



PERFORMANCE AUDIT REPORT

JJA: Evaluating the Kansas Juvenile Correctional Complex, Part 2

**A Report to the Legislative Post Audit Committee
By the Legislative Division of Post Audit
State of Kansas
November 2012**

Legislative Post Audit Committee

Legislative Division of Post Audit

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LEGISLATIVE DIVISION OF POST AUDIT

800 SW Jackson
Suite 1200
Topeka, Kansas 66612-2212
Telephone (785) 296-3792
FAX (785) 296-4482
Website: <http://www.kslpa.org>
Scott Frank, Legislative Post Auditor

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LEGISLATIVE DIVISION OF POST AUDIT



800 SOUTHWEST JACKSON STREET, SUITE 1200
TOPEKA, KANSAS 66612-2212
TELEPHONE (785) 296-3792
FAX (785) 296-4482
WWW.KSLPA.ORG

November 8, 2012

To: Members, Legislative Post Audit Committee

Senator Mary Pilcher-Cook, Chair	Representative Peggy Mast, Vice-Chair
Senator Terry Bruce	Representative Tom Burroughs
Senator Anthony Hensley	Representative John Grange
Senator Laura Kelly	Representative Ann Mah
Senator Dwayne Umbarger	Representative Virgil Peck Jr.

This report contains the findings, conclusions, and recommendations from our completed performance audit, *JJA: Evaluating Safety and Program Issues at KJCC, Part 2*. The audit was requested by Senators Kultala and Hensley. We would be happy to discuss the findings, recommendations, or any other items presented in this report with any legislative committees, individual legislators, or other State officials.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Frank', written in a cursive style.

Scott Frank
Legislative Post Auditor

This audit was conducted by Laurel Murdie, Kristen Rottinghaus, and Lynn Retz. Chris Clarke was the audit manager. If you need any additional information about the audit's findings, please contact Laurel Murdie at the Division's offices.

Legislative Division of Post Audit
800 SW Jackson Street, Suite 1200
Topeka, Kansas 66612

(785) 296-3792
Website: www.kslpa.org

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JJA: Evaluating Safety and Program Issues at the Kansas Juvenile Correctional Complex, Part 2

The Juvenile Justice Authority (JJA) oversees two juvenile correctional facilities in Kansas: the Kansas Juvenile Correctional Complex (KJCC) and the Larned Juvenile Correctional Facility (Larned). KJCC is the larger of the two facilities and is located in Topeka. It is a medium and maximum-security facility for about 220 male and 20 female juvenile offenders. The Larned facility is also a medium and maximum-security facility. It houses about 110 male juvenile offenders.

In addition to security responsibilities, the KJCC and Larned facilities provide educational services and substance abuse services. Education services include a high school diploma and General Education Development (GED) program as well as technical education programs that provide juveniles with hands-on training. The substance abuse services provided at both facilities focus on behavior modification, which we discuss in more detail later. Both facilities were licensed to provide substance abuse services until 2009, but have since provided these services as unlicensed treatment facilities.

Legislators have expressed concerns about the adequacy and equity of the educational and technical programs at KJCC, and the substance abuse treatment programs at both facilities.

This performance audit addresses the following questions:

- 1. Are education programs at the Kansas Juvenile Correctional Complex adequate to prepare offenders for future academic and work opportunities and are the programs equitable for male and female offenders?**
- 2. Is the Juvenile Justice Authority legally authorized to operate its juvenile correctional facilities as unlicensed substance abuse treatment facilities, and what effect does that have on services?**

The scope statement for this audit approved by the Legislative Post Audit Committee is included in *Appendix A*. For reporting purposes, we separated this audit into two parts. Part one of the report was completed in July 2012 and addressed the question related to safety issues. This report is part two and it answers the remaining programming questions. We combined questions three and four from the original scope statement for reporting purposes.

Our audit work included a variety of steps designed to help us answer the questions about education and substance abuse. In order to learn more about the services they provide, we interviewed facility and agency officials, visited both facilities, and reviewed a range of documents provided by KJCC and Larned officials and contract staff. We then compared that information to best practices. In identifying best practices, we reviewed the literature on education programs and substance abuse programs and spoke with staff at other state and national agencies.

We conducted this performance audit in accordance with generally accepted government auditing standards, with one exception which is described below. The standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. As part of the standards, the U.S. Government Accountability Office requires us to assess the sufficiency and appropriateness of computer-processed data used to support our findings.

Because of errors and missing records in KJCC's substance abuse assessment data and service tracking data, we were unable to compile an accurate count of the number of male offenders who need substance abuse services at that facility. Instead, based on the data from the Larned facility, we estimated a range of offenders who likely need services. This limits our ability to quantify the scope of the substance abuse problem. On page 24 of the report, we discuss in more detail the problems associated with not having accurate data on the substance abuse needs of male offenders at KJCC. Overall, we think the data we used are not grossly inaccurate or incomplete based on the limited data reliability we conducted, and that it provides a reasonable basis for any findings and conclusions in the report.

