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Testimony Regarding Substance Abuse Treatment at Juvenile Facilities  
To  
Joint Committee on Corrections and Juvenile Justice Oversight  
By  
Timothy Madden  
Sr. Counsel to the Secretary  
November 8, 2013

The Department of Corrections wishes to thank the Committee for its interest in substance abuse treatment and programming for offenders. An issue was raised in the November 2012 report of the Legislative Post Audit of the Juvenile Justice Authority regarding the decision in 2009 to discontinue the licensing of the substance abuse treatment programs at the Kansas Juvenile Correctional Complex in Topeka and the Larned Juvenile Correctional Facility. The Department is proceeding with the licensure of the current substance abuse programs at those two facilities.

A collateral issue involves K.S.A. 59-29b46 which permits state facilities to either obtain licensure as a substance abuse treatment facility or not. The Department recommends that K.S.A. 59-29b46 not be amended. Some but not all of the Department's adult substance abuse programs are licensed. The flexibility afforded by K.S.A. 59-29b46 allows the Department to design and implement distinct programs targeting different offender populations. While substance abuse is prevalent among the Department's adult offender population, the criminogenic thinking patterns of those offenders varies greatly. The presence of significant degrees of criminogenic thinking in the offender substance abusing population distinguishes that population from the non-offender substance abusing population typically treated in community facilities.

The criminogenic thinking of substance abusing offenders range from offenders whose serious substance abuse has manifested itself in a single criminal act to those offenders who have a moderate to high score of criminogenic thinking. For those offenders, criminal thinking rationalizes their criminal behavior in all aspects of their life including substance abuse. For offenders with an embedded pattern of criminal thinking, if the cognitive criminogenic behavior is not addressed, they have a high failure rate in traditional substance abuse treatment. If their cognitive behavior is not addressed, these offenders have repeated instances of substance abuse treatment but continue in their criminal endeavors and substance abuse.

Through collaboration with the University of Cincinnati, the Department has developed a substance abuse programming approach that takes into consideration the unique aspect of intervening with substance abusing offenders in contrast to providing substance abuse programming to non-offenders who have little or no embedded criminal thinking patterns.

Preliminary research and discussions with the University of Cincinnati lead the Department to believe the substance abusing juvenile offender population would likewise benefit from programs that address the varying degrees of criminogenic thinking within the juvenile offender population. Since the Department of Corrections has assumed the management of juvenile offenders July 1<sup>st</sup>, the Department recommends that data concerning substance abuse prevalence, criminogenic thinking characteristics of individual abusers and the effectiveness of various treatment modalities be gathered and analyzed before any statutory changes are adopted. This will allow our agency to build a strong policy around effective treatment practice, and not retrofit public safety for our juveniles around a well-meaning, yet premature, policy change.

**Joint Committee on Corrections &  
Juvenile Justice Oversight  
November 8, 2013  
Attachment 11**