

# Juvenile Justice Oversight Committee

## Minutes

Date and Time: February 4, 2019 from 1:00 – 4:00 pm

Location: Judicial Center, Second Floor  
Court of Appeals Courtroom  
301 SW 10<sup>th</sup> St.  
Topeka, KS 66603

**Committee Members in Attendance:**

Kathy Armstrong, Randy Bowman, Judge Paula Hofaker, Megan Milner, Melody Pappan, Derrick Ploutz, Amy Raymond, Former Sen. Greg Smith, Janet Waugh, Judge Delia York, Sen. Carolyn McGinn, Sen. Pat Pettey, and Roger Werholtz arrived later in the meeting.

**Committee Members on the Phone:**

Don Hymer

**Committee Members Absent:**

Peter Barstad, Lara Blake Bors, Kevin Emerson, Rep. Gail Finney, Max Mendoza, Rep. Randy Powell

**Criminal Justice Institute:**

Jennifer Christie

**Committee Support:**

Karyl-Ann Roehl

**Welcome and Roll Call/Review of Agenda**

The meeting started at 1:08 pm. Former Sen. Smith opened by welcoming everyone to the meeting.

**Approval of Minutes from 11/16/2018 Meeting and 01/24/19 Conference Call**

Judge Hofaker made the motion to approve the minutes. Derrick Ploutz seconded the motion. Motion carried.

**Introduction of New JJOC Member**

Randy Bowman introduced Roger Werholtz as the new interim Secretary of KDOC. Mr. Werholtz is serving on an interim transition team established by the new governor. He has served as the Secretary of KDOC in the past. Everyone introduced themselves to him and welcomed him to the committee. He replaces former Secretary Joe Norwood on this committee.

**Presentation: Community Engagement Initiative funded by the Kansas Advisory Group (KAG)  
Dr. L. Sue Williams, Kansas State University**

Dr. L. Sue Williams, from the K-State Juvenile Justice Collaborative, gave a brief presentation about the *Our Town Our Kids* project initiated by the Kansas Advisory Group (KAG). The Collaborative is a multidisciplinary team from Kansas State University, Fort Hays State University, and the K-State Extension office. The program is "...designed to enhance capacity of Kansas communities to reduce the number of youth at-risk for involvement in the juvenile justice system." They will be looking at systems concerns, primarily in rural areas. The areas of youth development, health, environment, and distractions will be explored. The Collaboration will gather, manage, and analyze data they collect in the communities. Using the results, they will help communities build their own systems tailored to the needs of youth in those communities. The study enjoys both state and federal

bipartisan support. The Collaborative is in the information-gathering stage now. The project started in October 2018 and will last two years.

It is thought the activities of the project may dovetail into some of the things our committee is discussing, specifically regarding support for JCABs. As we work through our initiatives we will look for ways to partner with and support the project.

### **SB 14 Testimony of 01/30/19**

Sen. Carolyn McGinn spoke to us about SB 14 activity. Testimony was given by our group and others, all in favor of the bill. The House is still working on the budget, particularly the governor's requests to make a substantial payment to KPERS and to consider her new tax bill. The result of SB 14 discussion is expected to be known in the final budget recommendation.

We all agree there is a need for the mental health crisis beds the \$6 million was originally intended to fund. Both funding the beds and returning the money to our reinvestment fund will be considered and hopefully resolved by a subcommittee.

Sen. McGinn explained as the amount in our reinvestment account grows, other legislators will see that money, especially if we have another recession, and we will have trouble holding on to it. She strongly encouraged us to create a "great" plan showing what our objectives are and how the funds will be spent. We need a concrete long-term plan. New legislators and analysts come into the discussion without any knowledge of past discussions and/or intent of the legislation. They are trained to find money for legislators and they will see the growing balance in the reinvestment account. Further, Sen. Pettey commented, legislators are being influenced by judges who have not bought into juvenile justice reform efforts.

Sen. McGinn recommended testimony be given to the House and Senate about the history of SB367, the intentions of the bill, what this committee is doing, and how we plan to move forward. This should also include money amounts earmarked for reform efforts, such as family engagement. She will send testimony dates to Sen. Smith, and she will keep working on this throughout the session.