Our findings begin on page 7, following a brief overview.

Overview of Juvenile Corrections

The Juvenile Justice Authority (JJA) is Responsible for Supervising and Providing Services to All Juvenile Offenders in State Custody

Created by the Legislature in 1995, the Juvenile Justice Authority's (JJA) mission, in part, is to:

- provide safe, secure, humane, and restorative confinement of juvenile offenders to enhance public safety.
- promote public safety by holding juvenile offenders accountable for their behavior, and improve the ability of juvenile offenders to live productively and responsibly in their communities.

As part of its responsibilities, JJA oversees two state juvenile correctional facilities: the Kansas Juvenile Correctional Complex (KJCC) located in Topeka and the Larned Juvenile Correctional Facility (Larned). In addition to the two correctional facilities, JJA provides grants to fund prevention and intervention programs such as mentoring, after-school recreation, parent training, and family therapy at the local level. Lastly, the agency is responsible for providing technical assistance, grants, and oversight to organizations for local program delivery.

This audit focuses on the educational services provided at KJCC, as well as the substance abuse services at both of the state's juvenile correctional facilities.

In Fiscal Year 2012, Kansas' Two Juvenile Correctional Facilities Employed About 350 Staff and Had a Combined Budget of About \$27 Million

The two facilities employ a number and variety of staff, and have other staff on a contractual basis.

KJCC employed slightly more than 200 staff and had a budget of about \$18 million for fiscal year 2012. KJCC employs a variety of staff throughout the facility. For fiscal year 2012, about 215 positions were filled and used to supervise and provide services for about 240 juvenile offenders. Of the offenders, about 220 were male and 20 were female. (Males and females have historically been housed at separate facilities, but females were recently moved to KJCC when the facility at Beloit was closed in August 2009.)

In addition to its own staff, KJCC had a number of contracted staff positions. These included education, health service, and food services staff.

Almost all of the \$18 million in estimated expenditures for fiscal year 2012 was funded through the State General Fund. Juvenile correctional services represented a majority of the operating budget, and salaries and wages made up a majority of the facility's operating expenditures.

Larned employed about 130 staff and had a budget of about \$9 million for fiscal year 2012. Larned also employed a variety of staff throughout the facility. For fiscal year 2012, about 130 positions were filled and used to supervise and provide services for about 110 male juvenile offenders. Like KJCC, the facility provides some services through contracted staff.

Both KJCC and Larned Contract with Outside Entities for Educational Services

Most of the offenders at KJCC and Larned are school aged and, as a result, both facilities have to provide education services. However, neither facility provides these services with their own staff. They contract with outside entities. KJCC contracts with the Southeast Kansas Education Service Center (Greenbush) and Larned contracts with the Fort Larned School District. Because Question 1 of this report focuses on the education services at KJCC, we discuss those services in more detail.

Most juvenile offenders at KJCC are enrolled in Lawrence Gardner High School. The school is located within KJCC and, as noted above, is operated by Greenbush with about 50 FTE contracted staff. The average number of offenders attending the school at any given time is about 230. However, the total number of students who attend over the course of a school year is much higher because of juvenile offenders entering and leaving the facility. School officials estimated that between 500 to 600 male offenders and 50 to 60 female offenders attend over the course of one school year.

In general, education services at KJCC include four programs. They are summarized below.

- Academic programs include core courses and electives that juveniles take for the purposes of earning a high school diploma or GED degree.
- Career and technical education programs include elective courses that are intended to introduce juveniles to a variety of potential career paths.
- Work study programs are generally provided to juveniles who have earned a high school diploma or equivalent, and are designed to compensate juveniles for the services that they provide.
- Postsecondary programs have been offered in the past at KJCC through Highland Community College and the Washburn Institute of Technology.

The education programs at KJCC are segregated for male and female offenders. Facility policy requires male and female offenders to be separated at all times. In practice, this has equated to a complete separation including sight and sound recognition.

***Substance Abuse Services
are Provided by Juvenile
Corrections Staff at Both
Facilities***

Providing substance abuse services to juvenile offenders while they are incarcerated is very important. Research related to rehabilitating juveniles indicates that most juvenile offenders have substance abuse issues. Our review of related literature showed that providing comprehensive substance abuse treatment works to reduce recidivism.

In general, substance abuse services are provided by on-site facility staff. KJCC has two licensed addiction counselors and Larned has four. These counselors provide services to the estimated 70-85% of offenders identified as having substance abuse issues. Currently, to address juvenile offenders' substance abuse needs, both facilities use a program called Pathways which focuses on behavior modification.

The education-based Pathways substance abuse program is delivered in a group setting. KJCC staff rely on this program alone, while Larned staff report incorporating other substance abuse services such as Alcoholics Anonymous, some individualized therapy, and relapse prevention services. Once juveniles are released from the facilities, additional services are offered by community service providers.

