

Juvenile Justice Oversight Committee

08/20/2019 Meeting Minutes

Date and Time: August 20, 2019 from 8:30 am – 12:30 pm

Location: Judicial Center, Third Floor
Fatzer Courtroom
301 SW 10th St.
Topeka, KS 66603

Committee Members in Attendance:

Hope Cooper, Shanelle Dupree, Kevin Emerson, Rep. Gail Finney, Donald Hymer, Megan Milner, Jeanette Owens, Melody Pappan, Rep. Fred Patton, Sen. Pat Pettey, Katrina Pollet, Amy Raymond, Greg Smith, Janet Waugh, Judge Delia York, Jeff Zmuda

Committee Members Absent:

Lara Blake Bors, Judge Paula Hofaker, Sen. Carolyn McGinn, Max Mendoza, Derrick Ploutz

Criminal & Justice Institute:

Jennifer Christie

Committee Support:

Karyl-Ann Roehl

Welcome and Roll Call

The meeting started at 8:42 am. Roll Call was called, and the results are noted above.

Three new members join the JJOC today. They are Rep. Fred Patton (Chair of the House Judiciary) appointed by the House of Representatives, Katrina Pollet (Director, 25th Judicial District) appointed by the Attorney General, and Jeffery Zmuda, the Acting Secretary of KDOC. After they were introduced, each JJOC member introduced themselves as well.

Approval of Minutes from 06/27/19 Meeting

Shanelle moved, and Amy seconded, the minutes be approved. Motion carried.

Stakeholder Updates

KDOC

Megan had multiple reports for the committee. The FY19 Juvenile Services Training Activity report lists the training classes offered by the JS division. A total of 35 training sessions were held, providing training for 413 students.

The KDOC FY19 Earned Discharge Summary report shows by judicial district the number of youths who earned discharge credits. It also shows the percentage of youths by district who had earned discharge credits. Judge York asked if a youth reoffends is the youth still eligible for earned discharge credit on the first case. Megan replied they are still eligible while they are under compliance with their supervision/probation.

The third report showed KDOC FY19 Successful/Unsuccessful Probation Completions by judicial district. The report today only represents the first half of FY19. Megan will get the definitions of “Successful” and “Unsuccessful” and have it posted to our website.

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Information about the Sex Offender Treatment Program was the next report. This programming is paid for by reinvestment funds. The contract was recently expanded to include predisposition evaluations, something districts said they needed. This is the last year for this contract; it will be put out for bid again next year.

Next was the KDOC FY19 Reinvestment Grant Summary. This report listed each judicial district's grant award amount, their YTD expenditures, and the remaining balances. A percent of funds remaining was noted in the last column.

Megan provided the FY20 KDOC Reinvestment Grant information for each judicial district. For each district, the report showed the projected number of youths to be served, the amount of the awarded funds, and a description of the program the funds support. Some of these districts participate in regional collaborations to qualify for funds.

The final report provided was an Open Bed Report as of August 5, 2019. It showed there are sixteen youths in out-of-home placement, and the placement types were described. There was a brief conversation about Residential Maternity Care placements. It is for female offenders who are pregnant. They must meet the out-of-home placement criteria, in addition to being pregnant, in order to be placed there.

Megan summarized with these numbers: 16 youth in out-of-home placement (OOHP), 689 youths on intensive supervision probation (ISP), 134 youths are under case management (are in custody in the community), and 162 youths are housed at the juvenile correctional facility (JCF). Megan does not expect a significant drop in the JCF numbers as it appears to be leveling out.

The Parent Project training started this month and got rave reviews. This has been paid for with reinvestment funds. Training is in Salina next month, and another training is being planned for spring 2020. People from multiple disciplines attended the training, including community corrections, school staff, intake staff, and mental health professionals, to name a few. Megan is talking with her staff on how JS can help communities implement this program in their districts.

The contract with Georgetown University, for assistance with the Youth Crossover Model, is almost done. We are set to begin in October.

JCAB reports are out to the JCABs and judicial districts. This year, rather than ask them about their every need, we asked them to prioritize one or two needs and provide detailed information about them. We also asked for specific information about their crossover youth numbers and the services they have available for them. Judicial districts are to have their reports turned in by 10/01/2019.

Hope mentioned a crossover workgroup she is a member of met last Friday and the definition of 'crossover' youth was discussed. They have two more meetings coming up.

She also announced the creation of a new unit at KDOC called the Research and Behavior Analytics Unit. This unit will serve both the adult and juvenile areas of the agency. Hope assured the committee she will be certain work on juvenile data requests do not fall by the wayside.

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OJA

Amy reported OJA had 90 hours of training for their staff. These trainings were for new users, LSI-Rs and YLS. They held two sessions of EPICS training that included 300+ staff. There is an RFP out now for hiring a new trainer. Classes on Motivational Interviewing are planned for the fall.

