

Testimony in Support of SB 367

Karen Griffiths, assistant county attorney for Norton County

Good Morning. My name is Karen Griffiths, the assistant county attorney for Norton County. I have served as a juvenile prosecutor for twenty-seven years. Most recently, I served as a member of the Kansas Juvenile Justice Workgroup and am here today to testify in support of SB367, which contains the recommendations that our Workgroup developed.

As a prosecutor, with many years of experience in juvenile court, I understand the challenges our system faces. In my jurisdiction, I see youth cycling in and out of our juvenile justice system, which is not good for public safety, not good for the victims, not good for youth and families, and not good for our communities. The recommendations of the bipartisan, inter-branch Kansas Juvenile Justice Workgroup, which are reflected in SB367 represent a comprehensive, data-driven path forward to better juvenile justice system. The process was thoughtful, comprehensive, based in research, and inclusive of input from every part of our juvenile justice system. The depth of our review incorporated everything from data provided by multiple state agencies, to more than two dozen stakeholder roundtable discussion, and allowed me and the 16 other respected members of the Workgroup to consider our juvenile justice system comprehensively and to develop Kansas-specific recommendations that will work for every region of the state.

What we found was concerning. As you have heard from previous testimony before this committee, Kansas relies on out-of-home placements more than most states despite research showing that less-costly community-based alternatives are more effective at reducing reoffending for most youth. Even though juvenile crime has declined, youth are cycling through more high-cost placements and remaining out of home for longer periods of time than they were ten years ago. To cite just one of data point, the average number of out-of-home placements over the course of a case for youth in the Juvenile Correctional Facility between 2004 and 2014 was just over eight—a 42 percent increase during that period of time. A major

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concern is that the data showed that most of the youth in out-of home placement, are not chronic, violent offenders. Rather, they are low-level offenders with limited history of court involvement. These are the juveniles that are filling state-funded group homes and JCF beds that should be reserved for more serious offenders.

A major concern for myself as a prosecutor, and verified by the research of the Workgroup, is that jurisdictions lack community-based options that have been shown to be effective at reducing reoffending, strengthening families, and improving outcomes. Services for court-involved youth simply do not exist in most areas of the state, especially more rural districts such as my own. This lack of alternatives to out-of-home placement exists in spite of strong demand for such options from every stakeholder group: from probation officers and judges to defense attorneys and prosecutors. During a roundtable discussion I facilitated with my fellow district and county attorneys, one prosecutor said, "No one in the room here doesn't realize that community-based alternatives work better with kids. There is evidence of this." I could agree more, but we just don't have these services.

I would like highlight today two of these areas in particular that will allow me and my colleagues across the state focus on protecting public safety and reducing victimization.

On the very front end of the system, SB367 ensures that immediate intervention diversion programs are used in every county in the state to hold low-level offenders accountable prior to the filing of a petition. By requiring a minimum set of standards for what effective diversion is and what it is not as well as which types of offenders must be offered diversion before a petition is ever filed with the court, we can keep low-level youth out of taxpayer-funded placements and correctional facilities, which research shows can actually increase their likelihood of reoffending. The Workgroup found many successful examples of pre-file programs already working across the state to hold youth accountable, provide

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restitution to victims, provide that the youth work on their education; and prevent reoffending; our recommendation simply ensures that these swift and appropriate responses to low-level behavior take place regardless of where youth resides. Most importantly, reducing the number of less serious youth who enter the system affords prosecutors the discretion to focus time and resources on offenders who pose the greatest risk to public safety in our communities.

In addition to keeping youth out of the juvenile justice system, SB367 also provides prosecutors judges, and probation supervising officers with the community-based options that are sorely lacking within our current system. It does so by refocusing costly correctional beds on youth who pose a serious risk to public safety and reinvesting averted costs from out-of-home reductions into community-based services and sanctions that have been shown to keep our communities safe. As a prosecutor in a rural area, I need access the same evidence-based tools that have worked in other parts of the state. It is vital that every locality have access to a continuum of services and sanctions in order to strengthen community supervision and prevent reoffending.

As Kansans, we know the importance of accountability, safety, strong families, and the wise use of economic resources. The rare collaboration and consensus-building that the Workgroup and juvenile justice stakeholders achieved in order to produce this bill must not go unheeded. I urge you to support SB367. With your backing, we can greatly reduce the cycle of reoffending that leads to further victimization and improve outcomes for youth, families, and communities across the state of Kansas. Thank you very much for your time and consideration.