



KANSAS ASSOCIATION OF COURT SERVICES OFFICERS

SENATE JUDICIARY COMMITTEE
Hon. Rick Wilborn, Chairman

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NEUTRAL TESTIMONY HB 2456 Case Length Limits

Mr. Chairman and this honorable committee, thank you for extending the opportunity to present testimony on HB 2456. I am Chris Esquibel and I am the current President for the Kansas Association of Court Services Officers (KACSO) and a Court Service Officer in the 29th Judicial District in Wyandotte County. I am here today as a Court Services Officer (CSO) and as a member of KACSO, which currently represents over 350 officers across Kansas.

HB 2456 deals with when and how long a juvenile can be placed on probation for a crime. We agree with the new changes when an individual abscond and a warrant is issued, but we still see some issues with when an individual's case length terms starts.

An issue we see with HB 2456 is *case length limits shall apply upon disposition or 15 days after adjudication, whichever is sooner, unless the juvenile fails to appear for such juvenile's dispositional hearing*. As Court Services Officers, our primary duties are to give recommendations to the court and to protect the community through supervision. As HB 2456 is written it does not allow us to properly serve the court, juvenile and the community. Before a juvenile can have a disposition, by statute they must undergo an assessment of their risks and needs. In many districts the court requires a Pre-Sentence Investigation Report, which gives recommendations to the court regarding supervision conditions specific to the juvenile. The way HB 2456 is written the crucial assessment and report process risks being shortchanged in a rush to get to disposition within 15 days. In the alternative, if court services is allowed time to give full measure to the pre-disposition process by cutting into the case term length, the

The mission of the Kansas Association of Court Services Officers is to challenge, educate, support and advocate for the membership by promoting fellowship and professionalism, providing relevant training opportunities and maintaining communication with all members. The organization will further this mission by encouraging collaboration with our Court Services Officers and professional organizations and by recognizing member excellence.

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court and the juvenile lose valuable supervision and programming time. Factoring the effect of the Earned Discharge Credit now allowed it could be considerably less time. We believe a significantly shortened term of supervision would create a problem for the juvenile and would be a safety concern in the community.

The rush to disposition in HB 2456 causes a great strain on some juveniles and their families. We deal with large number of juveniles who come from single family homes or live with other guardians, who would require more than a couple of weeks' notice to request time off from their jobs. Many do not have transportation and must work around other family members' schedules to get to hearings and court related appointments. We also deal with parents or guardians who feel their juvenile's situation is not a priority and therefore do not take them to the required appointments. This further narrows the timeframe for completing the YLS assessment and hinders our ability to develop proper recommendation for these juveniles and, moreover, for the safety of our communities.

Another issue is evaluations that may be required before disposition. Frequently the court or the juvenile's attorney will request evaluations for sex offenders, substance abusers or juveniles with mental health concerns, so that the Court can determine the proper disposition for that juvenile. Those same issues listed above apply to evaluations, along with the service provider trying to squeeze them in before the 15 days and before their YLS and PSI appointments. As a CSO we do not want to send a sex offender into the community without a recommendation for treatment because we had to rush the disposition just to get them on supervision because the case length has started.

There are many issues that can delay a disposition in a 15 day window. We are asking to amend the time frame to *30 days or disposition hearing whatever comes first*. This would all the CSOs more time to fully assess the juvenile and develop proper recommendations for them, which should ensure better protection for the community, which is a goal we all share.



Chris Esquibel
KACSO President