OJA has 777 juveniles on probation supervision, and 727 juveniles on IIP/diversion. She noted most of their juveniles are from Johnson County. Amy explained while she lacks data like what Megan reported, OJA is implementing a statewide system with the ability to supply the data in the future.

DCF

Shanelle reported there were 355 removals in July. There are 237 youth that exited the system. This can be due to either children aging out of care (reaching age 18) or achieving permanency such as adoption or permanent custodianship. As of 07/31/19, 7574 youth were in out-of-home placements. She will send KA the data sheet. This number has steadily increased over the last decade.

In November 2019, DCF is launching Team Decision Making (TDM). These teams will assess a youth to determine safety needs, (not placements). The team will convene within 24 hours, meeting with the family, relatives, community partners, school staff, etc. to discuss the best safety scenario for the youth. Data from other states using TDMs shows a decrease in out-of-home placements, and an increase in placements with family and/or extended family. TDM will first be implemented in four Kansas counties. PPC decisions will continue to be determined by law enforcement and judges.

DCF is continuing to implement the child welfare task force recommendations.

Don asked about youth being able to access case management services if they are not in state custody.

The Families First initiative will be launched October 1, 2019. Kansas is leading the way in implementing this program. DCF is gathering bids on prevention contracts proposals-

Another change coming to the state of Kansas is the new foster care grantees, KVC and Cornerstones of Care, begin work on October 1st, 2019. In the Kansas City Region. Cornerstones of Care has a program called "30 Days to Finding" which specifically focuses on finding family members once a child enters state custody.

Shanelle reminded the committee of the letter from the DCF Secretary, and a subsequent letter from the DCF Deputy Secretary, asking for access to reinvestment funds. She asked if the committee thought using these funds was possible. The Reinvestment Subcommittee met with Jeff Cowger, Chief Counsel of KDOC, to get help in defining terms and policies in SB367. Following that discussion, it appears DCF may be able to access reinvestment funds for crossover youth family preservation services in the home and Family Functional Therapy (FFT). Youth would gain access following an intake assessment determining need.

Discussion About "Crossover" Definition

HB25 includes a legislative directive to form workgroups to study the impact of SB367 on DCF. Shanelle said the definition of "crossover youth" is being discussed by these groups. The groups include, but are not limited to:

- Crossover Youth Services Working Group (FY19)
- Crossover Youth Services Working Group (FY20)

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- Dually Involved Youth Subcommittee
- Multiple Agency Data Group
- Judicial Council

The first workgroup (FY19) submitted a report in June 2019. Their results described the character and risk factors of crossover youth and what services these youth need. A second workgroup (FY20) has met once to date, and the reviewed the proviso in that meeting. More meetings are planned. The JJOC has members participating in these groups.

Hope said each group discussing crossover youth has its own slant on what it should be. Georgetown uses a national definition, and she suggests we consider using that one.

Judge York wondered if we should ask the legislature to adopt the Georgetown definition statewide. She also asked a few questions about existing data that may support a definition. Where is data we can look at about this topic? Where is it collected and stored? What outcomes are we looking for? Is recidivism a measure we would use? This group defined recidivism, and we have not gotten the data we want out of Full Court. She wants us to have good, supporting data to inform our decision.

Don said we are not tracking the data Georgetown uses, as they simply count cases on both sides (KDOC/JS and DCF). He explained even if we had data, it may fail to show us the real picture due to the way cases are documented. For instance, a mom with a drug problem has a youth punching holes in the walls. What is considered the precipitating event? The mom's drug problem, or the youth punching holes in the wall? That is the challenge with the collecting data on these types of cases. Most families check multiple risk boxes when assessed. Don went on to ask if our definition should be restricted to the data we currently track.

Megan noted Georgetown gathers stakeholder agencies and helps them identify policies we need to modify. Data sharing and defining the population will, most likely, be part of that discussion. Judge York said reports show a decrease in DCF youth after SB367, yet this is not observed by line staff.

Don said a worker may list multiple reason for a case. He suggests we count open cases where there is a case in KDOC/JS and one in DCF to start. Judge York wants to avoid making decisions on "disappearing data" meaning data fields that could change.

Georgetown defines 'crossover' youth as, "Youth who experience maltreatment and engage in delinquent acts—these youth may or may not have an investigation and/or involvement in one or both systems." Where would we get data about youth not necessarily involved in our systems? Not all law enforcement has good ways to track involvement with juveniles. We would have to look at entry points. The first entry point would be JIAC and they could potentially capture the information, yet the information would be subject to reporting and human errors. It is very hard to track information using such a broad definition. We need one more useable, and we may be unable to track data in absence of a filing.

