

ADJUDICATION ON OR AFTER JULY 1, 2017

***unless stated otherwise**

1. Court must find and enter into the written order that the juvenile poses a significant risk of harm to another or damage to property.
2. 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. 2016 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. 2016 Supp. 38-2360) or review a risk assessment tool that was administered within the past six months to the juvenile.
5. Court must find Chronic offenders and Serious II & III offenders <14 years of age pose a significant risk of physical harm to another. K.S.A. 2016 Supp. 38-2369(e)
6. Upon a finding by the trier of fact during adjudication that a firearm was used in the commission of an offense by the accused which, if committed by an adult, would constitute a felony, a judge may commit the juvenile directly to the custody of the secretary of corrections for placement in a juvenile correctional facility or youth residential facility for a minimum term of six months and up to a maximum term of 18 months, regardless of the risk level of such juvenile as determined by a risk and needs assessment.

Offender Type	Offense Level	Length of Stay	Aftercare Term
Violent I	off-grid felony	60 months - age 22 ½	6 months - age 23
Violent II	level 1-3 nondrug person felony	24 months - age 22 ½	6 months - age 23
Serious I	level 4 nondrug person felony	18 months - 36 months	6 months - 24 months
Serious II	Prior to 7/1/12 Level 1-2 drug felony OR On or after 7/1/12 1 - 3 drug felony OR 5 - 6 person felony	9 months - 18 months	
Serious III	7 - 10 person felony AND one prior felony	6 months - 12 months	
<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 Prior to 7/1/12 one present level 3 drug felony AND two prior felony adjudications OR On and after 7/1/12 one present level 4 drug felony AND two prior felony adjudications	6 months - 12 months	
<i>Offenders in this category may only be committed to a JCF if they are assessed as high-risk.</i>			
Conditional Release	If the court elects, a period of conditional release may be ordered	6 months maximum	

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. 2016 Supp. 38-2373, and amendments thereto, recommends a different reentry plan.