### **H.R.6964 Juvenile Justice Reform Act of 2018 (Federal)**

Former Sen. Smith announced the Juvenile Justice and Delinquency Prevention Act has been reauthorized by the federal government. Authorized in 1992, the Act expired in 2007. It was just reauthorized with some major changes. There is a new checklist for juvenile justice programs, and other legislation like some issues addressed in SB367. The bill requires specific information be posted on our website. Briefly, the Core Requirements are:

- Data collection on racial and ethnic disparities to determine at which points the disparities occur. A plan must be written to address these disparities.
- States are required to ensure sight and sound separation and jail removal for youth awaiting trial as adults.
- The conditions under which a youth may be found in violation of a valid court order and rules about detaining those youth.
- A Title II amendment creating a new focus on data-driven evidence-based or promising prevention programs.
- A Title V amendment allowing local policy boards to use Youth PROMISE grants to fund delinquency prevention programs.
- A requirement state plans be supported by the science surrounding youth development.
- Additional membership requirements for state advisory groups nationwide.

Randy mentioned key parts to the reauthorization includes guidelines for getting youth out of detention centers, a standard recidivism definition, and seeing more money going into the communities. He will keep this committee updated as more information comes out.

### **Updates from Reinvestment Committee**

Judge York reported on the activities of the Reinvestment Subcommittee. They continue to drill down on family engagement statewide and are talking about how to implement it. One of the first steps is to define a common language and develop a family guide. The subcommittee is working on getting a focus group(s) together to assist with the content of the guide. The goal is to publish a family guide “template” that can be easily modified by each judicial district to fit their processes.

The training part of implementation is a big task. One training will cover the particulars of the Parent Project, and another will cover family engagement. Both are statewide efforts. Mike Fronkert, from Appleseed, is considering training provided by the National Crittenton Foundation. The subcommittee is also discussing the review and revision of existing policies and practices to include family engagement dynamics.

The subcommittee has looked at a job description for a family engagement collaborator. Melody repeated the recommendation of having a staff person in KDOC Central Office and OJA, as well as at least one person in each judicial district, specifically dedicated to family engagement services statewide. The KDOC CO person should be 100% dedicated to family engagement so the position is not blurred with other responsibilities. Melody feels the CO and OJA staff persons should be hired now, while the program is in development, yet understands there may be some red tape to work through in getting that going.

At this point, Derrick asked what is going to be made available for CINC youth? He is seeing youth who are “really messed up” and who are at a high risk of being victimized. Kathy talked a bit about a program her agency is exploring, the Georgetown University Crossover Youth Practice Model. They offer training and technical assistance, development of a work plan, provision of a protocol manual and an evaluation package. They currently operate in 103 counties in three states. The feds have been looking at prevention services. Kathy wonders if any of our reinvestment money can be used to that end.

Randy mentioned KDOC and DCF have been talking about this model since last summer. The subcommittee is to make a recommendation. Agencies will work together to meet the youths’ needs. The cost is ballparked at \$275,000 to implement and it would be started in two geographical areas of Kansas. It takes 18-24 months to implement. A community is trained and mentored, and then they help other communities get started. The intent is to get the program statewide. He will look in to getting a presentation about this for us.

Judge York said the Reinvestment Subcommittee is discussing a possible CO or JD position of JCAB Facilitator. The statute refers to the position as a “convener”. The original statute is old – from 1997 – and the intent behind it was to help build a juvenile justice system in Kansas. Judge York said SB367 continues the practice of relying on JCABs to reform the juvenile justice system in Kansas, and although old, the statute seems to speak to that.

Judge York said the poor JCAB reports KDOC receives is a good sign there is a problem with JCABs. Megan said she has talked with some administrative contacts who had very little complaints about their JCABs. She does not know how wide spread the JCAB problems are and it would be beneficial to have a better understanding of the prevalence of this issue. Jennifer asked if someone should survey JCABs to identify problem areas.

Amy suggested the statute be reviewed again, feeling that unless JCABS are “evidence-based”, we are probably unable to use reinvestment funds. She believes a JCAB review is needed, yet she is not sure that reinvestment funds can be used for this purpose. Randy said the statute says, “data driven and collaboration” and this can be interpreted to mean JCAB programs are evidence based.

