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# Kansas

2018 Title II  
Three-Year Plan

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### **3. Program Narrative**

#### **a. Description of the Issue**

##### **1. System description: Structure and function of the juvenile justice system.**

Kansas Juvenile Justice Code: Article 23, Chapter 38 of the Kansas Statutes Annotated sets forth the laws that govern the apprehension, proceedings and disposition of juvenile offenders in the state. This code applies specifically to youth between the ages of ten or more years of age but less than 18 years of age who commit an offense which, if committed by an adult, would constitute the commission of a felony or misdemeanor crime as defined in the Kansas Criminal Statute Code. The Juvenile Justice Code does not apply to youth who have come before the court as a Child In Need of Care (CINC) for such things as abuse, neglect or status offenses. The Child In Need of Care Code, Article 22, Chapter 38, governs this population of youth.

A flowchart of the Juvenile Justice Process is provided as “Appendix A – System Description - Kansas Juvenile Justice Process Flowchart”. It provides a visual representation of the Kansas system from arrest through final disposition. The flowchart also depicts, by color coding, what entity is responsible for that piece of the system process and funding provided.

The Juvenile Justice Process flowchart shows six major stakeholders: community law enforcement, county/district attorneys, juvenile court systems, court services, juvenile community corrections and juvenile correctional facilities. The nine points of contact for a juvenile as collected for the DMC RRI are represented in this flowchart as well.

While our juvenile justice process is shown in a linear form for simplicity, the system is in fact circular. The Kansas juvenile system allows at the discretion of juvenile judges, juveniles to receive services through sanction houses, juvenile detention centers, court services or community corrections (this includes intensive supervised probation and case management services, which are out of home placements) or sentencing to juvenile correctional facilities. There are some diversion services available to a youth and their families. Across Kansas, daily decisions are made regarding how youth who come into contact with the juvenile justice system will be handled. Some of those decisions are based on legal statutes created to address certain conditions. There is discretion within the system given to the person addressing the situation. It is crucial to fairness for all youth in the juvenile justice system that there be equitable statutes and policies that address youth needs, irrespective of their gender, race, ethnicity or community of origin. Continued data collection is necessary to identify gaps and plug holes where disparity is found.

Kansas youth in the system are being diverted from entry or less effective interventions by the use of alternatives to detention, such as Juvenile Detention Alternatives Initiatives, Multi-Systematic Therapy, Functional Family Therapy and electronic monitoring, to name a few.

In 2016, the Kansas Juvenile justice system was transformed with the passage of a juvenile justice reform bill, Senate Bill 367 (SB367). Kansas started implementation of the bill during 2017, and implementation will be complete by 2019. The bill is hundreds of pages in length, so a synopsis of the bill is attached as an Appendix labeled “Appendix P – Kansas Senate Bill 367 on Juvenile Justice Reform Synopsis”. The bill is based on policy recommendations from the Kansas Juvenile Justice Workgroup, with technical assistance from The Pew Charitable Trusts. The workgroup found that although juvenile crime has declined over the past decade, Kansas’ juvenile justice system was not keeping pace. The decline in the number of youth sent to out-of-home placements was less than half the decline in juvenile arrests. Instead of reflecting the drop in crime, the system was cycling youth through more out-of-home placements and holding them longer than it did a decade ago. The workgroup found that a growing proportion of juveniles placed out of home were lower-level offenders, a trend driven in part by a lack of community-based alternatives in the state.

The bill is changing the focus of the juvenile justice system away from incarceration. Kansas is currently working on implementation of different requirements of the bill. Changes such as the capping of case length, the mandatory use of graduated responses and probation before detention, and mandatory immediate interventions for first time misdemeanors, will have a significant impact on the lives of Kansas kids.

Reducing referrals from Kansas schools is another goal of SB367 currently being implemented. The bill is requiring school boards to update and address their policies regarding their use of law enforcement in the schools. The bill also mandates trainings on adolescent development and behavior for school staff.

The legislation also institutes statewide oversight to ensure that the reforms are implemented well and sustained; standardizes data reporting and analysis; and reinvests funds made available through reductions in out-of-home placement into evidence-based community programming shown to improve outcomes for youth and families.

When fully implemented, the reform package is projected to result in a 60 percent reduction in the out-of-home population by fiscal year 2022 when compared with baseline projections, producing approximately \$72 million for reinvestment. Reinvesting these funds in evidence based alternatives to out of home placements will complement the state’s three year plan of funding evidence based detention alternatives and initiatives to address DMC.

## **2. Analysis of juvenile delinquency problems (youth crime) and needs.**

One of the goals of the Juvenile Justice Reform Bill is to develop a higher level of collaboration between agencies. A piece of this collaboration pertains to the sharing, collection, and analyzation of system data. Arrest Data is captured for the most Kansas communities using Kansas Bureau of Investigation (KBI) data. The Kansas Incident Based Reporting System (KIBRS) does not include agencies submitting Summary data. Communities submitting summary data include agencies from the state's most populous jurisdictions including: Topeka PD, Kansas City Kansas PD, Olathe PD, Overland Park PD, Mission PD, and Roeland Park PD.

Instead of gathering this data directly from KIBRS, data must be collected and aggregated manually with the KIBRS summary data. The Bureau of Justice Statistics estimates Kansas as reporting just over 67% of actual crimes through Incident Based Reporting. With the inclusion of those police departments manually collected data, that is over 90% of the arrests in Kansas. Discussions are occurring at high levels within the DOC and KBI to improve the data sharing techniques so that can be more automated.

The following reflect data for the State of Kansas and each of the 105 counties from October, 2014 to September, 2017.

Please Note: DOC's data collections specialist has compiled this data, and recommended the omission of "unknown" data. Thus, the totals don't always calculate correctly.

Also note: DOC has done tertiary analysis on this data for the purpose of this report. However, a much more detailed data analysis process has started. DOC hopes to be able to analyze this data on a much more granular level in order to be able to provide individual communities with a comprehensive data set that may be used in a community planning process. By July 2018, DOC hopes to have this much more detailed analysis completed, at which time, DOC will provide an updated data analysis to OJJDP.