As we discuss more in Question 2 of this audit report, JJA and officials at both facilities opted to cease licensing the substance abuse program at both facilities in 2009.

Question 1: Are Education Programs at the Kansas Juvenile Correctional Complex Adequate to Prepare Offenders for Future Academic and Work Opportunities and Are the Programs Equitable for Male and Female Offenders?

Answer in Brief:

The Kansas Juvenile Correctional Complex (KJCC) provides adequate academic programs to help juvenile offenders earn a high school diploma or equivalent (p. 7). In general, the academic programs are equitable for male and female offenders, although there are some exceptions (p. 8). On the other hand, the technical education and work study programs are not adequate to prepare juveniles for future work opportunities (p. 10). The technical education and work study programs also are not equitable because female offenders do not have access to comparable programs (p. 12). Finally, KJCC does not currently offer any postsecondary programs to juvenile offenders (p. 13).

Overall, Juvenile Justice Authority (JJA) and KJCC officials have taken a hands-off approach to education programs (p. 14). For example, they have not formulated plans or established partnerships for appropriate education programs at the facility, nor have they regularly or systematically assessed the effectiveness of the programs (p. 14).

These and other findings are presented in the sections that follow.

FINDINGS RELATED TO ACADEMIC PROGRAMS

KJCC Provides Adequate Academic Programs to Help Juvenile Offenders Earn a High School Diploma or Equivalent

As mentioned in the Overview, JJA contracts with the Southeast Kansas Education Service Center (Greenbush) to provide education services at KJCC. At the facility, the school is called Lawrence Gardner High School and education services fall into four main categories:

- academic programs, including a high school and General Education Development (GED) program
- career and technical education (hereafter, technical education),
- work study, and
- postsecondary courses.

Most offenders are high school age, although some have graduated and are eligible to participate in work study or postsecondary programs.

KJCC's academic programs have the basic characteristics that make it more likely for a juvenile offender to earn a diploma. According to best practices, academic programs should

include a high school, a GED program, and special education. The academic program at KJCC includes each of those programs which have the following characteristics:

- **The high school, GED, and special education programs at KJCC are all accredited through the Kansas State Department of Education.** The Department of Education accredits elementary and secondary schools on an annual basis following set quality and performance criteria. These criteria are based on things like student performance on state assessments, graduation rates, and teacher certifications, as well as meeting specific program requirements in subjects like math, science, and history. Lawrence Gardner High School is an accredited high school and has been for many years.
- **KJCC's academic programs are flexible and accommodate the frequent entry and exit of juvenile offenders.** In general, the academic programs at KJCC are "open entry-open exit," which allows offenders to attend school as their sentences dictate. Unlike a regular high school which generally does not award partial credit, Lawrence Gardner High School awards credits in quarters which makes it more likely for offenders with short sentences to earn credits. Three criteria must be met for a quarter of academic credit: the offender must attend for at least 30 days, complete the required course content, and earn a passing grade.
- **The programs provide juveniles basic literacy skills such as reading, writing, and math.** During intake at KJCC, each offender is assessed to determine his or her academic needs. As needed, special education courses and remedial classes in reading and math are provided.
- **The programs also provide juveniles basic job skills.** These basic skills include showing up on time, following instructions, using equipment, developing a resume, and preparing for an interview. These skills are taught in the school's academic programs and through technical education and work study programs which we discuss later.

In General, the Academic Programs at KJCC are Equitable for Male and Female Offenders, Although There are Some Exceptions

Of the offenders at KJCC, about 220 are male and 20 are female. Although the male and female populations are segregated, the education programs for both groups must be "equitable." To be considered equitable, the programs must be comparable or similar, but not necessarily the same. Equity is measured by a number of factors, including having access to comparable academic programs and the same general quality of facilities, resources, and staff.

Male and female offenders are generally provided the same core academic courses and electives. All juveniles at KJCC have access to the coursework necessary for obtaining a high school diploma or GED. These core courses include subjects like language arts, math, science, and history. In addition, the

classroom facilities and resources are of comparable quality for male and female offenders.

Although the way in which academic courses are delivered to male and female offenders is different, these differences do not necessarily mean the courses are inequitable. Most courses for male offenders at KJCC are taught in a traditional classroom setting by a teacher who is certified in the specific content area being taught. On the other hand, because there are so few female offenders, school officials have chosen to use a computer-based instruction program called education2020 (e2020) for most of their courses. An e2020 course uses a recorded lecture video from a highly qualified instructor in the subject. Within one e2020 classroom several juveniles can work independently on different courses. Each e2020 classroom is facilitated by a Lawrence Gardner High School instructor who is certified, but not necessarily in all of the subjects on which juveniles are working.

At this point, there is very little evidence on the effectiveness of virtual learning (positive or negative). According to the U.S. Department of Education, there have been few rigorous studies of virtual learning for K-12 students. Those few studies tended to find that students in a virtual setting “perform modestly better” than students in a traditional setting. However, it is important to note that most of the studies looked primarily at higher education, as opposed to K-12 education. Until there is more definitive research, we cannot say whether having female offenders learn primarily through virtual coursework is inequitable.

