on Custody
- Graduated Responses
- Court Interventions
- Earned Discharge
- Probation Lengths
- Overall Case Lengths

##### **5) Definition of Recidivism Discussion**

A key outcome of SB367 reform is a reduction in the recidivism rate. First, this group must define recidivism and how it will be measured. This will help in monitoring consistency over time. Measuring recidivism will help the group evaluate effectiveness of newly-funded programs. Considerations for measuring recidivism are re-arrest, re-adjudication, and re-incarceration/return to custody.

Pam stressed the importance of knowing exactly what you are measuring and for capturing the data a certain way. Baselines will be needed to start and we will want to collect data at various points of the system. Intended reasons for recidivism rates are:

- by policy level and practice;
- tied to risk level (important);
- characteristics of the youth changes;
- different definitions for different parts of the system;
- changes in the population.

Data comes from many places. We need to determine what all we want to know. We may track more than one definition of recidivism. It was suggested with start out with our “like-to-haves” and narrow the list down from there.

Melody moved, and Lara seconded, a Data Subcommittee, members to be identified by Randy, Amy and CJI, be formed to work together on this and report back. Motion passed.

**6) Discussion of MOUs Between Law Enforcement and Schools**

See discussion under #4 above.

**7) Juvenile Justice Improvement Fund Discussion**

Terri said the Secretary of Corrections must report savings 06/30/2017. After his report, the money is transferred. We anticipate this amount will be in the millions of dollars. Joe said we are projecting the savings now, based on current trends. Reductions are happening faster than originally anticipated, and a majority of the reduction items are not implemented yet. Joe feels there is a minimal risk of the reduction of the funds. The projection is that \$6 million will be saved by the end of the fiscal year.

**8) What we are Hearing about Amending the Senate Bill**

Pat reported nothing associated with SB367 was introduced in the Senate. Don said there are drafting issues in the bill and a general clean-up needs to be done. There are policy issues, oversights, and public safety concerns in regard to the matrix. For instance, in the case of a drive-by shooting, it will be tough to get the offending youth into a facility. There is also a feeling the case limits for felons are too short. Don says the misdemeanor portion of the bill looks good, yet the felony sections need work. Last, there are some who would like to see the implementation period slowed down.

Amy says the judges are looking at funding, implementation timing, programming, and delay of implementation. Derrick said there are concerns about training. The trainings should be valuable and quality driven.

Terri is certain some clarification to parts of the Bill will come out of this legislative session. Pam said it is CJI’s role to support implementation and re-examine areas that may jeopardize funds.

**9) Agenda for Next Meeting**

This group decided to meet again in April. The legislature is out of session 02/17 – 03/03/17, returning 03/06/17. Then they are out 04/10/17 until the end of the month. The dates we will look at are 02/27 – 02/28/17 and 03/01 – 03/09/17. Karyl-Ann will send out another internet scheduling email to solicit the best time for everyone.

The meeting adjourned at 12:54PM.

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