

**Kansas Juvenile Justice Workgroup  
Court Services Officer Roundtable Executive Summary  
Emporia, Kansas  
August 20, 2015**

On August 20, 2015, the Kansas Juvenile Justice Workgroup held a roundtable discussion about the juvenile justice system with Court Services Officers (CSOs). The roundtable was facilitated by Workgroup members Mark Gleeson of the Office of Judicial Administration and Stephanie Springer, Chief Court Services Officer of the 27<sup>th</sup> Judicial District. The CSOs in attendance were:

- Bryan Weiser, 9<sup>th</sup> Judicial District
- Laura Brewer, 10<sup>th</sup> Judicial District
- Courtney Parker, 8<sup>th</sup> Judicial District
- Linda Huggins, 1<sup>st</sup> Judicial District
- Vicki Ford, 29<sup>th</sup> Judicial District
- Sheila Hall, 3<sup>rd</sup> Judicial District
- Karen Ward, 18<sup>th</sup> Judicial District
- Jerry Weible, 18<sup>th</sup> Judicial District
- Stephanie Springer, 27<sup>th</sup> Judicial District
- Joe Hammeke, 27<sup>th</sup> Judicial District
- Amanda Lovell, 30<sup>th</sup> Judicial District
- Sharon Thiel, 13<sup>th</sup> Judicial District
- Lance Fabrizius, 14<sup>th</sup> Judicial District
- Tessa Emmest, 11<sup>th</sup> Judicial District
- Brandee McArthur, 4<sup>th</sup> Judicial District

➤ ***Strengths of the Juvenile Justice System***

- **Commitment and Longevity of CSO Officers:**

- CSOs stated that a strength of Court Services is the longevity and commitment of CSOs. CSOs reported low turnover among officers, which they stated was uncommon within the field, particularly compared with turnover rates at service providers contracted through the Department for Children and Families (DCF).

- **Openness to Juvenile Justice Training:**

- One CSO stated that recent trainings on the YLS-CMI, human trafficking, and other areas had been beneficial for CSOs and had emphasized the importance of evidence-based programs and practices.

➤ ***Areas in Need of Improvement:***

- **Lack of Funding for Services Specifically for Youth on Court Services:**

- CSOs reported that they do not have funding available for services specifically for youth on Court Services probation. At least one CSO attempted to send her youth to programs run through Community Corrections funds for youth on ISP. Another CSO stated that her district collects a probation fee that funds certain programs, such as an evening reporting center. Many CSOs agreed that evening reporting centers are a significant need.

- Several CSOs stated that effective community-based services had been available in the past but that funding had been cut. One CSO reported that Multisystemic Therapy (MST), an evidence-based program that engages youth and families, used to be available for youth on Court Services but is no longer. The CSO reported that MST had been very successful at reducing reoffending among the youth who received it and had at one point been funding through Community Corrections expenditures. CSOs also stated that a lack of community-based services was a driver behind an increase in the placement of Children in Need of Care (CINC) in DCF custody who were unable to access the community-based mental health treatment available in the community. In addition, CSOs reported difficulty getting youth screened into in-patient mental health treatment, particularly in larger counties where services providers “assume [there are] more resources.”
- **Long Wait Times and Little Accountability for Services and Case Management from Contracted Service Providers:**
  - According to CSOs, Juvenile Offender (JO) or CINC youth referred for services may in some instance wait 18 months for a case manager to be assigned by a service provider. CSOs reported that this is due to high turnover among provider staff. As one CSO put it, turnover and long waiting times often result in “mediocre service provided to the families that keeps kids [on Court Services] longer than they have to be.”
- **CINC Cases Often Closed When JO Case is Opened:**
  - There was broad agreement among the CSOs that if a youth is placed on Court Services and has an open CINC case, DCF contractors will press to close the CINC case. In some districts, CSOs stated that DCF case managers will push CSOs to report a probation violation so that DCF can close the CINC case. However, CSOs reported that, as one CSO stated, “90 percent of violations you file could be [considered] a CINC case [such as] dealing with the families, not going to school.” In addition, CSOs stated that once a CINC case is closed, there are fewer or no services available, particularly relative to those available for youth with open CINC cases.
- **Decision to Place Youth on Court Services or ISP is Often Based Upon Factors Other than a Youth’s Risk to Reoffend:**
  - CSOs stated that court decisions about which agency supervision to place a youth under are often based less on a youth’s public safety risk than on the personal preferences of the judge or district attorney. In some districts, CSOs reported, courts will place more serious offenders on Court Services rather than ISP because they have greater trust in CSOs to provide supervision. CSOs stated, that because in many districts judges and prosecutors trust Court Services to provide good supervision, youth often stay on Court Services longer than necessary rather than either having their case terminated or, if necessary, moving to more intensive levels of supervision. At least one CSO reported that district or county attorneys will in some cases ignore the CSO recommendation because they feel that CSOs are providing good supervision.