However, we did identify two academic courses that were not provided equitably to both male and female offenders. We found that male and female offenders at KJCC generally have access to comparable academic programs despite differences in the way those programs are delivered. However, we identified two courses that are not equitable for female offenders likely because they cannot be taught through a computer.

- **Female offenders do not have access to comparable facilities for physical education classes.** Male offenders have access to a full-size gymnasium for physical education and therefore can participate in team sports activities like basketball, volleyball, and badminton. Males also have access to a separate weight room that is connected to the gymnasium.

On the other hand, female offenders do not have access to a gymnasium for physical education. Instead, their class takes place in an unoccupied living unit within the building where they are housed. Although some exercise equipment has been placed on the unit, the space is limited and the physical activities for females tend to include basic activities such as weight training, running in

place, pushups and sit-ups. Unlike males, females cannot participate in team sports as a part of their physical education program.

- **Female offenders also do not have comparable access to a life skills class, which teaches independent living skills such as cooking, cleaning, and budgeting.** The class is offered to male offenders for one hour each day during the regular school day (a total of five hours a week). On the other hand, the class is only offered to female offenders twice a week (a total of two hours a week) and is outside the regular school day.

This arrangement is inequitable for two reasons. First, because the class is only offered outside the normal school day, the female offenders must forego their normal recreation time if they want to attend the life skills class. Second, because their class is only two hours a week, it takes female offenders more than twice as many weeks to earn a quarter of academic credit for the class.

According to officials from KJCC and Lawrence Gardner High School, JJA's current policy requiring male and female offenders to be separated at all times leads to the inequities in these two classes. There is only one gymnasium that is appropriate for physical education classes, and only one classroom equipped for the life skills class. Both spaces are located within the main facility which houses male offenders. Officials have told us that it is difficult to provide these classes to both groups during the regular school day and still keep the female and male offenders separated.

FINDINGS RELATED TO TECHNICAL EDUCATION AND WORK STUDY PROGRAMS

The Technical Education and Work Study Programs at KJCC are Not Adequate to Prepare Juveniles for Future Work Opportunities

According to best practices, juvenile correctional facilities should offer technical education and work study programs that teach juveniles valuable job skills. Our review of literature on juvenile corrections showed that technical education and work study programs should provide juveniles with:

- basic job skills such as showing up on time, developing a resume, and preparing for an interview.
- advanced job skills that lead to a certification or an industry recognized credential.
- training and work experience in occupations and industries for which there is current and projected demand and that are legitimate career options for juveniles with a criminal record.
- opportunities to apply skills through such avenues as on-the-job training and job shadowing.

We compared the technical education and work study programs that are available at KJCC to these best practices. Our results are summarized in the following sections.

KJCC's technical education and work study programs do provide juveniles adequate training in basic job skills.

Lawrence Gardner High School requires all juvenile offenders to take Career Exploration, a technical education course that is designed to help prepare juveniles for work. It covers a series of topics aimed at job readiness such as applying for a job, writing a resume, and preparing for an interview.

However, the technical education and work study programs do not provide juveniles adequate training in advanced job skills or provide them work experience in high-demand occupations or industries. Technical education and work study programs that are in line with best practices not only provide juveniles basic job skills, but provide them more advanced, marketable skills as well. We found that KJCC's technical education and work study programs are lacking in this area as summarized below.

- **Only two of KJCC's seven technical education courses lead to a certificate that would help an offender secure a job once released.** All juvenile offenders can earn a certificate by demonstrating mastery of the major Microsoft Office software programs through a computer applications course. In addition, male offenders can earn a safety card from the Occupational Safety and Health Administration (OSHA) by demonstrating mastery of safety regulations through a course on industrial technology. (Like most technical education opportunities, the industrial technology course and the safety card are not available to female offenders. These inequities are discussed in more detail in the following section.) None of the other courses at KJCC lead to any kind of certificate.
- **KJCC's technical education and work study programs do not train juveniles for occupations that are in demand or that are accessible to convicted felons.** The Kansas Department of Labor and the Kansas Department of Commerce have information about the occupations and industries that are in demand, and the Kansas Department of Corrections has information about the occupations that felons can obtain. However, facility officials acknowledged they have not attempted to identify or use the information available to help focus the technical education programs.
- **Juvenile offenders do not have opportunities to apply their skills in on-the-job training or job shadowing.** School officials at KJCC told us that many years ago juveniles used to work at jobs within north Topeka (such as working at fast food restaurants). However, school officials also said that those opportunities were eliminated once the facility increased its focus on safety and security. In recent years, school officials said that any sort of job shadowing experience for juvenile offenders has been through career days such as the one held with Westar Energy in May 2012. During that career day, select juveniles participated in activities such as using a bucket truck and climbing electrical poles. However, those attempts have not been a regular, substantive part of the education program provided at KJCC.

