



KANSAS ASSOCIATION OF COURT SERVICES OFFICERS

January 31, 2017

TO: Rep. J. Russell Jennings and the House Committee on Corrections and Juvenile Justice
FROM: Dawn Huddleston, Member of the Kansas Association of Court Services Officers
RE: Neutral to HB 2087

Representative Jennings and Committee Members:

On behalf of the Kansas Association of Court Services Officers (KACSO), I am writing to encourage the revision of HB 2087. I am currently employed as a Court Services Officer III (CSO) for Shawnee County Court Services of the 3rd Judicial District. I am the coordinator and staff supervisor of the Shawnee County Adult Drug Court Diversion program. During my years as a Court Services Officer, I have spent time working with immediate intervention and diversion programs. I have thirteen years of professional experience in drug offender supervision and treatment programs; my experience includes program fund raising and peripheral work with SB 123 programming.

With KACSO support, I appreciate the opportunity to use my experience to provide testimony Neutral to HB 2087. The following points of concern are offered for Committee consideration:

- **SB 123 expenditures would increase; meanwhile, dedicated local and special program funding would be un-utilized.**

There are well-established Diversion and Pre-Trial programs throughout the State that serve the same *divertee* target population identified in HB 2087. Such programs include provisions for substance use disorder (S.U.D.) treatment through providers that are locally vetted and monitored. These existing programs have been created and funded in adherence to published statute. Funding for these programs are generated from local sources; such as, special alcohol tax funds, city and/or county allocations, ordinance funds, grants (local, state, and federal), and donations from other non-profit agencies. Typically, these funding sources are restricted to

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investment in locally managed programs with specific priorities. My observation is that these funds cannot be simply re-directed to other projects. Adoption of HB 2087 would leave dedicated local and special tax/ordinance funding un-utilized. Furthermore, an already over-burdened SB 123 budget would be forced to stretch further.

- **Existing programs would be duplicated and/or eliminated; opportunities to receive intervention could be reduced**

Existing S.U.D. Pre-Trial/Diversion programs are staffed as suitable to the jurisdiction of implementation. Programming may be supervised by Court Services, Community Corrections, District Attorney (D.A.) Offices, and/or contracted case management agencies. *Divertees*, as defined in HB 2087, would pull from the clientele of existing programs. HB 2087 does not indicate whether a *divertee* that is revoked or recidivates will be eligible for post-conviction SB 123 services. The status quo allows *divertees* an opportunity to receive S.U.D. Pre-Trial/Diversion intervention without jeopardizing or reducing future access to SB 123 services.

- **Criminal Risk/Need Assessments completed on *Divertees* create score reliability, self-incrimination, and timeliness concerns**

The State has determined that the Level of Service Inventory – Revised (LSI-R) is the risk/needs assessment tool that all Community Corrections and Court Services personnel are to employ. The LSI-R consists of scoring responses to questions across eight domains. Of these domains, two include questions regarding attitude, beliefs, and remorse in relation to the current offense. Responses to these questions would not be reliably scored in pre-trial situations due to the inability to establish facts of the offense. Additionally, the assessment interview includes

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questions that, if asked in a pre-trial situation, could lead to statements of self-incrimination, without defense counsel present.

In summary, my concerns are, HB 2087 could eliminate established S.U.D. Pre-Trial/Diversion programs that are: implemented through existing statutes; alternatively-funded; responsively staffed, locally resourced; and community-engaged.

Thank you for your time and consideration.

Respectfully,

Dawn Huddleston
Legislative Committee Member
KACSO

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