Jennifer believes we should ask Georgetown to help us with the definition and table this until they arrive in October. Multiple JJOC members are in these other groups discussing this. These JJOC members can encourage the other groups, letting them know we are talking with Georgetown for a statewide definition.

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Reinvestment Subcommittee Update

Jennifer handed out copies of the Reinvestment Plan. The Plan is in three categories: Currently Funded Programs, Upcoming FY20 Programs, and Upcoming FY21 Programs. A dollar amount or estimated dollar amount has been assigned to each. Currently Funded Programs total \$8,068,000; FY20 Programs total \$889,300; Upcoming FY21 Programs may cost up to \$12,750,000. The total is reflected as up to \$21,707,300.

A pilot is planned for Justice System Navigators. These positions would be in the communities to assess family needs and then connect them with the needed services.

The dollar amount listed under Microsoft Youth Offender system does not include the cost for implementing the system at the JCF. The \$2,000,000 shown is for two out of three systems being delivered. The agency does not have a figure for the third system yet.

This is a statewide plan, except for JCABS and the Georgetown pilot. Based on the subcommittee's visit with Jeff Cowger, Shanelle asked if we should earmark funds for the DCF requests. It was generally agreed the last paragraph on the Plan is appropriate for now. SB367 may need to be amended to allow for wider distribution of reinvestment funds. Jennifer said, as we work through the Annual Report, we need to discuss any recommendations for changes we want to present to the legislature. These should be discussed in-depth and voted upon.

Don said his JCAB asks if some of these programs on this Plan are fundable using reinvestment funds. The Reinvestment Subcommittee will take a second look to verify. Don said JCABs want to see more money sent to them for local initiatives. Megan said for places (districts) with more resources, they want more money to fund their programs. Other places without the resources appreciate the statewide contracts. The amounts awarded to the judicial districts' allocations is based on the percent they received from block grants.

According to Megan's report today, most districts have money left at the end of the year. This money goes back into the evidence-based funds account. Judge York noted money is left when a district is unable to get a program up and going, as the money cannot be reassigned to another programming effort. JCABs must be strategic in requests for money. Don suggested, from a public relations perspective, maybe something about this should be addressed in the Annual Report. Megan reminded everyone this years JCAB reports ask for more specifics and better funding estimates.

Sen. Pettey asked if the \$12.75 million for FY21 is in addition to what is currently funded and yes, it is. Shanelle asked what we are doing to tell providers what is being funded? The Plan will be in the Annual Report, and all RFPs go through the Department of Administration. Juvenile Services uses stakeholder email blasts as well. It is challenging to communicate to everyone what we are doing.

Sen. Pettey said the Joint Committee meets October 16 and 17. We have not been asked to testify yet.

Annual Report Preparation

Jennifer handed out a description of her proposed timeline for publishing the Annual Report. She said according to implementation science, we are in full implementation and it is time to analyze it. We need to present more data and outcomes than we have in the past.

This is an aggressive timeline. Like previous years, contributors will send their information to Jennifer who will write the final version, so it sounds like one voice. The timeline is:

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09/16/19 Individual drafts are due to Jennifer
09/26/19 First draft sent out to JJOC members for review
~~10/02/19~~ 10/10/19 JJOC will discuss the report in the meeting
10/18/19 Final draft sent out to JJOC members for review

Several members said the meeting date of 10/02/19 no longer works for them as schedules have changed. Changing it to October 10th was suggested. Melody motioned, and Amy seconded, we change the meeting date to October 10, 2019. Motion carried. The meeting will be held from 1 – 5:00 PM. That is the only date changing on this timeline – the other dates will remain the same. Members should send their amendments to Jennifer BEFORE October 10th.

Do we have recommended changes for the legislature to consider? Members are to think about this and a conference call to discuss recommendations will be scheduled for some time between today's meeting and October 10th. Chair Smith reminded everyone we will need a quorum on the conference call.

Public Presentations to the JJOC

The vision at this time is writing a one-page document on how to access funds. The information will be posted on the Dept. of Administration's website. Non-governmental proposals will be directed through the JCABS. Juvenile Services will also send out an email blast to all stakeholders about the process and opportunity to present. It is noted some JCABS are not very functional. In those cases, the proposal could go through the administrative contact of the district. We just want to be certain there is a second avenue to use in addition to the JCABS.

New Business

None

Agenda for Next Meeting

Annual Report

NOTE

Megan received the definition of "Successful" from her staff and it is:

A successful completion is defined by KDOC as a youth who, at the time of discharge, has no pending offenses or pending revocations, and is engaging with programming, treatment, and requirements set forth in the supervision plan.

An unsuccessful completion is a youth who at the time of discharge has pending offenses or revocations, or has not engaged with programming, treatment, and requirements set forth in the supervision plan.

The meeting adjourned at 11:00 am.

GS/kar