

HOUSE BILL No. 2455

By Joint Committee on Corrections and Juvenile Justice Oversight

1-10

Proposed Amendments to HB 2455 - Jennings
House Corrections and Juvenile Justice Committee
Prepared by: Natalie Scott, Assistant Revisor of Statutes
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1 AN ACT concerning the Kansas juvenile justice oversight committee;
2 relating to cost avoidance due to reductions in youth out-of-home
3 placements; amending K.S.A. 2017 Supp. 75-52,161 and repealing the
4 existing section.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2017 Supp. 75-52,161 is hereby amended to read as
8 follows: 75-52,161. (a) There is hereby established the Kansas juvenile
9 justice oversight committee for the purpose of overseeing the
10 implementation of reform measures intended to improve the state's
11 juvenile justice system.

12 (b) The Kansas juvenile justice oversight committee shall be
13 composed of 21 members including the following individuals:

- 14 (1) The governor or the governor's designee;
- 15 (2) one member of the house of representatives appointed by the
16 speaker of the house of representatives;
- 17 (3) one member of the house of representatives appointed by the
18 minority leader of the house of representatives;
- 19 (4) one member of the senate appointed by the president of the
20 senate;
- 21 (5) one member of the senate appointed by the minority leader of the
22 senate;
- 23 (6) the secretary of corrections or the secretary's designee;
- 24 (7) the secretary for children and families or the secretary's designee;
- 25 (8) the commissioner of education or the commissioner's designee;
- 26 (9) the deputy secretary of juvenile services at the department of
27 corrections or the deputy's designee;
- 28 (10) the director of community-based services at the department of
29 corrections, or the director's designee;
- 30 (11) two district court judges appointed by the chief justice of the
31 supreme court;
- 32 (12) one chief court services officer appointed by the chief justice of
33 the supreme court;
- 34 (13) one member of the office of judicial administration appointed by
35 the chief justice of the supreme court;
- 36 (14) one juvenile defense attorney appointed by the chief justice of

1 (8) continue to review any additional topics relating to the continued
2 improvement of the juvenile justice system, including:

3 (A) The confidentiality of juvenile records;
4 (B) the reduction of the financial burden placed on families involved
5 in the juvenile justice system;

6 (C) juvenile due process rights, including, but not limited to, the
7 development of rights to a speedy trial and preliminary hearings;

8 (D) the improvement of conditions of confinement for juveniles;

9 (E) the removal from the home of children in need of care for non-
10 abuse or neglect, truancy, running away or additional child behavior
11 problems when there is no court finding of parental abuse or neglect; and

12 (F) the requirement for youth residential facilities to maintain sight
13 and sound separation between children in need of care that have an open
14 juvenile offender case and children in need of care that do not have an
15 open juvenile offender case;

16 (9) adhere to the goals of the juvenile justice code as provided in
17 K.S.A. 2017 Supp. 38-2301, and amendments thereto;

18 (10) analyze and investigate gaps in the juvenile justice system and
19 explore alternatives to out-of-home placement of juvenile offenders in
20 youth residential facilities;

21 (11) identify evidence-based training models, needs and resources
22 and make appropriate recommendations;

23 (12) study and create a plan to address the disparate treatment and
24 availability of resources for juveniles with mental health needs in the
25 juvenile justice system; and

26 (13) review portions of juvenile justice reform that require the
27 department of corrections and the office of judicial administration to
28 cooperate and make recommendations when there is not consensus
29 between the two agencies.

30 (e) The committee shall issue an annual report to the governor, the
31 president of the senate, the speaker of the house of representatives and the
32 chief justice of the supreme court on or before November 30 each year
33 starting in 2017. Such report shall include:

34 (1) An assessment of the progress made in implementation of
35 juvenile justice reform efforts;

36 (2) a summary of the committee's efforts in fulfilling its duties as set
37 forth in this section;

38 (3) an analysis of the recidivism data obtained by the committee
39 pursuant to this section;

40 (4) a summary of the averted costs ~~calculated by the committee~~
41 pursuant to this section and a recommendation for any reinvestment of the
42 averted costs to fund services or programs to expand Kansas' continuum of
43 alternatives for juveniles who would otherwise be placed in out-of-home

determined