



KANSAS ASSOCIATION OF COURT SERVICES OFFICERS

February 1, 2016

To: Hon. Senator Greg Smith, Chair, Corrections and Juvenile Justice
From: Cody McArthur, Legislative Chair for the Kansas Association of Court Services Officers (KACSO)

Re: Opposition to SB 367

Hon. Chairman, Senator Smith,

Thank you for the opportunity to provide our written response in opposition to SB 367.

The Kansas Association of Court Services Officers (KACSO) has reviewed the SB 367 and has chosen some points of opposition. KACSO is concerned about a complete overhaul of the Juvenile Justice system. We are concerned if this bill is passed as it is currently written it could place the youth and the community at a higher risk. KACSO has provided testimony and would encourage all Senators and Representatives to review the thoughts of those directly involved in the implementation of the juvenile Justice System.

Points of Opposition for CSO's:

- **The striking of Juvenile detention facility throughout this bill for child in need of care (CINC) cases.**
 - CSO's agree that CINC's should not be in a detention center. However, CSO's believe that there are certain circumstances that for the safety of the CINC, they should be detained. Examples would be chronic runaways and human trafficking cases. The use of a secure facility is good but at this time there is not a secure facility in the state of Kansas for CINC cases. A secure facility could help ensure the safety of the youth that put themselves at risk. However, there is a concern that all districts will not have access to this type of facility.

- **The striking of youth residential facility throughout this bill for juvenile offender cases.**
 - The large concern is the money saved by closing residential facilities could be utilized by the state for other reasons other than juvenile reinvestment.

The mission of the Kansas Association of Court Services Officers is to challenge, educate, support and advocate for the membership by promoting fellowship and professionalism, providing relevant training opportunities and maintaining communication with all members. The organization will further this mission by encouraging collaboration with our Court Services Officers and professional organizations and by recognizing member excellence.

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- This could lead to an overload of the CINC system. If you can no longer place a youth out of home on a Juvenile Offender (JO) case, there could be a large amount of CINC cases filed to obtain out of home placements.
 - Many sex offenders are currently placed in residential group home placements. This as written could lead to an unintended increase of Sex Offenders into the Juvenile Correctional Facility (JCF) as the only out of home placement available.
 - Residential group home placements provide necessary structure. Many of our juveniles and their families have benefitted from these placements. Returning youth to unsupervised home environments could place the youth and community at higher risk.
- **The overall case length limit for serious felonies and the revised JCF placement matrix.**
 - CSO's are concerned that shortening the length of a serious felony case and reducing the placement matrix length of stay for serious felonies will put victims and the community at risk.
 - **Eliminating Court Services supervision of a child if a child is in a placement other than a parent.**
 - This could strip the Court, in many of the high volume CINC Judicial Districts, of having the support staff necessary to effectively and appropriately manage their extremely high caseloads.
 - This could eliminate the power of the Court to order what they feel would be in the best interest of the child and take away resources that may help a child/family meet permanency in a timely manner.
 - CSO's would like to see a thorough assessment of the entire CINC system and the effects this policy could have on Department for Child and Families (DCF), contractors, Court Services and the families CINC serve.
 - **The striking of extended jurisdiction juvenile prosecution (EJJP) from the bill.**
 - Possible unintentional consequences: CSO's believe that this could cause the District Attorney's office to file more Motions for adult prosecution of youth, EJJP are sometimes used as a bargaining tool during plea negotiations. This could cause more youth being subject to the adult system.

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Although KACSO is in opposition to this bill we do recognize that there are points that could be positive to the Juvenile Justice System. CSO's believe that providing appropriate services to the appropriate youth based on their risk level is important. CSO's are supportive of shorter lengths of supervision for low and moderate risk misdemeanor and lower level felonies. CSO's are supportive of using tools statewide to consistently address the youth's criminogenic risks and needs and responses to technical violations.

KACSO thanks the committee for allowing us to provide testimony on SB 367 and respectfully requests that the committee not advance SB 367 as it is written.

KACSO Board

A handwritten signature in purple ink that reads "Chris Esquibel".

Chris Esquibel
KACSO President

Legislative Committee

A handwritten signature in purple ink that reads "Cody McArthur".

Cody McArthur
Legislative Chair

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