## Statewide 2015-2018 Data Assessment

### i. Juvenile arrests by offense type, gender, age, and race.

Statewide arrest data is as follows:

	2015	2016	2017
Arrests Total	15,198	17,478	15,185
Male	10,004	11,065	10,283
Female	3,999	4,537	4,012
White	6,802	7,531	6,184
Black	2,941	3,459	2,692
Hispanic	2,272	2,655	2,095
Asian	114	82	67
Native Am	9	97	55
NHPI	6	22	0
Age 10	71	52	62
Age 11	145	149	111
Age 12	319	240	222
Age 13	550	431	388
Age 14	832	699	631
Age 15	1,211	1,176	971
Age 16	1,697	1,459	1,381
Age 17	1,987	1,923	1,581

Historically, Kansas has not been able to collect data breaking down arrests by gender, age, race, and ethnicity. Kansas was able to do so for 2017, and as can be seen in the table above, is still far from perfect.

It is the goal of the DOC and KAG to scrub and clean the arrest data to the point that data can be used to analyze local data for distribution to local communities as part of a community engagement initiative.

The following is a brief analysis of the data collected so far.

The number of Male arrests is slightly up since 2015. In 2015, males made up 66% of all arrests, and in 2017, Males made up 68% of arrests statewide.

Black arrest fell slightly between 2015 and 2017. In 2015, Black arrest made up slightly more than 19% of all arrests, while in 2017, they made up slightly less than 18%

Arrest data collected needs to be cleaned up in order to remove those self reporting as Hispanic from the other race counts. Dealing with multiple agencies and multiple report formats makes this an extraordinarily labor intensive task. It is the goal of the DOC and KAG to closely look at the fields that are requested from law enforcement agencies and the KBI, and re-evaluate what is asked for and how it is reported. With this caveat, using the current data, arrests for Hispanic youth have slightly decreased from 15% in 2015 to 14% in 2017.

In looking at ages of youth arrested, our numbers aren't calculating correctly. There is an issue with not all agencies reporting the same age fields. Dealing with multiple agencies and multiple report formats makes this an extraordinarily labor intensive task to correct. It is the goal of the DOC and KAG to closely look at the fields that are requested from law enforcement agencies and the KBI, and re-evaluate what is asked for and how it is reported.

- ii. Number and characteristics (by offense type, gender, race, and age) of juveniles referred to juvenile court, a probation agency, or special intake unit for allegedly committing a delinquent or status offense.

In looking at ages of youth arrested, our numbers aren't calculating correctly. There is an issue with not all agencies reporting the same age fields. Dealing with multiple agencies and multiple report formats makes this an extraordinarily labor intensive task to correct. It is the goal of the DOC and KAG to closely look at the fields that are requested from law enforcement agencies and the KBI, and re-evaluate what is asked for and how it is reported.

Following is a breakout of the racial and ethnical characteristics of juveniles referred to juvenile court. The DOC will follow up with OJJDP as soon as information in regards to offense type is available to pair with this data:

#### African American Youth:

The referral rate for African-American youth remains high, but has seen a slight decrease over the past three years. African American Referral rates were 3.83 times the amount as their White counterparts in 2015, 3.19 the rate in 2016, and 3.40 times the rate in 2017.

African American Diversion rates have maintained a slight upturn, and are approaching the same rate for white youth. Diversion RRI rates were .53 in 2015, .78 in 2016, and .62 in 2017.

Transfers to adult court spiked in 2017. A deeper level of detailed data analysis needs to be done to fully determine data accuracy, and the underlying causes. Transfers went from 4.59 in 2015, to 4.32 in 2016, to 16.79 in 2017.

#### For Hispanic youth:

Diversions for Hispanic youth are approaching parity with white youth in the state. RRIs went from .63 in 2015, to .65 in 2016, to .84 in 2017.

For Asian youth:

RRIs for Asian youth remain low throughout the state. There are relatively few youth of Asian descent entering the system, with RRI rates at arrest at .17 in 2016 and 2017. This trend continues throughout the juvenile justice continuum. From a statewide perspective, it appears that there is little to no DMC involving Asian youth in Kansas.

- iii. Number of cases handled informally (nonpetitioned) and formally (petitioned) by gender, race, and type of disposition (e.g., diversion, probation, commitment, residential treatment).

	2015	2016	2017
Dismissed/Non-adjudicated	1539	1559	1512
Adjudicated by Plea	3795	3750	3327
Deferred Adjudication/Diversion	2391	2309	2218
Adjudicated by Trial	49	74	43
Transfer to Adult Court	30	44	26

Nonpetitioned cases: Refer to the table Above' "Dismissed/ Non-adjudicated represents data on nonpetitioned from the Office of Judicial Administration (OJA). Kansas is currently analyzing OJD data to make this available by gender, age, race and ethnicity. The level of cases not adjudicated have remained fairly constant over the past three years

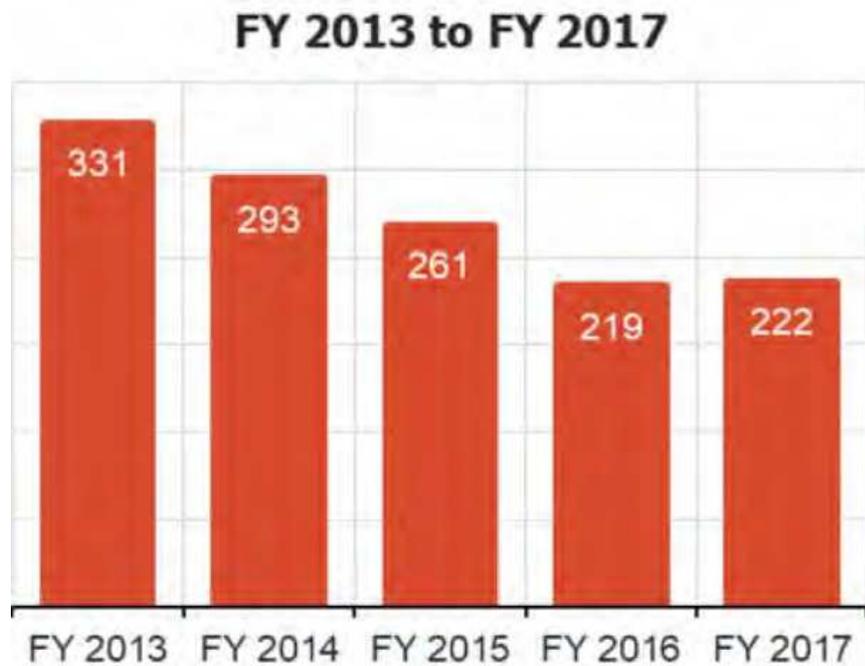
Petitioned cases: Refer to the table above. "Deferred Adjudication / Diversion" represents data on cases diverted from the OJA. Kansas is currently analyzing OJD data to make this available by gender, age, race and ethnicity. Cases referred for diversion have remained fairly constant over the past three years

Commitments: See charts below.