Although school officials have not developed a formal plan to expand the technical education opportunities for juvenile offenders, officials did tell us about several recent initiatives. These include a project with Westar Energy to grow milkweed plants, a project with a battery company in western Kansas to cut and package particle board, and a water technologies project through Fort Scott Community College.

KJCC’s Technical Education and Work Study Programs are Not Equitable Because Female Offenders Do Not Have Access to Comparable Programs

In contrast to the academic programs at KJCC, we found that the technical education and work study programs were not equitable for male and female offenders. This is described in the following sections.

Male offenders have access to all seven technical education programs and all eight work study programs. *Figure 1-1* below summarizes the programs that are available to juvenile offenders. As the figure shows, all 15 programs are available to male offenders. They are able to participate in these programs as a part of the regular school day.

Figure 1-1 Technical Education and Work Study Programs Offered to Male and Female Offenders at KJCC 2012 - 2013 School Year		
	Male	Female
Technical Education Programs		
Career Exploration	✓	✓
Computer Applications	✓	✓
Computer Aided Drafting (CAD) Design & Software	✓	
Computer Repair & Networking	✓	
Drafting	✓	
Introduction to Industries & Technology	✓	
Woodworking	✓	
Work Study Programs		
Kitchen Services	✓	✓
Laundry	✓	✓
Textiles	✓	✓
Automotive Maintenance	✓	
Commissary	✓	
Horticulture	✓	
Landscaping	✓	
Production	✓	
Source: LPA analysis of curriculum guide from Lawrence Gardner High School.		

On the other hand, female offenders have access to only two technical education programs and only three work study programs. Those programs include computer applications, Career Exploration, textiles, kitchen services, and laundry. Like the male offenders, female offenders are able to participate in these programs as a part of the regular school day.

However, there are a large number of technical education and work study programs that are not available to female offenders. For example, options such as Computer Aided Drafting, Computer Repair and Networking, woodworking, horticulture, landscaping, and auto maintenance are available to the male offenders but not the females.

To give female offenders access to comparable technical education or work study programs, facility and school officials said those programs would have to be offered outside of regular school hours because JJA policy requires male and female offenders to be separate at all times. Because there are a larger number of male offenders than females, and the males use the technical education and work study facilities during the regular school day, females are restricted from accessing those facilities during the same time.

As long as females' access to technical education and work study programs is restricted to before or after school, they will have to choose between the activities that are regularly scheduled during that time and the technical education or work study program.

FINDINGS RELATED TO POSTSECONDARY PROGRAMS

KJCC Does Not Currently Offer Any Postsecondary Programs to Juvenile Offenders

According to Department of Justice literature, juvenile offenders should have access to postsecondary programs. In general, postsecondary programs should help juveniles obtain future employment or academic careers and should include coursework related to both technical education and college courses.

At KJCC, the postsecondary programs have been offered sporadically since Fall 2008. According to school officials, postsecondary technical courses were last offered in 2008-2009, with most courses through the Washburn Institute of Technology. In addition, college courses have not been made widely available since around that same time. However, a few male offenders did take some postsecondary courses through Highland Community College during the 2010-2011 school year.

Overall, school officials cited funding problems as the main cause for the lack of postsecondary opportunities for juvenile offenders at KJCC. Officials explained that juveniles are required to pay for college courses upfront, which prevents many of them from being able to participate in postsecondary courses. At one time, the upfront costs were paid from a benefit fund maintained by the facility and then juveniles paid back the borrowed amount through the pay they earned in work study programs. However, KJCC and school officials confirmed that the facility has not paid for these upfront costs in recent years due to an insufficient balance in the benefit fund.

When postsecondary programs have been offered at KJCC, they have not been made available to female offenders.

Female offenders have not been provided postsecondary opportunities since they moved to KJCC from the Beloit Juvenile Correctional Facility in 2009. School officials said that postsecondary providers require a minimum number of students to enroll before a class is offered. Getting enough students signed up is particularly problematic when trying to provide postsecondary courses to female juvenile offenders, because there are very few females in the facility and they cannot attend classes with the male offenders.

FINDINGS RELATED TO OVERARCHING MANAGEMENT ISSUES

JJA and KJCC Officials Have Taken a Hands-Off Approach to Education Programs

Education is one of the most important services that JJA can provide to juvenile offenders. Research conducted by the U.S. Department of Justice found that juveniles in correctional facilities have educational deficits greater than youth in the general population. In addition, literature from both the Department of Justice and the Correctional Education Association noted that education programs make it more likely that offenders will find jobs and reduce the likelihood of recidivism.

JJA and KJCC officials have not formulated plans or established partnerships for appropriate technical education, work study, or postsecondary education programs at the facility. Agency and facility officials have chosen to contract with Greenbush to provide education programs at KJCC. Despite having contracted with an outside entity, JJA and KJCC officials are still responsible for ensuring that juvenile offenders receive the technical education, work study, and postsecondary programs they need. In doing so, officials need to be proactive in setting specific expectations for the programs and actively monitoring them. However, JJA and KJCC officials have not done this.

