

ADJUDICATION ON OR AFTER JULY 1, 2017

*unless stated otherwise

On and after July 1, 2017, K.S.A. 2015 Supp. 38-2369 ... for the purpose of committing juvenile offenders to a juvenile correctional facility:

1. judge must find and enter into the written order that the juvenile poses a significant **risk of harm to another** or **damage to property**
2. the court shall establish a **specific term of commitment** as specified in this subsection, **unless** the judge conducts a departure hearing and finds substantial and compelling reasons to impose a departure sentence as provided in K.S.A. 2015 Supp. 38-2371, and amendments thereto.
3. the term of **commitment shall not exceed** the overall case length limit
4. prior to being committed to a juvenile correctional facility, the court shall administer a **risk assessment** tool (K.S.A. 2015 Supp. 38-2360) or review a risk assessment tool that was administered within the past six months to the juvenile.

Offender Type	Offense Level	Length of Stay	Aftercare Term
Violent I	off-grid felony adjudication	60 months - age 22 ½	6 months - age 23
Violent II	1-3 felony adjudication	24 months - age 22 ½	6 months - age 23
Serious I	4 person felony adjudication	18 months - 36 months	6 months - 24 months
Serious II	1 - 2 drug felony adjudication <i>prior to July 1, 2012</i> 1 - 3 drug felony adjudication OR 5 - 6 person felony adjudication <i>on or after July 1, 2012</i>	9 months - 18 months	6 months maximum
Serious III	7 person felony adjudication AND one prior felony adjudication	6 months - 12 months	6 months maximum
<i>Offenders in this category may only be committed to a JCF if they are assessed as high-risk.</i>			
Serious IV	level 8-10 person felony adjudication AND one prior felony adjudication	6 months - 12 months	6 months maximum
<i>Offenders in this category may only be committed to a JCF if they are assessed as high-risk.</i>			
Chronic I	one present nonperson felony AND two prior felony adjudications OR <i>prior to July 1, 2012</i> one present level 3 drug felony adjudication AND two prior felony adjudications OR <i>on or after July 1, 2012</i> one present level 4 drug felony adjudication AND two prior felony adjudications	6 months - 12 months	6 months maximum
<i>Offenders in this category may only be committed to a JCF if they are assessed as high-risk.</i>			
Conditional Release	The period of conditional release shall be limited to a maximum of six months and shall be subject to graduated responses. The presumption upon release shall be a return to the juvenile's home, unless the case plan developed pursuant to K.S.A. 2015 Supp. 38-2373, and amendments thereto, recommends a different reentry plan.		