The “Juvenile Population Facility Population” chart below is data from the DOC. JCF Population has seen a marked decrease in the past three years, moving from 231 in 2015 to 222 in 2017. Kansas has closed all of its JCF facilities except for one, and populations will continue to decrease as the juvenile justice reform process continues.

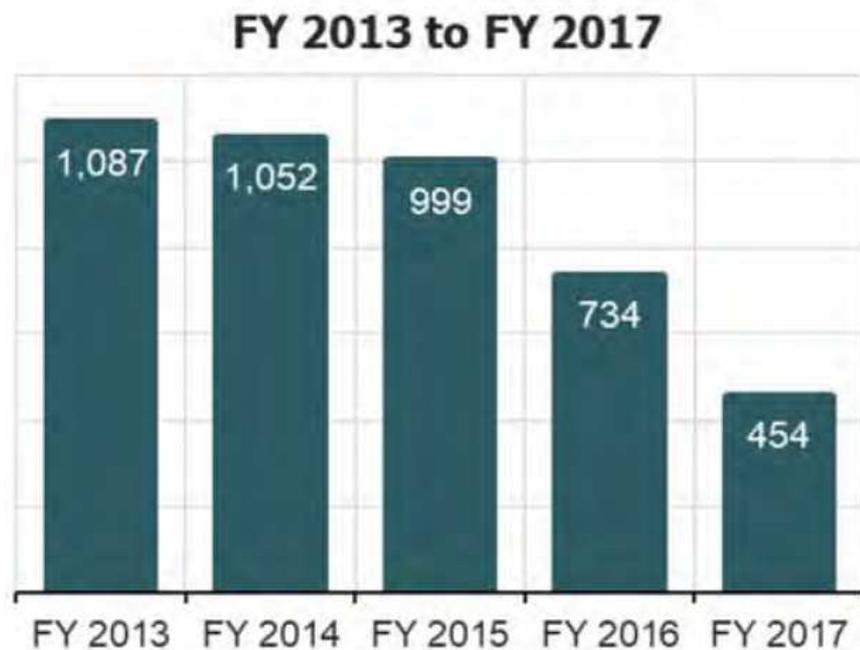
Preliminary numbers for 2018 look to decrease this number even further.

## Juvenile Population Facility Population



The “Juvenile Population Custody Population” chart below is snapshot data from the DOC. The juvenile custody population includes out-of-home placements, foster care, home treatment, psychiatric residential treatment center, YRC IIs and AWOL designations. This is an area where the juvenile justice reform process has had the most effect. Numbers have drastically decreased from 999 in 2015 to 454 in 2017. These numbers will continue to decrease as the juvenile justice reform process continues.

## Juvenile Population Custody Population\*

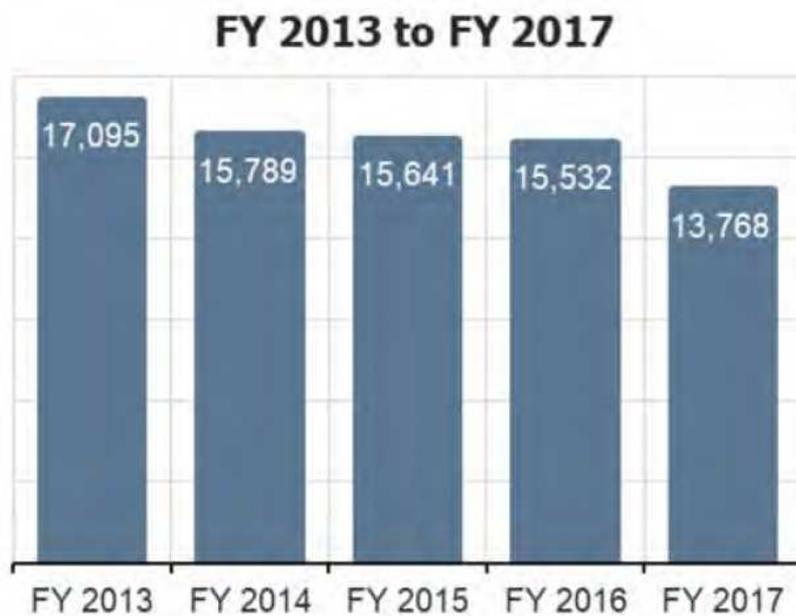


\*The juvenile custody population includes out-of-home placements, foster care, home treatment, psychiatric residential treatment center, YRC IIs and AWOL designations.

The “Juvenile Population Intakes by Placement Outcome” chart below is intake data from the DOC.

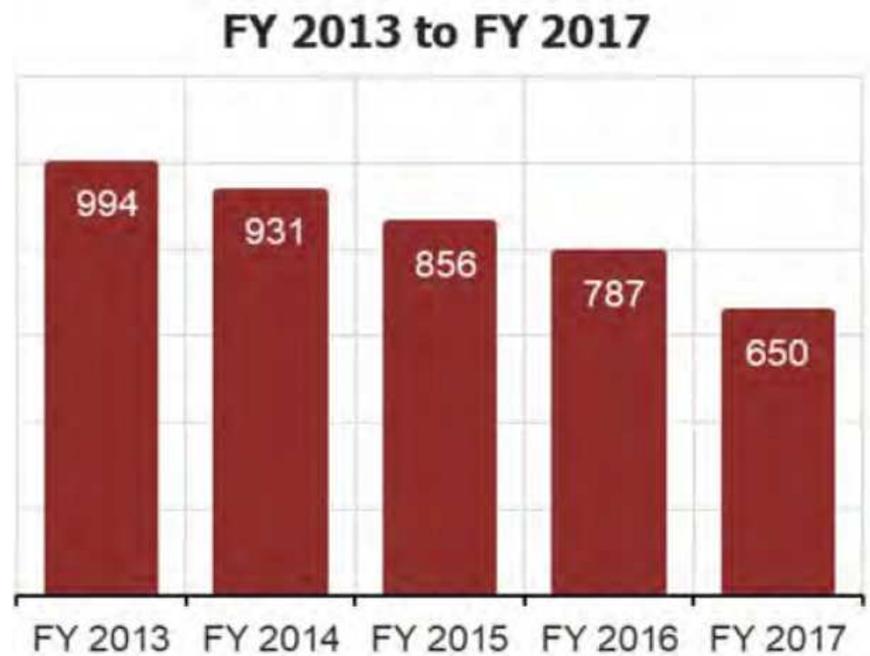
Intakes continue to steadily decline. This is in part to the steady declining in juvenile crime, and partially due to a broader continuum of services being offered to communities through the juvenile justice reform process. These services are designed to divert youth from ever having contact with the juvenile justice system.