Judge York said we need a plan including how we are going to mine the data. It is still unclear if reinvestment funds may be spent on data systems. Sen. Smith recalls a collaborative data system has been a goal of the legislature for a while, yet they are told it cannot be done. Jennifer thinks it is reasonable to spend reinvestment funds on systems called for in SB367.

Amy thought a good solution is to create a data hub at the KBI and submit data via service buses. Permissions would be needed for everyone to share data through the KBI. Judge York feels we really need to start pushing this because we need data to move forward. When are we going to have data? IT input from each agency involved is required. Randy mentioned in putting together data, first we must see what we have and what would be shared. Then we need to look at all the applicable systems. This would be a long-term systems development project.

Megan said we started this once before with the Data Subcommittee, yet it stalled out. If we are going to pick this up again, we must follow through. Jennifer mentioned the last time this was discussed, we did not know how much money would be needed to pursue a project.

The group said they want the Data Subcommittee restarted. Jennifer said Step 1 would be to get DCF, OJA and KDOC to determine the needs. DCF, OJA, KDOC, KBI, and Education agencies all need to be involved so nothing is missed. The second step is to set up a meeting with all agencies involved and a data person to talk about what we need to do to get started. Step 3 is to bring in the KBI to share what needs to be captured and shared. Only then can we begin talking about costs of the project.

Judge Hofaker suggested we see what other states are doing before we start from scratch. Data elements wanted would need to be identified. Jennifer will consider the MOU needed to get started. If we were to use Evidence-Based Programs Funds for this, our target date for getting this accomplished would be the next legislative session in 2020. Randy reminded everyone we must go through each agency, and then have it in the KDOC budget to submit to the Governor by September to make it happen. This means we must have everything completed by August of this year. Judge Hofaker said that should be our target.

Jennifer recapped the activities of the Reinvestment Subcommittee costing reinvestment dollars:

- Parent Engagement – Two state positions; at least one in each JD
- Training for all involved in family engagement
- The Parent Project implementation
- JCABs – unsure of cost, if any right now
- Data component – sharing and analyzing

### **Discussion of allowing outside group to speak to the JJOC**

The suggestion was made the JJOC consider allowing time for speakers in the public to come and speak about a juvenile justice related concern or idea for programming. Megan brought the idea to this group for discussion. It seems if the statute criteria are met regarding use of Evidence-Based Program funds, it is possible some ideas/proposals could be implemented. Parameters must be specific and we must always consider sustainability.

KA has been considering this idea and drafted some parameters and a request form to get ideas from this group started. These were handed out.

Randy cautioned we must be very clear on how to vet these or we may get numerous sales calls and/or commercial companies applying to present to us. Some non-profits are selling services also, so the parameters must be specific. We also want to make it clear “just because you submit to present, it does not mean you get to present.” Don reminded everyone these must be well vetted. “Public comments” is a loaded term.

Amy made the motion, and Derrick seconded the discussion about outside groups addressing the JJOC be back to the Reinvestment Subcommittee to be finalized. The motion carried.

### **Agenda for the Next Meeting**

The next agenda will include:

- Public presenting to the JJOC – Reinvestment Subcommittee
- Georgetown University’s Crossover Model – Randy
- Reviving the Data Subcommittee - Jennifer
- Data Subcommittee Report – Megan
- Self-imposed deadlines for moving funds in a plan
- A Plan for Reinvestment Funds: Item/Date/Amounts – Reinvestment Subcommittee

Additional items for the agenda may be sent to KA.

JCAB Reinvestment Grant proposals go out soon and are due back by May 1<sup>st</sup>.

Amy would like for the JJOC to determine the frequency of our meetings and set them up a year ahead of time. Other committee members agreed. Amy made the motion we plan to meet every-other-month and the rest of the 2019 meetings be scheduled. Judge York seconded and the motion passed. KA will send out Doodles asking for member availability.

Melody moved, and Amy seconded, the meeting adjourn. Motion carried and the meeting adjourned at 4:17 pm.

/kar