

2021 Kansas Statutes

- 75-52,161. **Juvenile justice oversight committee.** (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.
- (b) The Kansas juvenile justice oversight committee shall be composed of 21 members including the following individuals:
- (1) The governor or the governor's designee;
 - (2) one member of the house of representatives appointed by the speaker of the house of representatives;
 - (3) one member of the house of representatives appointed by the minority leader of the house of representatives;
 - (4) one member of the senate appointed by the president of the senate;
 - (5) one member of the senate appointed by the minority leader of the senate;
 - (6) the secretary of corrections or the secretary's designee;
 - (7) the secretary for children and families or the secretary's designee;
 - (8) the commissioner of education or the commissioner's designee;
 - (9) the deputy secretary of juvenile services at the department of corrections or the deputy's designee;
 - (10) the director of community-based services at the department of corrections, or the director's designee;
 - (11) two district court judges appointed by the chief justice of the supreme court;
 - (12) one chief court services officer appointed by the chief justice of the supreme court;
 - (13) one member of the office of judicial administration appointed by the chief justice of the supreme court;
 - (14) one juvenile defense attorney appointed by the chief justice of the supreme court;
 - (15) one juvenile crime victim advocate appointed by the governor;
 - (16) one member from a local law enforcement agency appointed by the attorney general;
 - (17) one attorney from a prosecuting attorney's office appointed by the attorney general;
 - (18) one member from a community corrections agency appointed by the governor;
 - (19) one youth member of the Kansas advisory group on juvenile justice and delinquency prevention appointed by the chair of the Kansas advisory group on juvenile justice and delinquency prevention; and
 - (20) one director of a juvenile detention facility appointed by the attorney general.
- (c) The committee shall be appointed by September 1, 2016, and shall meet within 60 days after appointment and at least quarterly thereafter, upon notice by the chair. The committee shall select a chairperson and vice-chairperson, and 11 members shall be considered a quorum.
- (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) monitor 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 pursuant to K.S.A. 38-2302, and amendments thereto, for use by intake and assessment services, immediate intervention, probation and conditional release;

(B) training on evidence-based practices for juvenile justice system staff, including, but not limited to, training in cognitive behavioral therapies, family-centered therapies, substance abuse, sex offender therapy and other services that address a juvenile's risks and needs; and

(C) monitor the plan from the department of corrections for the prioritization of funds pursuant to K.S.A. 75-52,164(d), and amendments thereto;

(8) continue to review any additional topics relating to the continued improvement of the juvenile justice system, including:

(A) The confidentiality of juvenile records;

(B) the reduction of the financial burden placed on families involved in the juvenile justice system;

(C) juvenile due process rights, including, but not limited to, the development of rights to a speedy trial and preliminary hearings;

(D) the improvement of conditions of confinement for juveniles;

(E) the removal from the home of children in need of care for non-abuse or neglect, truancy, running away or additional child behavior problems when there is no court finding of parental abuse or neglect; and

(F) the requirement for youth residential facilities to maintain sight and sound separation between children in need of care that have an open juvenile offender case and children in need of care that do not have an open juvenile offender case;

(9) adhere to the goals of the juvenile justice code as provided in K.S.A. 38-2301, and amendments thereto;

(10) analyze and investigate gaps in the juvenile justice system and explore alternatives to out-of-home placement of juvenile offenders in youth residential facilities;

(11) identify evidence-based training models, needs and resources and make appropriate recommendations;

(12) study and create a plan to address the disparate treatment and availability of resources for juveniles with mental health needs in the juvenile justice system; and

(13) review portions of juvenile justice reform that require the department of corrections and the office of judicial administration to cooperate and make recommendations when there is not consensus between the two agencies.

(e) The committee shall issue an annual report to the governor, the president of the senate, the speaker of the house of representatives and the chief justice of the supreme court on or before November 30 each year starting in 2017. Such report shall include:

(1) An assessment of the progress made in implementation of juvenile justice reform efforts;

(2) a summary of the committee's efforts in fulfilling its duties as set forth in this section;

(3) an analysis of the recidivism data obtained by the committee pursuant to this section;

(4) a summary of the averted costs determined pursuant to this section and a recommendation for any reinvestment of the averted costs to fund services or programs to expand Kansas' continuum of alternatives for juveniles who would otherwise be placed in out-of-home placements;

(5) an analysis of detention risk-assessment data to determine if any disparate impacts resulted at any stage of the juvenile justice system based on race, sex, national origin or economic status;

- (6) recommendations for continued improvements to the juvenile justice system;
 - (7) data pertaining to the completion of training on evidence-based practices in juvenile justice, including, but not limited to, the number of judges, district and county attorneys and appointed defense attorneys, that participated in training; and
 - (8) data received from the office of judicial administration and the department of corrections, pursuant to K.S.A. 38-2391, and amendments thereto, pertaining to extensions of probation for juvenile offenders and an analysis of such data to identify how probation extensions are being used and conclusions regarding the effectiveness of such extensions.
- (f) After initial appointment, members appointed to this committee by the governor, the president of the senate, the speaker of the house of representatives or the chief justice of the supreme court pursuant to subsection (b), shall serve for a term of two years and shall be eligible for reappointment to such position. All members appointed to the committee shall serve until a successor has been duly appointed.
- (g) The staff of the Kansas department of corrections shall provide such assistance as may be requested by the committee. To facilitate the organization of the meetings of the committee, the Kansas department of corrections shall provide administrative assistance.
- History:** L. 2016, ch. 46, § 4; L. 2017, ch. 90, § 13; L. 2018, ch. 52, § 4; July 1.