### **Juvenile Population Intakes by Placement Outcome\***



The “Juvenile Population Intensive Supervision Population” chart below is data from the DOC. ISP placements follow the trend set by other areas. As the juvenile justice system includes more options for services, ISP is being used less each year.

## **Juvenile Population Intensive Supervision Population\***

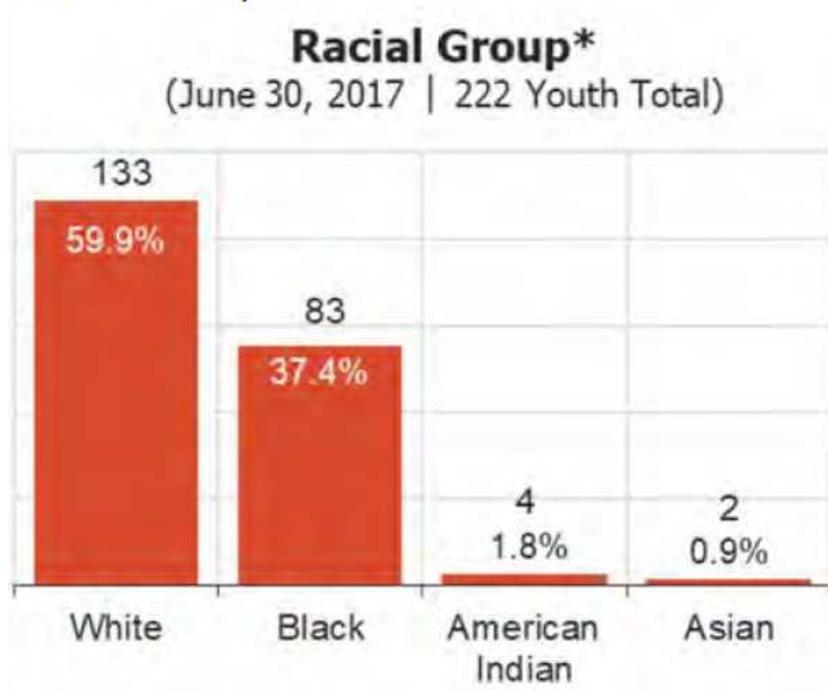


The “Juvenile Population by Race” chart below is snapshot data from the DOC.

DMC at points before this (arrest, disposition, etc.) are contributing factors to these numbers. Black youth make up 37% of the JCF population, while making up less than 10% of the Kansas population.

Kansas has been actively working on DMC since 2005, and is in the planning process of how to address DMC as we enter the community engagement initiative.

### Juvenile Population By Race\* | June 30, 2017



The “Juvenile Population Gender by Race” chart below is snapshot data from the DOC. JCF populations are drastically reducing along with the Juvenile Justice reform process. In the table below, Black youth are dramatically overrepresented, making up 38% of the incarcerated youth while making up 7% of the Kansas population. Kansas is taking steps to address this, among other steps showing DMC (see previously submitted DMC compliance plan.

### Juvenile Population Gender by Race | June 30, 2017

	Male	Female
White	125	8
Black	81	2
American Indian	4	0
Asian	2	0
<b>Total</b>	<b>212</b>	<b>10</b>

### Juvenile Population Age by Race | June 30, 2017

	13 yrs.	14 yrs.	15 yrs.	16 yrs.	17 yrs.	18 yrs.	19 yrs.	20 yrs.	21 yrs.
White	1	5	8	23	37	33	12	12	2
Black	0	1	10	13	25	17	10	6	1
American Indian	0	0	0	0	1	1	0	2	0
Asian	0	0	0	0	1	0	0	0	1
<b>Total</b>	<b>1</b>	<b>6</b>	<b>18</b>	<b>36</b>	<b>64</b>	<b>51</b>	<b>22</b>	<b>20</b>	<b>4</b>

- iv. Number of delinquent and status offenders admitted, by gender and race, to juvenile detention facilities and adult jails and lockups (if applicable).

According to 2017 Detention logs, there were 3051 admissions to detention facilities.

The tables below break out these admissions by race and gender.

2017 Admissions to JDCs by Race & Ethnicity		
Race	Number	Percentage of Total
White	1,420	46%
Black	969	32%
Hispanic	613	20%
AI/AN	31	1%
Asian	16	<1%
Unknown	2	<1%

2017 Admissions to JDCs by Gender		
Race	Number	Percentage of Total
Male	2,263	74%
Female	785	26%
Unknown	3	<1%

Youth admissions to JDCs continues to fall at a dramatic rate. Over the past 5 years, admissions have fallen from 6,327 (2012) to 3,051 (2017), a drop of 48%

Admissions of Black youth has gradually risen since 2012, where Black youth made up 28% of admissions, in 2017, they made up 32% of admissions.

Hispanic youth have remained a fairly constant percentage since 2012, making up 20% and 20% respectively.

While approaching communities for the community engagement initiative, Kansas will use this collected data to break down, on a local basis, the data to educate communities, and to use in a strategic planning process.

Kansas is in substantial compliance with the DSO requirement and continues to experience only minor challenges in its progress toward full compliance with the DSO requirement of the JJDP. There was a decrease in DSO violation numbers from the 2016 FFY report (5) and the reporting year of FFY 2017 (3). There was a decrease in the number of accused and adjudicated status offender violations held in

juvenile detention centers and a decrease of status offenders in adult jails and lockups for the same period of time.

Kansas utilizes the 24-hour reporting exception for accused status offenders held in juvenile detention facilities. The violation numbers decreased by 40% to the 2017 reporting year. Kansas state statutes are consistent with the JJDPA.

Kansas utilizes the Valid Court Order Exception. In 2017, the number of status offenders held for violating a valid court order decreased by 22% over the previous year, and by another 46% in 2017. This is due in part to an educational effort of the compliance monitor and increased awareness of more effective programming for status and non-offenders through the Juvenile Detention Alternative Initiative (JDAI) campaign.

