

TESTIMONY

Thomas E Foster

Thomas E. Foster

District Judge
Johnson County Courthouse
100 N. Kansas Ave.
Olathe, KS 66061
913.715.3860
thomas.foster@jocogov.org

KSA 38-2301. Citation; goals of the code; policy development

This act shall be known and may be cited as the revised Kansas juvenile justice code. The primary goals of the juvenile justice code are to promote public safety, hold juvenile offenders accountable for their behavior and improve their ability to live more productively and responsibly in the community. To accomplish these goals, juvenile justice policies developed pursuant to the revised Kansas juvenile justice 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; (d) be family centered when appropriate; (e) facilitate efficient and effective cooperation, coordination and collaboration among agencies of the local, state and federal government; (f) be outcome based, allowing for the effective and accurate assessment of program performance; (g) be cost-effectively implemented and administered to utilize resources wisely; (h) encourage the recruitment and retention of well-qualified, highly trained professionals to staff all components of the system; (i) appropriately reflect community norms and public priorities; and (j) encourage public and private partnerships to address community risk factors.

SB 367 goals and progress. The 2016 Juvenile Justice Bill drastically reduced reliance on out of home placements, eliminated placement of juveniles in Correctional facilities for misdemeanors, and mandated the use of evidence based practices at all levels of the juvenile offender system in order to accomplish the goals of the juvenile justice code.

Group home placement. Even though the new restrictions on out of home placement have not yet gone into effect, the use of out of home placemen has already been drastically reduced since SB 367 was passed. The FY '16 average daily out of home placement population was 238. Through the first six months of FY '17 that population is down to 120. See <https://www.doc.ks.gov/publications/juvenile>

New Programs and additional resources. SB 367 calls for the money saved from reliance on out of home placements be redirected to local community programs. Some seed money was included in SB 367 in order to get a jump start in adding programs and resources to local communities. KDOC has made an effort to make more programs and resources available by adding Functional Family Therapy, sex offender treatment, youth advisory programs, and other programs in districts, regions, and some cases statewide.

Reducing recidivism and crime. We need to track crime rates:
http://www.accesskansas.org/kbi/stats/stats_crime.shtml

We need to track recidivism rates and use successful programs and develop successful.

Collaboration. The Bill calls for collaboration between the Office of Judicial Administration, the Department of Corrections, prosecutors, and others to implement various sections of the Bill.

Definition: Collaborate, verb: work jointly on an activity, especially to produce or create something;
synonyms: co-operate · join forces · team up · band together · work together

Oversight.

KSA 75-52,161. Juvenile justice oversight committee; members; appointment, meetings, selection of chairperson and vice-chairperson, quorum; duties; annual report; term and reappointment; department of corrections to provide assistance

(a) There is hereby established the Kansas juvenile justice oversight committee for the purpose of overseeing the implementation of reform measures intended to improve the state's juvenile justice system.

19 members - governor's designee; two house, two senate, KDOC three, courts three, DCF designee; education designee; defense attorney, prosecutor, victim advocate, law enforcement, and community corrections.

... (d) The committee shall perform the following duties:

- (1) Guide and evaluate the implementation of the changes in law relating to juvenile justice reform; ...
- (2) define performance measures and recidivism;
- (3) approve a plan developed by court services and the department of corrections instituting a uniform process for collecting and reviewing performance measures and recidivism, costs and outcomes of programs;
- (4) consider utilizing the Kansas criminal justice information system for data collection and analyses;
- (5) ensure system integration and accountability;
- (6) monitor the fidelity of implementation efforts to programs and training efforts;

(7) calculate any state expenditures that have been avoided by reductions in the number of youth placed in out-of-home placements to recommend to the governor and the legislature reinvestment of funds into:

(A) Evidence-based practices and programs in the community ...

(B) training on evidence-based practices for juvenile justice system staff ...

(C) monitor the plan from the department of corrections for the prioritization of funds ..

Oversight must Report to the legislature annually.

I continue to be a supporter of the bill you passed last session. You established an oversight committee to guide and monitor implementation of the legislation and make data-driven recommendations if change is needed. Changes that are not data driven and research based should not be made.