- “Dual supervision” is common in some judicial districts. CSOs report that youth are often placed on Court Services with a CSO and also placed on Intensive Probation Supervision (ISP) with a Community Corrections Officer (CCO). This results in duplicative supervision costs for the county and the state. One CSO stated that in his district, “Community Corrections would supervision the placement, and Court Services would supervision the probation part.” Some CSOs stated that in districts where CCOs have funding for services, the court will order dual supervision so that the youth can receive those funds while under the supervision of both a CCO and a CSO. In some instances, CSOs stated, judges will order CSOs to oversee the CCO or DCF contractor assigned to the case to ensure accountability. CSOs report difficulty determining which supervising agency has responsibility for which aspects of a youth’s case.
- Most CSOs agreed that it is no longer true that youth receive more intensive supervision on ISP as a rule.
- **Risk and Needs Assessments are Not Conducted and Considered Consistently:**
  - CSOs reported that sometimes youth do not receive a YLS-CMI risk and needs assessment because it is only conducted during a presentencing investigation (PSI) and those are uncommon in many districts. In addition, CCOs in some districts conduct the YLS-CMI prior to adjudication, while CSOs conduct it after adjudication, creating conflicts and duplicative efforts.
  - CSOs agreed that that they would prefer cutoff scores for the YLS-CMI indicating the level of supervision that a youth can receive. Some CSOs expressed a belief that, as one CSO put it, the legislation requiring the YLS-CMI “wasn’t done correctly because there are not cutoff scores” indicating the appropriate level of supervision. Currently, CSOs stated, youth often receive the assessment but are often detained regardless of the resulting risk score.
  - In at least one district, more serious offenders are sometimes sent to detention for 60 days before adjudication as a so-called “shock time” prior to being placed on probation in the community. A CSO stated that defense attorneys and the DA will agree to this in order to get around YLS requirements.
- **No Standards Exist for Pre-Court Diversion:**
  - CSOs reported that no standards structure district or county attorney-run diversion programs to ensure consistency across jurisdictions. One CSO reported that officers in her county have stopped supervising diversion cases because the district attorney’s office charges too high a diversion fee for youth to pay. CSOs in her district also stopped diversion supervision because they found that youth were being placed on diversion for “petty offenses.”
- **Restitution and Pre-Court Diversion Fees can Impede Case Closure:**
  - CSOs reported that restitution can be a barrier to closing a case. One CSO stated that in some cases where restitution is outstanding, CSOs can end supervision without closing the case. In those instances, youth will have restitution to pay and “the cases are never closed [and] never monitored.”

- **Quality of Defense Counsel Can Be Poor:**

- Many CSOs reported that defense attorneys are almost exclusively on contracts that do not pay for work outside of the courtroom, including discussing a case with a client. One CSO said youth often meet with their defense attorney for no more than 10 minutes prior to the start of a hearing. Another CSO stated that when she requests a review hearing, defense attorneys in her district will sometimes ask for a probation violation hearing instead because they will receive compensation only for probation violation hearing and not for the review.

- **Other:**

- **Need for Greater Parental Accountability:**

- CSOs stated that there is a need do more to engage parents and, if necessary, hold them accountable. One CSOs reported that young children are often charged with truancy instead the filing of a abuse and neglect charge against parents. Some CSOs report that if parents refuse to take back custody of a child, the judge will some amount of child support at the time of placement.

- **Lower-Level Offenses Such as Truancies are Dealt with Differently Across Jurisdictions:**

- CSOs reported wide variation in how the juvenile justice system responds to low-level offenses such as truancies. Some CSOs reported that all truancy cases are adjudicated, while others stated that their district or county attorneys file petitions but will not adjudicate. One CSO reported that her district attorney would keep a youth on informal supervision but would not bring a formal charge. The CSO viewed this as an issue because youth on informal supervision did not receive community services when, in her view, the truant youth were in need of greater support to address the root causes of truancy.

- **Notable quotes:**

- **On the Closing of CINC Case When a Youth Receives a JO Case:** “If we have a JO case, the CINC side wants to close. You’re not going to get the services on the JO side. ... With juveniles, 90 percent of violations you file could be a CINC case [such as] dealing with the families, not going to school—it’s a constant battle.”
- **On Need for Greater Accountability:** “We supervise a lot of truancies and I’ve told the District Attorney, ‘why don’t we hold parents accountable? Why are we bringing in 8-9 year olds for truancy?’ I’ve asked him to bring in parents on neglect ... I don’t think it’s a seven-year-olds fault that they’re not going to school.”
- **On Poor Quality of Defense Counsel for Some Youth:** “It’s heartbreaking because you know the kid never got his time in court and was just told he did it. ... He deserved his day in court.”