- v. Data related to the availability, scope, and accessibility of mental health services for youth in the juvenile justice system and availability, scope, and accessibility of the prevention and treatment services in rural areas.

With the juvenile justice reform process, Kansas started offering Functional Family Therapy (FFT) around the state as a way to divert youth from system involvement. FFT is intensive short-term therapy delivered in the home or, on occasion, a convenient location for the family if the therapist deems the home unsafe. Three different providers offer the FFT program in Kansas; each provider has a designated region to serve. Each provider has a team of three therapists and a supervising therapist who provides FFT services to the designated judicial districts within the assigned region.

The “Juvenile Population Behavioral Health” chart below is data from the DOC. This gives an overview of the Juvenile population in DOC custody

**Juvenile Population Behavioral Health | FY 2017**

	Male	Female	Total	Level Definitions
Level 1	107	3	110	Generally stable, not on psychotropic medications, and without significant mental health symptoms.
Level 2	69	9	78	Carries a non-severe Axis I or II Diagnosis and may require psychotropic medications.
Level 3	63	16	79	Requires an individualized treatment plan, with mental health contacts at least monthly.
Level 4	1	1	2	Requires daily or close monitoring due to self-injurious behaviors, aggression toward others or significant psychotic symptoms.
<b>Total</b>	240	29		

The following programs are offered for youth at the Kansas Juvenile Correctional Complex (KJCC):

Motivation to Change - designed to increase a youth’s motivation to change their behaviors.

Aggression Replacement Training - teaches coping skills and strategies for appropriately dealing with one’s anger.

Thinking for a Change - focuses on the thinking patterns that support negative behaviors, seeking to replace negative thoughts and thought processes with those that encourage positive behaviors. Teaches social skills to assist with the youth’s new thinking.

Girl’s Circle (girls only) - seeks to promote strong self-awareness in girls and develop strength, courage, confidence, honesty and communication skills.

Behavioral Health Services: When a youth arrives at KJCC, they will meet with a psychologist for a screening. They may have a psychologist assigned to them during their stay at KJCC. Behavioral Health offers a wide variety of treatment services including individual and group counseling as well as treatment for sexually motivated offenses and substance use. The KJCC behavioral health department consists of a behavioral health coordinator, five behavioral health professionals, with one specifically assigned to our intake units and another assigned to our female youth, three licensed addictions counselors and two sex offender treatment therapists. KJCC also has two activity therapists and a reentry coordinator. We also have a psychiatrist at the facility for 16 hours each week to provide individual services and medication management. Services provided through the behavioral health team include individual therapy, group therapy, activity therapy services, substance abuse treatment, sexual offender treatment, dialectical behavioral therapy and psychological testing.

Mentoring4Success is a program to help incarcerated youth by matching them with a positive adult role model. This mentor will provide encouragement and help the youth, both at KJCC, and when they return to the community. When the youth is within six to twelve months of release, they can enroll in this program. Their CCII will guide them through the enrollment process.

- vi. Trend data and other social, economic, legal, and organizational conditions considered relevant to delinquency prevention programming.

In 2017, Kansas was able to successfully collect the necessary data to complete DMC Matrices for the first time since 2013. This data is also being used for further analysis that reaches beyond the boundaries of DMC. This data is still aggressively being scrubbed and prepared by DOC. DOC will provide updated data as it becomes available.

In 2015, the Kansas legislature passed a juvenile justice reform bill. Pieces of this bill went into effect in 2016, 2017, and 2018, and full implementation will be completed in 2019. Local jurisdictions are learning how to function under the new rules and regulations set forth in the bill, and that will impact juvenile justice data and trends

**b. Goals and objectives.**

**Juvenile Justice System Improvement (Program Area 27)**

Problem Statement:

There are a multitude of issues that drove the KAG to select this as program area, but two main drivers. First, during a statewide needs assessment done as part of the state block grant funding process, local communities were asked to submit their major needs as a community. While reviewing their assessments, local needs such as access to data and data analysis, education on best practices, and needs for community collaboration pointed to the need for a push for strengthening capacity at a local level.

Program Goals:

- To educate local communities on the principles of data collection and analysis.
- To facilitate community collaborations
- To assist local communities in a data analysis and needs identification process.
- To assist local communities in collaboration building to address identified needs.
- To facilitate evidence based reforms targeting placements

Program Objectives:

- Increase the use of evidence based model programs or strategies,
- Fund strategies and facilitators that will enable community capacity building

**Planning and Administration (Program Area 28)**

Program Problem Statement:

The DOC and KAG coordinate efforts aimed at developing the three year plan. The Governor has designated the DOC as the designated State agency and appointed the members of the KAG to plan for and design a system of juvenile justice and delinquency prevention in accordance with Section 222 (c) of the JJDP Act.

Program Goals:

- Develop a plan to maintain compliance with JJDP core requirements,
- Coordinate with the KAG for 3 year plan development

Program Objectives:

- Provide accurate and timely applications for funding and performance measurement reports,
- Administer a competitive grant making process
- Maintain compliance with JJDP Act core requirements,
- Provide support to the KAG and its committees.

#### Compliance Monitoring (Program Area 19)

##### Problem Statement:

The primary issue for the Deinstitutionalization of Status Offenders (DSO) is the lack of appropriate services and placement options for status offenders and non-offenders in some rural areas of the state. The primary issue for the Jail Removal Requirement is the turnover of law enforcement officers, which necessitates regular training and information sharing.

##### Program Goal:

- Maintaining full compliance with the JJDP Act core protections
- Maintaining a high knowledge base of the core protections at a local level

##### Program Objectives:

- Facilitate core protection trainings at a local level
- Fund compliance monitoring to maintain compliance with core protections

#### Native American Tribes (Program Area 24)

##### Program Problem Statement:

Kansas is home to four Native American tribes: Iowa, Kickapoo, Potawatomi and Sac and Fox. According to the census, 47% of tribal families living on the reservation are below the federal poverty level. The KAG has historically provided more funding for the tribes than the prescribed Native American pass through in order to assist them in their prevention and intervention programs.

##### Program Goals:

- Encourage Native American tribes to submit applications to fund evidence based programs to address youth justice and delinquency prevention issues for Indian Tribes

##### Program Objectives:

- Conduct outreach efforts to the reservations and Tribal Authority,
- Provide technical assistance in identifying needs programming.

