

AUDIT PROPOSAL

Juvenile Justice Reform: Examining the Effects of 2016 Senate Bill 367

SOURCE

This audit proposal was requested by Representative John Barker.

BACKGROUND

In 2016 Kansas enacted Senate Bill 367 which was based on recommendations of a bipartisan work group appointed by leadership from all three branches of state government. The recommendations were intended to promote public safety and hold juvenile offenders accountable, to help control taxpayer costs, and to improve outcomes for youth, families, and communities. To that end, SB 367 restricts the use of out-of-home placement, focuses on the highest-risk juveniles, and shifts significant resources to evidence-based alternatives that allow youth be supervised while remaining at home. The core reforms of the bill were:

- Case, probation, and detention limits
- Graduated, community-based responses for technical violations
- Reintegration planning for juveniles placed outside the home
- Immediate intervention programs (IIP) and multi-disciplinary teams
- Training of all stakeholders including district attorneys, defense attorneys, judges, school personnel, community supervisors, and juvenile corrections officers

Kansas officials expected that these reforms would reduce the out-of-home youth populations by about 60% by 2022 and save \$72 million. The bill established the Kansas Juvenile Justice Oversight Committee to oversee the implementation of the reforms. The Kansas legislature appropriated \$2 million in 2016 to start the expansion of community programs and in late 2016 the Department of Corrections announced plans to close Larned juvenile correctional facility.

Legislators have expressed concerns about whether community-based services have been put in place as intended and whether the reforms can be deemed successful or not.

AUDIT OBJECTIVES AND TENTATIVE METHODOLOGY

The audit objectives listed below represent the questions that we would answer through our audit work. The proposed steps for each objective are intended to convey the type of work we would do, but are subject to change as we learn more about the audit issues and are able to refine our methodology.

Objective 1: Has Kansas increased its community-based services for juveniles since the passage of Senate Bill 367? Our tentative methodology would include the following:

- Review the provisions of SB 367 and any subsequent amendments to the law and discuss with Revisor's staff to determine what the bill required regarding community corrections and funding.

- Collect and analyze data from the Kansas Department of Corrections (KDOC) and the Office of Judicial Administration (OJA) on the number, location, capacity and size of community-based programs, as well as traditional detention facilities, before and after implementation of SB 367.
- Analyze the data collected above and other relevant metrics as needed to determine whether the number of community-based services or the capacity of community-based service providers has increased since the implementation of SB 367.
- Review data from Division of Budget and talk with Legislative Research staff to determine whether the amount appropriated for SB 367 appears sufficient to fund the bill's provisions.
- Interview stakeholders including KDOC officials, OJA officials and other stakeholders about the results of our analyses to collect their input, feedback, and explanation.

Objective 2: Do juvenile court judges and other stakeholders think Senate Bill 367 reforms on the juvenile justice system have been effective? Our tentative methodology would include the following:

- Survey juvenile court judges, community corrections officers, and other relevant stakeholders to collect their responses to the effects of the juvenile reforms, including:
 - whether they have had a positive effect on system
 - whether they have reduced the number of out-of-home juvenile placements
 - whether there are enough community-based options for juveniles
 - any barriers, obstacles or other problems they have observed related to the bill reforms
- Summarize the responses of the stakeholders on these questions to identify relevant trends and themes.
- Evaluate the generalizability of the survey responses based on the response rate and any other relevant factors.

Objective 3: Does Kansas have a process to determine if the reforms included in Senate Bill 367 were successful or not? Our tentative methodology would include the following:

- Look for best practices or other state experiences with juvenile reforms and the process used by those states to evaluate the success of any reform changes.
- Review state law and talk with Legislative Research staff to identify members of the Kansas Juvenile Justice Oversight Committee, and what their charge is, as well as any process for evaluating the reforms.
- Interview oversight committee officials, review data and documentation, and any reports produced by the committee to determine whether they are fulfilling the S.B. 367 requirements.

- Talk with OJA and KDOC officials regarding any metrics they examine or analyses they have done to measure the effect and or success of the changes made as a result of SB 367's implementation.
- Compare Kansas' existing process with that of other states or best practices to determine if Kansas' process for evaluating reforms included in SB 367 are adequate.

ESTIMATED RESOURCES

We estimate this audit would require a team of **3 auditors** for a total of **5 months** (from the time the audit starts to our best estimate of when it would be ready for the committee).