

Testimony on HB2200

Submitted To

The House Corrections and Juvenile Justice Committee

By

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The Kansas Department of Corrections appreciates the opportunity to offer a perspective on the proposed changes in House Bill 2200. We are neutral on the bill as proposed.

HB2200 includes multiple components, each generally related to services for juvenile justice involved youth.

New section 1 requires a memorandum of understanding between the Department for Children and Families (DCF) and the Kansas Department of Corrections (KDOC) to coordinate a risk and needs assessment as defined in the juvenile offender code at K.S.A. 38-2302(z). That risk assessment being to "...identify specific risk factors and needs shown to be statistically related to a juvenile's risk of reoffending...". This assessment would then be applied to a child during a child in need of care proceeding.

Amendments in section 2 and 3 clarify that a child eligible for services from DCF, KDOC, or the Judicial branch benefit from collaboration between those agencies to best serve the child.

The proposals in sections 1-3 are consistent with the current efforts of each named organization today and may not be necessary. The departments previously implemented this risk and needs assessment practice for youth and families to participate Functional Family Therapy (FFT) and are currently addressing training and other needs to further expand the practice.

Section 4 proposes to give the court expanded authority to extend the term of probation for certain juvenile offenders. Like some members of this committee, we have heard interest in this topic, but have not seen any data as to the frequency for which such extensions might be necessary. If this section were to be considered, we would encourage the committee to retain, or strengthen, the current language in this same paragraph which states "Prior to the extension of the initial probationary term, the court shall find and enter into the written record the criteria permitting extension of probation.". And then consider placing some type of cap on the duration or number of times an extension can be imposed. Yes, it is possible that a few youths may conclude they can avoid participation in a program and run out the length of their

sentence. But at some point, particularly when no new crime has been committed and prosecuted, that behavior may merit closing of the court case.

Amendments proposed in section 5 would require KDOC to develop a system to facilitate exchanging of confidential data. We would like to advise the committee, that a memorandum of agreement to exchange described data currently exists between DCF, the Judicial Branch, and KDOC for juvenile offender information. And that exchange of such data is currently dependent upon completion of information technology projects that the legislature has financed, and the Judicial Branch is currently deploying and KDOC is currently developing. This language is not necessary, but is not harmful, so long as other entities not named in this provision are willing to exchange data.

Amendments proposed in section 6 expand the current eligibility of persons, and of organizations, access to evidence-based community programs or to receive grants for the operation of said programs. Recognizing that this fund is the only source of funding in Kansas to intervene in criminogenic behavior by juvenile offenders, we recommend the committee add the following:

- Page 8 line 3 and 4. development and implementation of evidence-based community programs and practices *to address criminogenic risk and needs*
- Page 8 line 11. Evidence-based community programs and practices *to address criminogenic risk and needs* may be

Also in section 6, new requirements for expenditures being made on a rolling basis are described without any definition as to what that means so that it is understood by all. Some have described this a grant process in which any entity could apply, at any point in time, so long as funds were available. We would advise the committee that based upon the recommendations of the Juvenile Justice Oversight Committee (JJOC) and key stakeholders, and as reflected in the JJOC 2021 annual report, today sixty-six grants are awarded and administered on the same once per year cycle as the state fiscal year. If the intent of rolling grants were to have a different cycle for every awarded grant, the administration of these grants could quickly become overly burdensome for all involved and monitoring and reporting on outcomes would be overly complicated and confusing. Another factor that may not have been intended would be the elimination of a competitive grant process. This rolling grant process would result in being a “first come, first serve” grant process.

In closing. We appreciate that the Committee is listening to the different perspectives on the amendments proposed in HB2200 and trust that you will make a decision that balances those perspectives. We will continue to be a resource to you as you carry out your policy work.

Thank you