## State Advisory Group Allocation (Program Area 32)

### Program Problem Statement:

This program will provide funds to enable the KAG to carry out its duties and responsibilities, as specified by the Governor (as its appointing authority), and the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415 Section 222(d)).

### Program Goals:

- Review juvenile justice policy
- Advise and advocate on juvenile justice issues to policy makers
- keep Kansas in compliance with the federal JJDP

### Program Objectives:

- Improve and monitor the state juvenile justice system.
- Prevent juvenile delinquency and strengthen communities and families.
- Support juvenile justice improvements and reform through policy development
- Make funding recommendations regarding JJDP.
- Develop and implement the 3 year plan.
- Advise policy makers on matters concerning the juvenile justice system

### **c. Implementation (Activities and Services)**

#### Compliance Monitoring: Summary of Activities and Services Planned:

- Identify and classify the monitoring universe monitoring purposes,
- Inspect facilities on-site to collect and verify secure detention data,
- Conduct meetings related to compliance issues and on-site monitoring visits
- Complete the annual Monitoring Report,
- Facilitate targeted education for judges, county and district attorneys, law enforcement, and other juvenile justice professionals on the JJDPa core requirements,
- Identify local, temporary, non-secure, placement options
- Pursue statutory changes that provide congruence with federal laws and requirements.

#### System Improvement: Summary of Activities and Services Planned:

- Collaboration with stakeholders
- Use of accurate, comprehensive data
- Community education on data collection and analysis techniques
- Community education related to reducing DMC
- Community education on best practices such as the developmental approach
- Prepare RRI for all Judicial Districts to be made available annually
- Seek technical assistance as needed to aid and training and strategic planning
- Fund evidence based DMC strategies

#### Native American Pass Through Funding: Summary of Activities and Services Planned:

- Education of tribal stakeholders on the purpose and availability of NAPT funding
- Education of tribal stakeholders on evidence based programming
- Provide technical assistance to tribes in drafting their funding proposals.

#### Planning and Administration: Summary of Activities and Services Planned:

- Ongoing partnership between the KAG and DOC,
- Provide assistance and expertise to the KAG in the preparation of the Three Year Plan, Reports to the Governor, Performance Reports, and selection of competitive grant proposals,
- Develop RFP and pre-bid conference to solicit proposals for JJDPa funding
- Monitor and evaluate funded projects through on-site visits,
- Oversight of the Compliance Monitoring and DMC core requirements.

State Advisory Group: Summary of Activities and Services:

- Quarterly KAG meetings,
- KAG committee meetings as needed staffed by the Juvenile Justice Specialist,
- Payment of mileage and per diem to attend KAG related meetings
- Reimburse expenses incurred in attending appropriate local and national conferences

Gender Specific Services, Rural Areas and Mental Health Services.

Gender Specific Services are being provided to female youth at the Kansas Juvenile Correctional Complex (KJCC) focusing on several areas. The Girls Circle program promotes increased self-efficacy, attachment to school, positive body image and social support. The program also helps decrease self-harming behavior and rates of alcohol use among female youth. KJCC uses female Substance Abuse, Anger Replacement Therapy and Thinking for a Change programs. These are evidence-based practice model programs. In addition to these programs, female youth at KJCC are able to participate in gardening, Girl Scouts, development of job skills available specifically to females, and have opportunities to work with the Paws for Change program - a foster care program for animals from Helping Hands Humane Society. KJCC maintains staff dedicated to the female population to provide activity therapy, psychological, educational and healthy relationship needs.

In addition, residential provider standards have been updated for FY16 to include considering gender identity. Residential staff is also required to be trained in the area of lesbian, gay, bi-sexual and intersex youth. Juvenile correctional facilities have policies and procedures involving lesbian, gay, bi-sexual, trans-gendered and intersex (LGBTI) youth for training and screening.

The Kansas Department of Education has a bullying prevention plan based on the 2007 statute 72-8256. This law came after an incident in which a school in Kansas was sued due to a same sex student-on-student sexual harassment case. Several schools in Kansas now have student organizations that are inclusive of LGBTI students.

In 2013, Kansas Statute 21-5426 regarding Human Trafficking was put into place. This statute has protections for victims of Human Trafficking regardless of gender. In response to the needs of juvenile victims of human trafficking, Rapid Response Teams have been established in two locations (Kaw Valley Center and St. Francis Community Services). They provide an appropriate response to the victims as opposed to the juvenile ending up in a detention facility. Specific law enforcement protocol for these situations was put in place effective January 1, 2014.

DOC provides services to rural communities through funding of community programs. Community programs include juvenile intake and assessment, juvenile intensive supervision probation, and case management services to youth.

DOC recently provided Models for Change Mental Health Training Curriculum for Juvenile Justice to assist those working with youth on a daily basis in identifying possible mental health issues in order for youth to receive proper services. Those included in this training were DOC staff (includes juvenile correctional facility personnel), detention staff, residential staff, court services, community corrections as well other stakeholders. These individuals represented all parts of Kansas. Training was also done for train-the-trainers for sustainability.

### **Consultation and participation of units of local government.**

The KAG and DOC reviewed the state block grants that were received by the state. These grants contained a needs assessment from each community. The KAG and DOC reviewed these needs requests at a strategic planning session, and decided to target the needs of Kansas communities with the Title II allocation received by the state. This incorporation of the needs and requests of local governments into the strategic planning process has been helpful to both the state and local communities, and Kansas is excited to begin this work.

### **Collecting and sharing juvenile justice information.**

*Juvenile Arrest by offense type, gender, age, and race.*

Juvenile arrest data has been collected using the Kansas Standard Arrest Report for the Kansas Incident Based Reporting System, maintained by the Kansas Bureau of Investigation (KBI). BARRIERS: Only electronic or manual data provided by local law enforcement agencies is used by the KBI to report the offense type, race, age and gender of juvenile arrests. Three out of four major urban areas in the state submit summary data that does not report offense type, race, age and gender. The KBI is dependent on local sheriff and police departments for reporting juvenile arrests. The KBI is working to gain more accurate detailed information on each juvenile reported. Each year we must request arrest data by offense type, race and ethnicity and gender directly from police departments in Johnson County, Topeka and Kansas City, Kansas. The KBI estimates we have over 90% of all arrests recorded for the State of Kansas.

