



CRIME & JUSTICE INSTITUTE

IMPLEMENTING COMPREHENSIVE JUVENILE JUSTICE SYSTEM IMPROVEMENT IN KANSAS

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The Crime and Justice Institute (CJI), a division of Community Resources for Justice, works to improve public safety and the delivery of justice by providing nonpartisan technical assistance, research, and other services to improve outcomes across the spectrum of the adult and juvenile justice systems, from policing and pretrial through reentry. CJI provides direct technical assistance, assessment, implementation, research, data analysis, training, facilitation, and more. We take pride in our ability to improve evidence-based practices in public safety agencies and gain organizational acceptance of those practices. We create realistic implementation plans, put them into practice, and evaluate their effectiveness to enhance the sustainability of policies, practices, and interventions.

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OVERVIEW

In two years after Kansas began an overhaul of its juvenile justice system, the state increased its use of community-based programs as an alternative to placing young people in locked detention, improving outcomes and saving more than \$30 million.

The state Legislature passed Senate Bill 367 (S.B. 367) in 2016. The comprehensive juvenile justice improvement bill included high-impact changes, such as:

- Establishing consistent statewide standards to hold youth accountable;
- Restricting out-of-home placement for lower-level youth, consistent with the best available research about interventions that work to reduce recidivism;
- Focusing intensive system responses, such as placement in a secure detention facility, on the highest-risk juveniles; and
- Shifting resources toward evidence-based alternatives that allow youth to be supervised safely and effectively while remaining at home.

An early threat to the funding at the heart of the legislative overhaul tested Kansas' commitment to creating lasting change in its juvenile justice system, but supporters mobilized to protect the future of the changes. With implementation still underway, early indicators suggest the state is well on its way to solidifying sustainable improvements in its juvenile justice system.

BACKGROUND

Prior to the system changes, juvenile arrests had been declining steadily for 10 years, yet the number of young people on supervision and in locked detention continued to rise as juvenile courts handed down increasingly long terms of supervision, including for low-level offenses. Exacerbating the problem, Kansas lacked sufficient treatment options for youth, resulting in large numbers of juveniles being removed from their homes and often placed in ineffective group homes where outcomes were poor and programming was inadequate.

The system improvement process began with an almost year-long examination of the state's system, directed by the Legislature and other leaders. In 2015,

Governor Sam Brownback, leaders from both the state Senate and House of Representatives, and Kansas Supreme Court Chief Justice Lawton Nuss responded to pressing problems in the juvenile justice system by convening a workgroup of key stakeholders to analyze data and recommend improvements.

The workgroup was charged with finding solutions that promote public safety and hold juveniles accountable; control taxpayer costs; and improve outcomes for youth, families, and communities in Kansas.

The workgroup met regularly for five months, analyzing state and local data and reviewing the latest research and findings on effective juvenile justice policies and procedures. The group also gathered substantial input from local stakeholders and national experts on best practices. The workgroup found that Kansas' scarcity of evidence-based community interventions and lack of standardized practices led to the state spending most of its juvenile justice resources on out-of-home placements in facilities that separated youth from their families and often failed to keep juveniles from repeating anisocial behavior.

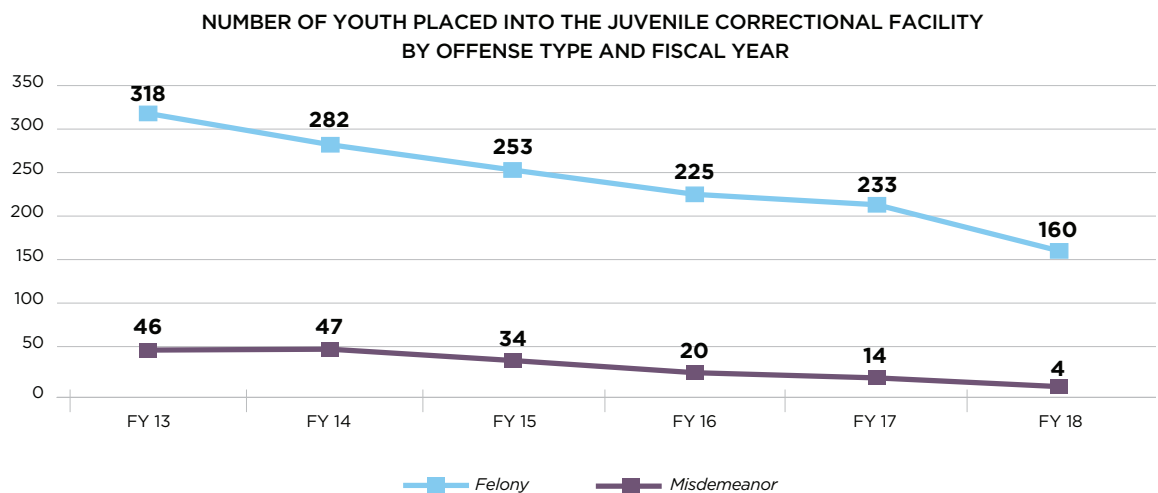
EARLY SUCCESSES

In the first two years of implementation, the improvements are already having notable impacts. More youth are in community-based programs, staff have new tools for working with youth, and the state has realized significant savings.

