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Testimony on Executive Reorganization Order No. 42

Thank you Mr. Chairman and Members of the Committee.

I am appearing before you today on behalf of the Kansas Community Corrections Association (KCCA) regarding ERO 42.

Overview

I want briefly to provide some background information on what community corrections and KCCA are so that you might be more aware of this critical component in the community correction systems in Kansas.

Community corrections agencies are thirty-one statutorily mandated programs in each part of the state, governed by county commissions and community advisory boards for both adult and juvenile offenders. They provide cost-effective community-based intensive supervision instead of prison for adult and juvenile offenders with lower severity level offenses (although the offenders are increasingly more severe and high-risk). The courts and sentencing guidelines determine whether an adult offender is assigned to regular probation (through the courts) or intensive supervise probation with graduated sanctions in a community corrections program. Juveniles are also sent to community corrections by district courts through the juvenile offender placement matrix and after they leave the juvenile correctional facilities. Additionally, many juvenile community corrections agencies provide intake and assessment services, the 24-hour front door to juvenile prevention and treatment programs as they first touch the system. Finally, many community corrections agencies provide directly or work closely with community partners to provide juvenile prevention programs.

Kansas Community Corrections Association is the voluntary association comprised of twenty-eight community corrections agencies and seven affiliated groups. I am here today representing these thirty-five member agencies.

The Community Component

The most critical fact we want you all to remember as you make decisions about ERO 42 is that a strong community component in prevention, community programs, and supervision has contributed to keeping juvenile offenders out of more costly institutions. The JJA was created from scattered state agencies to consolidate all juvenile programs, community and facility under one administrative authority. The community component was rooted in strong local participation by the courts, law enforcement, providers, and other community partners. That system has worked well. One needs to keep in mind that the JJA is two distinct programs: the management and operations of the juvenile correctional facilities and the statewide facilitator of community supervision and community programs.

Many of you all may recall in the fall of 2012 when the Governor announced the movement of juvenile intake and assessment and grant programs from the Juvenile Justice Authority to the Department of Social and Rehabilitation services. That proposed move met with uniform and

statewide opposition from local communities including law enforcement, the courts, and local providers. At the time the Legislature clearly conveyed opposition to the move and the proposal was withdrawn. Why, because the community portion of the JJA enjoys widespread support and did not need to be changed. The Kansas Advisory Group Ad Hoc study group is reviewing consolidation and will make a recommendation any day now.

This year, the Governor in ERO 42 has proposed the movement of all Juvenile Justice Authority operations under the policy and budget authority of the Department of Corrections. It is clear to us that had the JJA not been subject to appropriately damning Legislative Post Audits that revealed substantial problems at one correctional facility, this ERO would not exist.

Points of Concerns for ERO 42

We are under no illusion that the ERO will be defeated and my organization is not uniformly in agreement that the consolidation is on the whole a bad move. However, we do agree that the Legislature and the Administration should be acutely aware of the following issues and monitor their implementation in the coming years.

- Juvenile offenders are different and must be treated differently from adult offenders
- The training, skills, experiences, and needs of workers with juveniles are very different from those who work with adult offenders and that distinction must be protected.
- Juvenile offender programs in the community, including both supervision and prevention, are cost savers to the state, diverting juveniles from further penetration into the juvenile system and eventually the adult correctional system
- Juvenile community programs enjoy strong and enduring community support as local advisory boards determine the best programs for their youth and communities. That can be undone without careful oversight.
- Past experience has shown that when the Department of Corrections is under budget pressure, the public safety burdens and costs of facilities always supersede funding for offender programs and treatment. Our fear is that juvenile community programs are more likely to succumb to future budget reductions within the Department of Corrections.

Secretary Roberts and Interim Commissioner Williams have met with members of the KCCA and have expressed their intentions to protect and preserve the community components of juvenile offender supervision and programs. However, the Legislature's concerns are for the long-term public policy of the State of Kansas. You are undertaking a change more dramatic than shifting budgets and administrative personal from one agency to another. Long after the current leadership has moved on, under ERO 42, the strong and publically supported juvenile community programs will be left to battle to attention, relevance, and funding within an agency's whose primary mission, as it should be, is maintaining the public safety through strong and secure adult prisons.

I would be happy to stand for questions at the appropriate time.