*Number and Characteristics (by offense type, gender, race, and age) of Juveniles Referred to Juvenile Court, a Probation Agency, or Special Intake Unit for Allegedly Committing a Delinquent or Status Offense.*

Data on referrals to juvenile court, cases diverted, cases petitioned/charges filed, and cases transferred to adult court are obtained from the Office of Judicial Administration (OJA). BARRIERS: This data is pulled manually by OJA and provided to the DOC to clean and analyze. This is a very laborious process. The KAG and DOC have worked with the courts for several years to obtain data by race and ethnicity for DMC purposes. Starting with State Fiscal Year 2008, this data is available. OJA implemented a statewide data system to track these decision points known as Full Court. OJA is working with county court clerks in local jurisdictions to enter data on race and ethnicity into the Full Court system. Approximately 85% of the cases have data entered on race, ethnicity, or gender.

Data on alleged juvenile offenders and Children in Need of Care (CINC) seen by the state's Intake and Assessment centers are available by gender, race, age, and offense type for the State, by Judicial District. The number and characteristics of juvenile offenders referred to a Special Intake Unit for allegedly committing a delinquent or status offense was provided through the Juvenile Intake and Assessment Management System (JJIAMS) maintained by DOC. BARRIERS: This data is not available by county. Intake and Assessment workers are not able to search statewide to determine whether the alleged offender has other arrests in other jurisdictions. These barriers will be addressed in the IT upgrade to a web-based system funded by JABG.

*Number of Cases Handled Informally (Non-Petitioned) and Formally (Petitioned) by gender, race, and type of disposition (e.g. diversion, probation, commitment, residential treatment).*

The State of Kansas does not collect data on cases handled informally (non-petitioned). Most of these cases are in paper form and located in file cabinets in local police stations and/or county attorney offices. These cases may be resurrected if additional charges are filed or considered for plea-bargaining. The Office of Judicial Administration does collect information on cases formally petitioned. Data on cases formally diverted after a petition has been filed is available from the Office of Judicial Administration (OJA). BARRIERS: Court Services data for Post File Diversion is available starting with 2008, by race and ethnicity. Approximately 85% of the cases have race and ethnicity identified.

Data on Court Services Probation is obtained through Court Services from the OJA Full Court system. BARRIERS: Court Services Probation Officers are not using the Full Court system to manage their cases and, therefore, only a small percentage of cases have Court Services Probation data. The data is so incomplete it is not usable.

The number and characteristics of cases for the dispositions of Intensive Supervised Probation and Commitment to Correctional Facility and/or Residential Treatment is collected by the DOC through an application called the Community Agency Supervision Information Management Systems (CASIMS). Data is available by age, gender, race and ethnicity. BARRIERS: The system was designed to have a paperless case management system, including approval of fiscal expenditures. Unfortunately, it is labor intensive and not user friendly, field staff generally completes only the mandatory entries and underutilize its potential. These barriers will be addressed in the IT upgrade to a web based system funded by JABG.

*Number of Delinquent and Status Offenders Admitted, by gender and race, to Juvenile Detention Facilities and Adult Jails and Lockups (if applicable).*

Data for delinquent and status offenders held securely is based upon secure detention logs and submitted by detention centers, adult jails and lockups to the Kansas Compliance Monitor. This report captures all youth held securely for any length of time in detention or for processing an arrest. The Secure Detention Report was compiled by gender, age, race and ethnicity. BARRIERS: A juvenile may have multiple secured detention incidents over the course of the three-year reporting period, each reported as a separate incident. The report does not include the juveniles who reside out of state or are classified as an Interstate Compact juvenile/runaway. Significant problems with this data are that police and/or sheriff's offices are not recording the race, ethnicity and/or age of the juveniles' records. The Secure Detention Log was redesigned with drop down boxes to insure uniformity of responses and to coordinate with the data required with JDAI initiative.

*State Statutes addressing the sharing of Juvenile Justice information include:*

KSA 38-2309

The official file is open for public inspection for all juveniles with the exceptions of a juvenile who is less than age 14 years and victims of sex offenses. The social file is open to select agencies, including the DOC core programs of Intake and Assessment and Juvenile Community Corrections.

KSA 38-2310(c)

All records of law enforcement officers and agencies and municipal courts concerning an offense committed or alleged to have been committed by a juvenile 14 or more years of age shall be subject to the same disclosure restrictions as the records of adults. Information identifying victims and alleged victims of sex offenses, --- shall not be disclosed or open to public inspection under any circumstances. Nothing in this section shall prohibit

the victim or any alleged victim of any sex offense from voluntarily disclosing such victim's identity.

**KSA 75-7024(n)**

(n) Adopt rules and regulations as are necessary to encourage the sharing of information between individuals and agencies who are involved with the juvenile.

The Juvenile Justice Code also addresses the sharing of information with agencies involved with the juvenile offender.

**KSA 38-2310**

All records of law enforcement officers, agencies and municipal courts concerning an offense committed by a juvenile under age 14 should not be disclosed to anyone with the exception of all agencies involved in the juvenile justice process.

**KSA 38-2312**

Identifies the circumstances in which juvenile records can be expunged.

**KSA 38-2326**

Information is open to inspection to law enforcement, social and rehabilitation services, DOC, Secretary of Corrections, educational institutions and educators to the extent of providing protection of pupils and employees, county and district attorneys, attorneys for juvenile offenders, Intake and Assessment, and a judge's order.

**KSA 38-2374**

Upon satisfactory completion of incarceration at a Juvenile Correctional Facility (JCF), the person in charge of the JCF will notify the school district where the juvenile offender will be residing. If the crime meets certain severity levels, the JCF will notify the County or district attorney. The county or district attorney is required to notify the victim and law enforcement.

**d. Formula Grants Program staff.**

See “Appendix K – DOC Juvenile Services Org Chart” for a full organizational chart.

Randy Bowman was named as the future Deputy Secretary of the DOC April of 2017. This position is currently filled by Terri Williams, and leads the Juvenile Services Section for the DOC. Randy will take over for Terri in May of 2017.

Janell Amon began overseeing the fiscal reporting for the formula grants, for both sub grantees and OJJDP in March of 2017.

Leah Haake has been the DOC Community Support Manager since April of 2013, and directly supervises the Juvenile Justice Specialist and Compliance Monitor.

Brock Landwehr has been the full time Juvenile Justice Specialist, since March of 2016. The Juvenile Justice Specialist oversees the JJDP programs. The Juvenile Justice Specialist serves as the staff support for the KAG and its various committees. This position is responsible for all applications, performance reports, site visits, and other GMS reports for JJDP programs. The Juvenile Justice Specialist is also responsible for DMC and Compliance Monitoring reporting. The Juvenile Justice Specialist oversees all technical assistance requests.