- **JJA and KJCC officials have not proactively planned or defined expectations for technical education, work study, or postsecondary programs.** KJCC officials acknowledged they have taken a hands-off approach to educational services at the facility. For example, the contract between JJA and Greenbush only requires Greenbush to provide an accredited high school for school-age offenders at KJCC, although they currently supervise work study programs and have coordinated postsecondary programs in the past.
- **JJA and KJCC officials have not established relationships with key agencies or employers to help enhance education programs at KJCC.** According to research from the U.S. Department of Justice, the most effective education programs for juvenile offenders collaborate with other agencies. As mentioned before, other Kansas agencies have information about the occupations and industries that are in demand and the occupations that felons can obtain. JJA and KJCC officials could use the work and expertise of these other agencies in developing education programs that meet best practices, but they have not done so.

JJA and KJCC officials have not regularly or systematically assessed the effectiveness of the facility’s education programs. American Correctional Association standards call for officials to evaluate the effectiveness of education and technical programs at least annually. We found that officials are not taking the necessary steps as described below.

- **Officials have not established performance objectives for their education programs.** As noted above, American Correctional Association standards recommend that the effectiveness of education and technical programs be evaluated against performance objectives. The current contract between JJA and Greenbush does not establish any performance objectives, which means JJA officials do not have any real way to assess education programs provided at KJCC.
- **Officials have not assessed the effectiveness of the services provided.** The National Youth Employment Coalition recommends measuring the effectiveness of education programs by tracking outcomes for at least a 12-month period after juveniles have been released. Outcomes that should be tracked include rearrest, reincarceration, and employment results. Although JJA officials do track recidivism rates in general, neither JJA nor KJCC uses the data to assess the education program’s effectiveness.

Recommendations for Executive Action

1. To address the issues with technical education and work study programs as identified on pages 10 through 13, JJA and KJCC officials should develop and implement a plan for technical education and work study that includes:
 - a. a process to identify high-demand occupations and industries in Kansas and the Midwest that are suitable for convicted felons.

- b. technical education and work study programs that focus on the occupations and industries identified in (a).
 - c. an emphasis on courses that offer an industry-recognized certificate or credential.
 - d. expanded options for on-the-job training and job shadowing programs for juvenile offenders.
2. To address the issues of inadequate postsecondary programs as identified on page 13, JJA and KJCC officials should develop and implement a plan that includes:
- a. a process for periodically evaluating the availability and sufficiency of resources to help juveniles pay for the course work.
 - b. input from officials with other juvenile correctional institutions and relevant state agencies. At a minimum, officials should consult the Kansas State Department of Education and the Kansas Board of Regents to determine what postsecondary options are available and the Kansas Department of Commerce to determine what funding options are available.
3. To address the equity issues with the education programs at KJCC as identified on pages 8 through 10 and 12, JJA and KJCC officials should develop a plan to bring the quality and availability of education programs for female offenders in line with what is provided to male offenders. This plan should include:
- a. provisions for male and female offenders to have comparable access to a gymnasium.
 - b. a process for expanding the technical education and work study options that are accessible to female offenders. Officials should consult appropriate experts in juvenile corrections in developing this process.
4. To address the issues with the evaluation of education programs as identified on pages 14 through 15, JJA and KJCC officials should develop a plan for monitoring, evaluating, and modifying education programs based on outcomes. Such a plan should include:
- a. short-term and long-term goals for the education programs and the entity (JJA, KJCC, or Greenbush) that will be responsible for implementing them.

- b. measurable outcomes that will allow officials to determine if short-term and long-term goals are being met.
 - c. a process for incorporating the goals and measures identified in (a) and (b) in the contract for education services as appropriate.
 - d. a process for periodically evaluating the sufficiency of resources for education programs.
5. JJA officials should provide completed plans for technical education, work study, and postsecondary programs (1 and 2), improving programs for females (3), and monitoring and evaluating programs (4) to the Legislative Post Audit Committee and the Joint Committee on Corrections and Juvenile Justice Oversight by June 1, 2013.

Question 2: Is the Juvenile Justice Authority Legally Authorized to Operate Its Juvenile Correctional Facilities as Unlicensed Substance Abuse Treatment Facilities, and What Effect Does That Have on Services?

Answer in Brief:

Under current state law, juvenile correctional facilities are allowed to provide substance abuse programs without being a licensed facility (p. 19). However, providing unlicensed substance abuse treatment could affect the quality of services and limit some funding opportunities (p. 20).

