

**Kansas Juvenile Justice Workgroup
Detention Staff Roundtable Executive Summary
August 20, 2015**

On August 20, 2015, the Kansas Juvenile Justice Workgroup held a roundtable discussion with Kansas Juvenile Detention Center staff. The meeting was facilitated by Workgroup members Ed Klumpp, the legislative liaison for the Kansas Association of Chiefs of Police and the Kansas Sheriffs Association, and Randy Bowman, Director of Community Based Services for the Kansas Department of Corrections. Staff in attendance included:

- Shawn Brandamahl, North Central Kansas Regional Juvenile Detention Facility, Junction City, KS
- Brad Schulz, North Central Kansas Regional Juvenile Detention Facility, Junction City, KS
- Jeffrey Leslie, Southeast Kansas Regional Juvenile Detention Center, Girard, KS
- Pam Weigand, Douglas County Youth Services, Lawrence, KS
- Katrina Pollet, Southwest Kansas Regional Juvenile Detention Center, Garden City, KS
- David McKune, Johnson Co. Juvenile Detention Center, Olathe, KS
- Angela McHardie, Shawnee Co. Juvenile Detention Center, Topeka, KS

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

- **People in Kansas care about the kids in the system:** In particular, detention staff reported that the county leadership operates from the position that “these kids [in detention] are our kids,” and tries to make decisions accordingly
- **Detention facilities can provide safety and security for youth who need to be confined:** Staff reported that, as a general matter, the kids tend to feel safe inside their detention facilities. If a child needs to be locked up, they can keep them housed in a secure environment.
- **Some local initiatives are moving toward streamlined case supervision and planning:** Finney County is building a one-stop-shop for juvenile justice. The hope is that bringing the different entities that span juvenile justice together under one roof will facilitate “up and down flow” and communication, particularly with Court Services. Others noted that combining agencies in some counties has facilitated access to information, allowing better coordination and case-planning.
- **Step-down approaches improve outcomes for youth, reduce detention use:** Staff reported that having a step-down program attached to the Juvenile Detention Center (JCD), as in Johnson County, effectively improves youth outcomes and reduces detention crowding.
- **Addition of leisure programming to detention facilities has improved outcomes for youth:** Participants reported that in their individual facilities, adding programs like physical education and library time has had more of an impact than anything else on youth progress over the past decade.

➤ ***Areas in Need of Improvement:***

- **Lack of detention alternatives leads to a counterproductive mix of high risk, low-risk youth in facilities:** Alternatives are lacking and some youth are in detention that should not be there.
 - Staff mentioned that recent budget cuts have led to reduced alternatives.
 - Staff reported that the resulting mixing of low-risk and high-risk offenders (often

for lengthy stays) is “doing damage” in terms of safety inside facilities. Status offenders are mixed in with high risk juvenile offenders.

- Youth under 13 years old, staff said, present safety concerns inside JDCs, and so the age for detention should be raised accordingly.
- Staff also expressed a desire to preclude detention of CINC in JDCs.
- Staff also stated that there must be accountability for all levels of crime.
- **Many youth are sent to detention for low-level behaviors that could be handled more appropriately through graduated responses in the community:** Staff commented that expanded use of graduated response matrices for youth under supervision might curb unnecessary detention stays for behavior that could be handled in other ways.
 - Staff said that most youth come to detention on technical violations – they are very rarely back on a new crime. Specifically, they mentioned behaviors like hot UAs, violations of other terms/conditions of probation, behaviors in group home, placement discharges, and running away from placement could and should often be handled elsewhere.
 - Staff discussed the need for Case Management placement providers to be more tolerant of kids acting out. A lot of what gets them ejected is normal adolescent behavior. And there are a lot of runaways as a result of a lack of support for kids in case management.
 - Staff was also concerned that, in some counties, probation officers seem to overuse arrest and detain requests. They commented that those officers should use more graduated responses or at least be required to do an affidavit and get court signoff before detaining on a technical violation. This practice is particularly prevalent on Friday afternoons when the court will not be able to hear the case until Monday.
 - Staff reported that in rural areas, where alternatives can be more challenging, there is an opportunity to develop on a regional or interregional basis.
- **Inadequate mental health services across the board for youth in Kansas leads to inappropriate use of JDCs as default mental hospitals:** Staff expressed particular concern about the lack of mental health services for youth and acknowledged that while these services are expensive, JDCs are not equipped to provide more than “rudimentary” counseling, therapy, and medications for youth that need it. When youth end up in JDC because of mental health issues:
 - Those youth are often bullied.
 - More intensive staff to youth ratio and service needs strain the facility’s budget and put pressure on staff and other kids who also need attention.
 - Staff commented, however, that there are eligibility barriers to inpatient mental health treatment. When detention sends youth to mental health facilities, they often get youth returned to them as “stable” after two days. Staff reported that a youth almost has to be actively suicidal to get more services and that kids learn they need to escalate in order to get those services.
- **JDCs are incorrectly perceived as treatment facilities:** Judges sometimes think that more programming exists in detention than in community such as “D&A,” and anger management, but really, staff stated, providing programming is not the JDC’s primary function.
 - Staff commented that a JDC’s primary function is security. Otherwise, the primary objective is credit recovery.