Justin Begay is the Compliance Monitor, and has been serving in this capacity since February 2016.

DOC understands that any assistance provided technical assistance received by DOC shall not cause the displacement of any employee. Further, activities where OJJDP assists will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and; No such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved.

The following chart represents the funding sources for DOC staff members responsible for the administration of JJDP funds, and the percentage of time devoted to each JJDP fund.

Name	State General Funds (SGF)	SGF (JJDP Match)	Title II	Total
Brock Landwehr (JJ Specialist)		50%	50%	100%
Janelle Amon (DOC Fiscal Staff)	70%	15%	15%	100%

#### **4. Plans for Compliance**

The primary compliance monitoring issue facing the State is with the deinstitutionalization of status offenders. This is mainly due to the discrepancies that exist between State and federal law regarding minors in possession or consumption of alcohol. In addition, areas of the State lack appropriate services and placement options for status offenders.

The primary issue for the jail removal requirement is the turnover of law enforcement officers and county/district attorneys since they are elected positions. Kansas has elections for sheriffs and district/county attorneys on a regular basis, and experiences significant turnover, necessitating regular training and information sharing.

On-site compliance monitoring visits across the State allows for the development of personal relationships, on-going training opportunities and technical assistance to address the origin of the compliance issue.

Kansas monitors compliance through a Title II funded DOC employee. Previously, Kansas had contracted these services, but in 2016, the DOC created an internal Compliance Monitor position and hired Justin Begaye. The compliance monitoring process is coordinated with the Juvenile Justice Specialist and the KAG. Continued full compliance with the JJDP Act core requirements is an on-going goal.

#### **5. Additional Requirements.**

##### **1. SAG (KAG) Membership**

See “Appendix D” – SAG Roster” for a SAG membership roster.

The KAG was established by the Governor in accordance with K.S.A. 75-7007 and as directed by Section 223(a) (3) of the Juvenile Justice and Delinquency Prevention Act (JJDP), to determine, advocate for, and promote the best interests of juveniles in Kansas.

The KAG membership is fully compliant with its structural requirements. Recruitment for new KAG members will occur on an as needed basis.

#### **6. Plan for Collecting the Data Required for This Solicitation’s Performance Measures**

The DOC understands that it must collect data for specific performance measures for each program area funded and submit that data annually through the DCTAT system. State Performance Measures can be found on the OJJDP website.

The DOC and KAG will discontinue funding a program that does not show substantial success in the first two years. Monitoring success will be accomplished through annual site

visits by DOC, and quarterly and annual reports submitted by the sub grantee. Evidenced-based programs are a priority for the KAG increasing the likelihood for success.

Performance Measures will be collected for the Program Areas of: Compliance Monitoring; Native American Pass Through; Juvenile Justice Systems Improvement; Planning and Administration; and State Advisory Group.

## **7. Budget and Associated Documentation**

See “Appendix F – Budget Detail Worksheet & Budget Narrative” for the 2018 worksheet.

DOC has established procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under this title. Federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the state, local, and other nonfederal funds that would in the absence of such federal funds be made available for the programs described in this part, and will in no event replace such state, local, and other nonfederal funds.

Kansas does not receive from OJJDP an amount that exceeds 105 percent of the amount the state received under such section for fiscal year 2000.

Once this award is opened, Kansas hopes to be able to expend grant funds in a single year. Therefore, the budget shown in the worksheet accounts for a 1 year period.

Kansas uses 10 percent of our formula grant allocation for planning and administration. A detailed breakdown of those costs can be found in Appendix F. Kansas matches, federal funds that they expend for “Administration” with State General Funds. Kansas budgets \$20,000 annually to assist the SAG.

### **a. Budget Detail Worksheet**

See “Appendix F – Budget Detail Worksheet & Budget Narrative” for the 2018 worksheet.

### **b. Budget Narrative**

See “Appendix F – Budget Detail Worksheet” for the 2017 worksheet.

DOC has established procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under this title. Federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the state, local, and other nonfederal funds that would in the absence of such federal funds be made available for the

programs described in this part, and will in no event replace such state, local, and other nonfederal funds.

Kansas does not receive from OJJDP an amount that exceeds 105 percent of the amount the state received under such section for fiscal year 2000.

Budget Summary of Program Area Budgets:

System Improvement Budget:			
Fiscal Year	Formula Grant Funds (\$)	State/Local Funds (\$)	Total (\$)
2018	147,265	0	289,458

Compliance Monitoring Budget			
Fiscal Year	Formula Grant Funds (\$)	State/Local Funds (\$)	Total (\$)
2017	50,000	0	50,000

State Advisory Group Budget			
Fiscal Year	Formula Grant Funds (\$)	State/Local Funds (\$)	Total (\$)
2017	20,000	0	20,000

Planning and Administration Budget			
Fiscal Year	Formula Grant Funds (\$)	State/Local Funds (\$)	Total (\$)
2017	40,163	40,163	80,326

Native American Pass Through Budget			
Fiscal Year	Formula Grant Funds (\$)	State/Local Funds (\$)	Total (\$)
2017	2,008	0	2,008

System Improvement costs cover sub awards for the local facilitation and training involving: data collection, data analyzation, needs assessment, community collaboration and training.

Compliance Monitoring costs cover the salary of a Compliance Monitor. The Compliance Monitor: collects information on all facilities that may hold juveniles;

Classifies facilities to determine which need to be monitored; Inspects facilities for adherence to JJDP A guidelines; Collects verifications of juvenile detentions and court data; and provides information and training in regards to the JJDP A statewide.

Native American cost cover pass through funding for tribal youth as required.

The Planning and Administrative costs cover the partial salaries of a full-time Juvenile Justice Specialist, and a Fiscal Specialist. Also covered are travel costs of staff to: Attend appropriate OJJDP sponsored conferences and workshops; Attend appropriate CJJ sponsored conferences and workshops; Attend appropriate local meetings, conferences, and workshops and; Monitor sub recipient grants throughout the state.

The State Advisory Group Allocations are limited to those appropriate and reimbursable under OMB 225. These costs cover: Member attendance at meetings held; Members attendance to CJJ sponsored national and regional conferences as appropriate and; Member attendance to local conferences and workshops as appropriate.