Most offenders in Kansas' juvenile correctional facilities need substance abuse services to reduce the likelihood they will reoffend (p. 21). However, substance abuse services at the Kansas Juvenile Correctional Complex (KJCC) are not properly designed to meet the individual needs of offenders (p. 22). In addition, Juvenile Justice Authority (JJA) officials suspended all substance abuse services at KJCC for nearly six months in 2011 (p. 23). Finally, JJA and KJCC officials lack sufficient management information to ensure that juveniles receive adequate and appropriate substance abuse services (p. 24).

These and other findings are presented in the sections that follow.

FINDINGS RELATED TO OPERATING UNLICENSED TREATMENT FACILITIES

Under Current State Law, Juvenile Correctional Facilities are Allowed to Provide Substance Abuse Programs Without Being a Licensed Facility

Recent changes in how substance abuse services were provided at juvenile correctional facilities prompted legislative concerns about whether JJA could provide unlicensed treatment within its facilities.

Current state law does not require state institutions to be licensed in order to provide substance abuse treatment.

Although state licensing laws require substance abuse treatment facilities to be licensed, there is a specific state statute (K.S.A. 59-29b46) which excludes “state institutions” from the definition of “treatment facilities.” Because the KJCC and the Larned Juvenile Correctional Facility (Larned) are state institutions, they can provide substance abuse services without being licensed as a treatment facility.

Although state institutions are exempt from the licensing requirement, the staff who provide the substance abuse services within the institutions are required to meet licensing requirements. For example, currently a person providing substance abuse addiction counseling must be licensed by the Kansas Behavioral Sciences Regulatory Board. Our review of licensing records showed that all staff at JJA facilities since 2008

met regulatory requirements related to individuals providing substance abuse services. Finally, although the staff must be licensed themselves, working in an unlicensed facility does not negatively affect those licenses.

In 2009, JJA voluntarily stopped licensing substance abuse programs at its juvenile correctional facilities. Kansas had four facilities that were licensed to provide substance abuse treatment. Two of those facilities—the Atchison Juvenile Correctional Facility and Beloit Juvenile Correctional Facility—are now closed. The other two facilities, KJCC in Topeka, and Larned remain open.

Most of the JJA and facility officials who decided to stop licensing the substance abuse programs are no longer with the agency. However, current agency officials said licensing was likely discontinued because officials at the time had found the exemption in state law discussed in the previous section.

JJA officials told us they are considering relicensing the agency’s substance abuse programs. Current officials told us they are reviewing the previous decision to discontinue the licensing of the substance abuse programs at both facilities. They have had some preliminary discussions with officials at the Addiction and Prevention Services division within the Kansas Department for Aging and Disability Services. At this time, JJA officials indicated they had not made a final determination on the issue.

Providing Unlicensed Substance Abuse Treatment Could Affect the Quality of Services and Limit Some Funding Opportunities

Although allowed by law, JJA’s decision to provide unlicensed substance abuse services at the juvenile correctional facilities may have some drawbacks. Having licensed facilities could help assure that substance abuse services provided are appropriate and adequate. Further, as explained below, licensing JJA’s substance abuse programs could improve the agency’s opportunities to receive grant funds.

An unlicensed substance abuse treatment facility is not reviewed independently, which could increase the risk that juvenile offenders will not receive effective services. Under state law, the Addiction and Prevention Services division within the Kansas Department for Aging and Disability Services provides oversight of licensed substance abuse programs. Division staff have substance abuse service expertise and conduct on-site reviews of all licensed programs. During on-site visits, staff review treatment plans, staff qualifications, admission records, progress notes, and discharge summaries to ensure services are appropriate and adequate. However, because JJA

programs are not licensed, the programs do not have this independent review. This increases the risk that juveniles will not receive the substance abuse services they need.

Having an unlicensed program could also limit some opportunities for federal funding. It is not uncommon for substance abuse programs to receive grant funds. For example, a substantial portion of Larned’s substance abuse program was funded by federal grants from about 1996 through 2008. Some federal grants require substance abuse programs to comply with the state licensing requirements. JJA officials told us they have not applied for any substance abuse grant funds since they discontinued licensing its programs. Therefore, in recent years, if officials have missed out on funding opportunities, it is because they have not applied for them. However, going forward it is likely JJA would be in a better position for some federal funding if its facilities were licensed.

FINDINGS RELATED TO THE QUALITY OF SUBSTANCE ABUSE SERVICES AT KJCC

Most Offenders in Kansas’ Juvenile Correctional Facilities Need Substance Abuse Services to Reduce the Likelihood They Will Reoffend

Research related to rehabilitating juveniles indicates that most juveniles in trouble with the law—one article said as many as four in five—abuse drugs or alcohol. In addition, although providing substance abuse services to juvenile offenders while they are incarcerated is very important, a recent study by the U.S. Department of Justice found that only about one-half of the youth with problems related to drug and alcohol use received substance abuse counseling.

