

Testimony on HB 2456  
To  
The House Corrections and Juvenile Justice Committee

By Joe Norwood  
Secretary  
Kansas Department of Corrections  
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The Department supports HB 2456. HB 2456 amends K.S.A. 38-2391. K.S.A. 38-2391 is the foundation for the juvenile corrections best practice of establishing an overall case length based on the adjudicated offense; and the risk and needs of the juvenile. HB 2456 addresses two components of the “overall case length”;

- When does the case length start?
- If a juvenile absconds from supervision, when does the service of the case length begin again?

In regard to when the sentence begins, HB 2456 amends currently law which dictates the case length “begins upon disposition or 15 days after adjudication, whichever is sooner”. HB 2456 amends that starting point by providing for the sentence to begin running “upon entry of the dispositional order”. The department has discussed this proposed change with some stakeholders and has heard one interpretation of that language as meaning that the term and case length would start only after all parties have signed the journal entry and it is filed by the Court Clerk. This may result in the youth being unsupervised while waiting for the processing of the journal entry.

HB 2456 also addresses when a term of probation will begin again after it has tolled due to the juvenile having absconded from supervision. HB 2456 provides that the term of probation will resume upon both the offender being located and he or she is brought back to the jurisdiction. There may be occasions when an absconder is located and in custody but unable to return to the original jurisdiction.

The department urges favorable consideration of HB 2456.