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Senator Greg Smith and
Members of the Senate Corrections and Juvenile Justice Committee

RE: SB 367

Dear Senator:

Thank you Mr. Chairman and members of the committee for the opportunity to provide testimony in support of Senate Bill 367, which reflects the comprehensive recommendations of the bipartisan, inter-branch Kansas Juvenile Justice Workgroup. I served as a member of this esteemed group of judges, probation officers, legislators, and juvenile justice professionals from across the state. It was an honor to have served on this Workgroup, and I am here today to communicate to you how vital it is for public safety and for our youth, families, and communities that you enact the legislation that is before you.

As you have heard, these recommendations are the product of a thorough, data-driven collaboration among Workgroup members that included input from hundreds of juvenile justice stakeholders across the state. When we looked at the data and research and compared it to our system in Kansas, we found that what we are doing is simply not

working: our system is inconsistent, incurs high costs to taxpayers, and sends youth to more out-of-home placements for longer periods of time than it did a decade ago in spite of a decline in juvenile crime.

The current Juvenile Justice Code states that; “the code shall be designed to : (a) protect public safety; (b) recognize that the ultimate solutions to juvenile crime lie in the strengthening of families and educational institutions, the involvement of the community and the implementation of effective prevention and early intervention programs; (c) be community based to the greatest extent possible (KSA 38-2301).”

However, after reviewing our system and my own experiences from thirty years of working in juvenile court, it is clear to me that here in Kansas, judges are unable to achieve these goals. Our hands are tied. They are tied by a lack of objective information in the courtroom, they are tied by a lack of clear guidelines from the state, and, most of all, they are tied by a lack of community-based options that research and successes in other states have repeatedly shown to work better than out-of-home placements to keep our communities safe and improve outcomes.

When an adjudicated youth comes before my court, I have two choices: Option A is to return them home to probation without the support of any evidence-based services in the community—services that are shown to reduce the likelihood of reoffending; Option B is to remove the youth from his family and send him to a facility under state custody at a cost to the taxpayer of nearly \$50,000 per year for group homes and \$90,000 per year for the juvenile correctional facilities—this despite research showing that these placements do not reduce reoffending for most youth and can actually produce worse outcomes for certain youth. Again and again, I have seen the revolving door of youth returning to my courtroom, and I know that we need better options. We are failing our

youth and families, and we are failing the communities that have entrusted us with protecting public safety.

What the recommendations in Senate Bill 367 achieve is to refocus our costly correctional beds on youth who truly pose a public safety risk. And to reinvest the averted costs into the community-based alternatives that we need. We already know these options work—not just in other states but right here in Kansas in the few judicial districts that have access to them. Senate Bill 367 uses the existing resources within our own system to ensure that judges in Salina, Norton, and every other community in Kansas—whether rural, urban, or suburban—have the same community-based options for reducing reoffending. Kansans know that justice and public safety cannot depend upon geography; no community must be forced to rely on an approach that data and experience clearly show to be ineffective. The question before you is: if it is not evidence-based, why are we doing it? Community-based services that are shown to reduce offending are what we urgently need to yield the best possible results from our investment in juvenile justice.

Senate Bill 367 is the product of a research-based collaboration among some of the most respected and experienced juvenile justice professionals in the state of Kansas. We have done the math, we have studied the statistics, and we now know that what we are doing is not working for youth, families, and our communities. This bill offers solutions based in evidence and Kansas data, and I urge you to support this important piece of legislation. Thank you very much for your time today.

Mary B. Thrower

District Magistrate Judge