

FROM THE DESK OF

JOHN NICHOLAS

Kansas House Bill 2200

Chairman Owens, members of the Kansas House Committee on Corrections and Juvenile Justice.

I am John Nicholas, of Derby. I appear before you, this afternoon to ask your support for HB 2200. I came to Kansas in 1968 to attend Kansas State, majoring in Sociology with the intention of becoming a Juvenile Probation Officer. I then spent 30 years as a licensed Nursing Home Administrator.

There have been interesting things going on the last few years, in Kansas, with Juvenile Justice, Policing, and Mental Health, In 2017 HB 367 changed the way Kansas handled persons under 18, with behavior that resulted in law enforcement intervention. We have watched the results of this change, over the intervening years. The promise held out by the legislature in 2017, has not been realized .

The National Conference of State Legislatures summarized the final bill:
" 367 is projected to reduce the number of youth placed in out-of-home commitment by 60 percent over five years, saving the state about \$72 million that the legislation earmarks in statute for reinvestment into community-based programs. The bill also enhances data collection and reporting, limits youth transfer to the adult system, requires the state to develop a detention risk assessment instrument for determining pre-adjudication detention decisions, and compels school districts to enter into agreements with law enforcement and other local stakeholders aimed at reducing school-based court referrals."

IN the HB 2200 as introduced; I find it refreshing to read Section 1) " ... the secretary of corrections and the secretary for children and families shall enter into a memorandum of understanding to coordinate administering a risk and needs assessment ...".

I am encouraged there is a group of elected public officials that are already addressing the needs of an immediate assessment of risk and needs! Other elected public officials have recently been loudly proclaiming task forces and investigations. This committee is to be commended for actually proposing action. Everyone is trying to jump on a Bandwagon of Investigate the case in Sedgwick County. That investigation has been completed by the KBI and the DA of the 18th Judicial District.

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We need to find the savings from the 2017 changes and direct them toward meeting the needs of the youth. They should not be held up within the Executive Branch for the past two Administrations. They should not be used by the Legislative Branch to fix holes in the General Budget.

I would ask the committee to fix the time period for this agreement to be made, to within 30 days of the bill being passed by both houses. Not waiting for beginning of the next fiscal year. Our youth deserve better than that. If the committee needs a 2x4 to get peoples attention, I have one.

In closing, I would ask the committee to insert language, that would ban the use of physical restraints with these situations. The recent use of a physical restraint in Sedgwick County highlights this need.

We learned in Kansas Nursing Homes, 20 years ago, that we improved outcomes for those in our care, by going restraint free. I fail to see the reason for restraints on the video in the Sedgwick County case this week. i also feel the ban on physical restraint must be accompanied by additional training of staff in alternatives and how to use body language to de-escalate situations.

If there are any questions, I stand ready to answer them. Thank You for listening and taking my views into consideration.

John A Nicholas