- **Detention risk assessments are underused and inconsistent:** Staff explained that use of risk assessments is not uniform across the state, resulting in incarceration of low-level offenders, including a lot of alcohol and drug cases. The development and implementation of the KRAI has led to more consistent responses to detention decisions. Staff expressed desire for adoption of the KRAI as a statewide instrument.
- **Youth stay for a long periods of time and often do not get credit for time served:** Staff reported that youth often spend excessively long periods of time in detention and do not receive any credit for the time they spend – particularly pre-trial or pre-hearing. There are a lot of youth bottlenecked in detention awaiting trials for long periods of time; CINC youth are often held for as many as 180 days, because of a lack of alternatives.
- **Quality assurance and oversight are lacking:** Staff reported that multiple agencies are conducting auditing and licensing, and that quality assurance and oversight needs to be more efficient and standardized. One agency should look at all out-of-home placements and should have working knowledge of detention.
- **Youth often are not transported to court for hearings:** Staff reported that some jurisdictions allow detention for violations of conditions of probation either without a hearing, or without the juvenile’s presence.
- **Sentence length is often inconsistent:** Staff mentioned that many jurisdictions do not use determinate sentencing or a disposition matrix, which leads to inconsistent sentencing practices. There was discussion of a model dispositional grid that was put in place by Douglas County in response to the practice of indeterminate sentencing for Court Service probation or ISP by the court.
- **Need for Better Information Sharing with Law Enforcement about Best Practices:** Staff stated that there is a need for better communication of juvenile justice best practices with law enforcement leaders.

➤ **How Pieces of the System Interact:**

- **Lack of communication and coordination among agencies:** Staff described a number of examples of inadequate communication among different JJ entities. For example:
 - Kids sometimes come in from other placements without their medications so the facility has to scramble for psychotropics or Medicaid won’t pay because the prescription was filled three days prior.
 - Court Services is so separate from ISP that there is no collaboration, they do not know who each other supervise, and there is no mechanism for moving a youth over to another part of the system. Probation might be better under just one branch – instead of being separated into two.
 - Youth are often required to meet multiple appointments with multiple workers from multiple agencies, making it nearly impossible for them to understand all of their obligations. Case planning/management should be unified.
 - Branches/agencies don’t share information with detention and the data systems are controlled outside of the JDCs – so JDCs cannot correct inaccurate information in the system, or access all the data they need.

➤ **Other:**

- **Attrition planning:** Participants were open to downsizing of detention facilities and confident it could be accomplished in a responsible manner. In one facility (an inter-

local), the facility responded successfully to a low census by lending employees out to other county agencies that needed temporary staffing. One of the roundtable participants shared that additional reductions are feasible in some places, so long as you preserve safety – it means kids are doing better, and improving outcomes for kids and families and communities should be the number one priority.

- **On local control vs. more state authority:** Staff mentioned the move to more local control of the juvenile justice system by Community Corrections didn't necessarily yield the results they hoped for. Now, some said, it seems that making authority more regional was just a convenient way for the state to absolve itself of authority. There needs to be more consistency across jurisdictions.
- **Parents need to be held accountable.** They need to not be let off the hook and instead be required to parent.
- **Regulations need to be reviewed and updated,** as they are rife with contradictions and vagueness. Any change in Kansas Department of Health and Environment staff members who oversee facility licensing risks new interpretations and practices.
- **There needs to be more uniformity system-wide:** With some detention facilities drawing from many different counties, this lack of uniformity is problematic. Placement decisions are often personality-driven.

➤ **Notable quotes:**

- **On reducing detention populations:**
 - “A 25 percent population reduction would be great because it would mean kids and families are doing better.”
- **On how the different pieces of the system interact:**
 - “I can’t even explain the system and I work in it.”
- **On ways to keep youth out of the system:**
 - “Keep ‘em busy, keep ‘em active. Then they are less likely to get in trouble.”
- **On raising the minimum age for kids in JDC to 13 years old:**
 - “That’s what it was for years and it was a heck of a lot more palatable.”
- **On the need for more standardized graduated responses for youth on supervision, and for affidavits from probation officers before arrest:**
 - “One kid got detained for stopping for a Coke at Sonic on the way home from school instead of going straight home. Most expensive Coke the county ever bought.”
- **On the lack of alternatives to detention:**
 - All that we have without alternatives is “sledge hammer or let them go.”
 - “We are the mental hospitals and we are not equipped.”
- **On changing practice vs changing laws and policies:**
 - “I would like to be able to stand on what’s in ink rather than stand on a good relationship that can easily change.”