FEWER YOUTH IN THE JUVENILE CORRECTIONAL FACILITY

Between fiscal years 2015 and 2018, the number of youth in Kansas' Juvenile Correctional Facility (JCF) dropped 31 percent, demonstrating a significant reduction in youth in the deep end of the system after passage and implementation of S.B. 367. In addition, the number of youth who have been placed in the JCF for a misdemeanor charge plunged by almost 90 percent over the same period. Keeping youth with misdemeanor charges out of the JCF is crucial to avoid over-supervising youth, which can lead to higher recidivism rates.

The reduction in juveniles in secure confinement dropped so dramatically that the state permanently closed one of its two facilities.

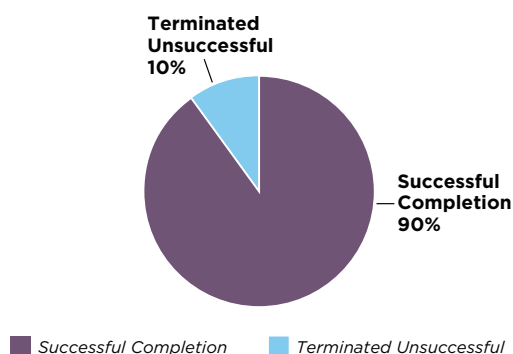


STATEWIDE USE OF DIVERSION

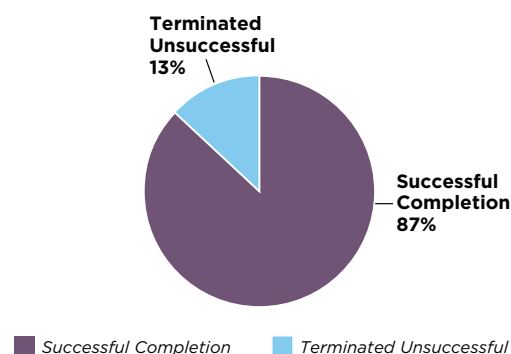
Prior to S.B. 367, the use of diversion for juveniles to prevent deeper involvement with the juvenile justice system was inconsistent across Kansas. Some counties diverted youth before charges were filed, some after, some did both, and some had no diversion.

S.B. 367 requires that all counties offer both pre-file and post-file diversion, called Immediate Intervention Programs, or IIP, to first-time youth charged with a misdemeanor. The state continues to monitor counties to ensure they utilize diversion consistently, and early measures indicate that this effort is succeeding. In fiscal year 2018—the first year the state tracked IIP numbers—3,266 youth received pre-file or post-file IIP. The early results have been positive: 90 percent of youth on pre-file IIP and 87 percent of youth on post-file IIP successfully completed their IIP in fiscal year 2018.

OUTCOMES FOR YOUTH RECEIVING
PRE-FILE IMMEDIATE INTERVENTION IN FY18



OUTCOMES FOR YOUTH RECEIVING
POST-FILE IMMEDIATE INTERVENTION IN FY18



NOTICES TO APPEAR

In Kansas, police can arrest juveniles suspected of committing a crime or issue them a Notice to Appear (NTA), which requires them to schedule an appointment at a Juvenile Intake and Assessment Center (JIAC). Prior to S.B. 367, use of NTAs was inconsistent across different departments and jurisdictions. The legislation standardized and expanded the application of NTAs, and more than 80 percent of juveniles who received an NTA successfully appeared at their scheduled appointment.

EARNED DISCHARGE CREDIT

S.B. 367 introduced an Earned Discharge Credit, which allows youth on probation to reduce the length of their supervision by seven days for every month they substantially comply with the terms of their probation. In the first three months for which statewide figures were collected, 777 youth earned a total of 7,308 days off their probation through the Earned Discharge Credit.

REINVESTMENT FUNDS

Since the passage of S.B. 367, Kansas has saved nearly \$30 million by having fewer youth in the Juvenile Correctional Facility and from shifting youth from Youth Residential Centers—halfway houses that were unsuccessful for 54 percent of juveniles—to more effective programs. S.B. 367 designates that reinvestment funds can be used for evidence-based practices in the community for youth and their families and for training on evidence-based practices.

DEFENDING SUSTAINABILITY

Full implementation of significant juvenile justice system improvement on average takes four years followed by long-term commitment to sustain changes made to the system. To ensure the full intent of S.B. 367 carries through, Kansas emphasized building processes designed to sustain change over that time. Those processes have included training law enforcement, court staff, and supervision staff on best practices in juvenile justice; sharing data across agencies; and committing to a long-term process to ensure youth receive the proper level of supervision and intervention.

THE PATH FORWARD

Recognizing the prevalence of poor outcomes at great financial and social cost, the Legislature responded with S.B. 367, putting in place a solid foundation for the momentum of system transformation to grow over time. While implementation is still very much ongoing, early results show strong indications of success: fewer youth in secure confinement, greater utilization of community-based supervision alternatives, and significant savings that can sustain full rollout of the legislation.

Key stakeholders will continue to meet regularly to monitor implementation efforts, while collaboration and data sharing across agencies will allow for a more detailed examination of outcomes. Staff will continue to receive training to improve their interactions with youth.

From the beginning of the juvenile justice system improvement process in Kansas, the state has maintained its commitment to doing what is right for youth. With an emphasis on using research and data, the state has charted a path forward that leads to better outcomes for juveniles, their families, and communities.

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