

MINUTES

JOINT COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE OVERSIGHT

January 10, 2012
Room 144-S—Statehouse

Members Present

Representative Pat Colloton, Chairperson
Senator Pete Brungardt
Senator David Haley
Senator Dick Kelsey
Senator Jeff Longbine
Representative Jim Denning
Representative Doug Gatewood
Representative Jana Goodman
Representative Jerry Henry
Representative Virgil Peck

Staff Present

Lauren Douglass, Kansas Legislative Research Department
Bob Allison-Gallimore, Kansas Legislative Research Department
Jason Thompson, Office of the Revisor of Statutes
Sean Ostrow, Office of the Revisor of Statutes
Jackie Lunn, Committee Assistant

Conferees

Curtis L. Whitten, Commissioner, Juvenile Justice Authority
Dennis Casarona, Deputy Commissioner, Juvenile Justice Authority
Gina Meier-Hummel, Director of Children and Family Services, SRS
Reginald Robinson, Chairman, KAG; Professor of Law and Director, Center for Law
and Government, Washburn University School of Law

Chairperson Colloton called the meeting to order at 1:30 p.m. and gave a brief outline of what the meeting would cover and what she hoped to accomplish, stating the meeting would be the last of the 2011 Interim.

Chairperson Colloton recognized Senator Kelsey. *Senator Kelsey made a motion to approve the minutes from the November 29, 2011, meeting. Senator Longbine seconded the motion. The motion carried.*

Chairperson Colloton called on Curtis Whitten, Commissioner, Juvenile Justice Authority (JJA), to give his testimony and answer Committee members' questions (Attachments 1 and 2).

He reviewed the changes that have taken place at the Topeka Juvenile Correctional Complex and stated they have addressed some of the Committee's concerns from its visit to the facility during the Interim. He was glad to report changes had been made to allow greater accessibility to vocational training programs and stated seven girls had enrolled in the auto mechanics program. JJA is looking for more opportunities to add to its vocational training programs. It was noted that JJA is striving for consistency in its training programs in both its facilities located in Topeka and Larned. The Commissioner also touched on the mentoring program stating it was moving forward with success.

Chairperson Colloton introduced Deputy Commissioner Casarona to give his testimony regarding the separation of youth in the custody of JJA and Child in Need of Care (CINC) youth in the custody of the Department of Social and Rehabilitation Services (SRS). He stated the process has continued towards the primary goal of establishing safer environments in out-of-home placements by eliminating the intermingling of juvenile offenders with non-offending CINC youth. Both JJA and SRS are working together to optimize the proximity of youth placements to their home communities and to give due consideration to the stability of current system providers. Currently, JJA and SRS staff are working together to develop an initial draft placement model for three of the primary residential placement types: Youth Residential Centers (YRC II), Transitional Living Program (TLP), and Emergency Shelters (ES). A lengthy question and answer session followed.

Chairperson Colloton called on Gina Meier-Hummel, Director, Children and Family Services, SRS, to give her testimony regarding SRS and JJA programs (Attachment 3). She stated SRS and Commissioner Whitten have asked Chairman Reggie Robinson at the Kansas Advisory Group on Juvenile Justice and Delinquency Prevention (KAG) to create an *ad hoc* committee to put together a proposal that will create a better interface between JJA and SRS. She went on to say they anticipate this committee will produce a study that includes recommendations on how best to make improvements in the current system and alignment, if any, that would better serve Kansas children and their families.

A short question and answer session followed and at its conclusion, Chairperson Colloton opened the floor for the recommendations from the Committee.

Senator Haley made a motion to continue improving vocational training in the Topeka JJA facility. Senator Longbine seconded. Motion carried.

Senator Kelsey made a motion to continue to explore further alternatives to manage prison populations, including alternatives for bed space for the elderly, and to bring recommendations back to the Legislature. Senator Brungardt seconded. Motion carried.

Representative Goodman made a motion to support the efforts of the JJA to develop a mentoring program. Representative Denning seconded. Motion carried.

Senator Brungardt made a motion to continue to monitor the separation of JJA youth and CINC youth. Senator Kelsey seconded. Motion carried.

Senator Kelsey made a motion to send a statement to the Governor to commend his administration for their response to the Committee's concerns about the proposed reorganization and interest in further investigation. Senator Longbine seconded. Motion carried.

The Committee decided to support legislation to create a presumption that if a CINC youth is adjudicated a juvenile offender and placed in the custody of the Commissioner of the JJA, the youth's CINC case will be stayed during the pendency of the juvenile offender case. Upon dismissal or other termination of JJA custody, jurisdiction would be returned to the court to continue the CINC proceeding. The Committee also decided to support legislation that would create a presumption of reintegration and termination of the Commissioner's jurisdiction when a juvenile offender in the custody of the Commissioner of the JJA has been placed back in the home for 60 days without incident. The juvenile offender then would be subject to the district court's jurisdiction for potential sentence modifications or termination.

Chairperson Colloton introduced Reggie Robinson, Chairman of KAG, Professor of Law and Director of the Center for Law and Government at Washburn University School of Law, stating, December 8, 2011, he had been asked to chair an *ad hoc* committee that would put together a proposal that will allow a better interface between JJA and SRS. Mr. Robinson stated the *ad hoc* committee would include representation from a wide range of interests and recommendations for members were being made at this time. He went on to say the study will include recommendations on how best to make improvements in the current system and alignment, if any, that would better serve Kansas children and their families. A question and answer session followed with Mr. Robinson and the Committee.

The meeting was adjourned at 2:48 p.m.

Prepared by Jackie Lunn
Edited by Lauren Douglass

Approved by the Committee on:

March 13, 2012

(Date)