Between 70-85% of juvenile offenders in Kansas’ juvenile correctional facilities need substance abuse services. We were not able to quantify the exact number of offenders who needed substance abuse services because of incomplete and inaccurate data maintained for male offenders at KJCC—which is where most offenders are housed. Instead, we estimated a range based on data available for the male offenders at Larned and the female offenders at KJCC. Later in this report, we discuss the data problems in more detail. Regardless, JJA officials acknowledged the estimate of juveniles needing substance abuse services was not out of line with what they expected. In addition, the estimate for Kansas was also in line with national estimates which ranged from 60-90%.

Providing effective substance abuse services is an important key to keeping juvenile offenders from reoffending. A 2012 research-based guide published by the National Institute on Drug Abuse found that providing comprehensive drug abuse treatment to criminal offenders works to reduce drug abuse and recidivism.

In addition, effective substance abuse treatment can improve an offender's relationship with family and can improve prospects for employment once released. However, research from the National Institute and other literature we reviewed showed that many in the juvenile justice system received no treatment.

Substance Abuse Services at KJCC are Not Properly Designed to Meet the Individual Needs of Offenders

In 2008, JJA officials significantly changed the way substance abuse services were provided at KJCC. The most significant change was that most individual substance abuse treatment was stopped. According to literature from Department of Justice and American Correctional Association standards, a key element in effective treatment is to ensure that services are appropriate and tailored to meet each offender's needs. In addition, the standards suggest that a comprehensive substance abuse treatment program should include the following:

- an individualized treatment plan. The plan should be developed by qualified staff, be based on the juvenile's substance abuse assessment and should consider the juvenile's age, gender, culture, family history, and mental health issues. Finally, it should include goals and objectives that are evaluated and adjusted as necessary.
- a spectrum or range of necessary services. The services include, but are not limited to, individual counseling, group counseling, pre-release services, and relapse prevention.
- services that are integrated. Other services and staff within the facility, such as medical, mental health, and education should coordinate with the substance abuse program.
- sufficient and appropriate aftercare. Once the juvenile is released the transition should be coordinated between the correctional facility and the community to ensure the juvenile continues to receive substance abuse services.

As these standards suggest, substance abuse treatment should be individualized and a one-size-fits-all approach is less likely to be effective.

KJCC offers only a small portion of the substance abuse services that juvenile offenders really need. According to literature from Department of Justice and the National Institute on Drug Abuse, no one service or treatment is most effective at addressing juvenile offenders' substance abuse issues. However, KJCC officials told us that since 2008, services such as individual counseling, relapse prevention, cultural counseling, Alcoholics Anonymous, and Narcotics Anonymous were no longer provided. Facility staff said these services were stopped because JJA officials at the time chose to focus efforts on offering

one service—Pathways, a behavior modification curriculum as discussed in the next section.

All juvenile offenders at KJCC receive the same substance abuse services with little to no individualized treatment.

Individual treatment plans are not developed to address offenders' substance abuse service needs. In addition, regardless of an offender's needs, the primary service offered is the Pathways program. Pathways is a cognitive-based behavior modification curriculum that is delivered by having juvenile offenders meet in groups. The groups use role-playing, skits, small group discussions, and worksheet exercises over a course of 32 sessions.

However, using Pathways as a one-size-fits-all approach is not likely to meet the substance abuse needs of individual juvenile offenders. Various studies, including a publication in January 2012 by the National Institute on Drug Abuse, clearly state to be effective, the services need to be tailored to fit the individual's needs and a combination of services may be required.

Being able to provide good substance abuse services is further hampered by not having valid screening and assessment tools in place.

Valid screening and assessment tools must be used to identify each juvenile's substance abuse treatment needs. If the initial screen indicates substance abuse issues, then a validated assessment should be completed to determine the extent of the issues and to help develop an appropriate treatment plan.

Currently, both KJCC and Larned staff use the Substance Abuse Subtle Screening Inventory (SASSI) as a way to assess juvenile offenders' treatment needs. However, an Addiction Journal article noted there was no evidence that the SASSI was uniquely able to correctly detect substance use, and it should not be used to make diagnoses, treatment recommendations, or correctional decisions. In addition, officials with the Kansas Department for Aging and Disability Services' Addiction and Prevention Services noted the SASSI should not be used as an assessment tool.

JJA Officials Suspended All Substance Abuse Services at KJCC for Nearly Six Months in 2011

As noted earlier, data available from JJA showed that between 70-85% of juvenile offenders in Kansas' facilities need some type of substance abuse services. Given such a significant need, JJA and facility official's efforts should be focused on providing services. However, over the years JJA and facility officials have not only scaled back substance abuse services they completely suspended services for a period of time.

In 2008, JJA officials significantly reduced substance abuse services provided at KJCC. JJA officials stopped providing individualized substance abuse services and instead focused efforts on offering Pathways, a curriculum that focuses on behavior modification. Regardless of their needs, all offenders who were identified as having substance abuse issues were provided the curriculum.

Before that, when facilities were licensed, officials were required to provide appropriate and adequate services. To meet the licensing requirements, the facility had to document individualized treatment plans, and provide treatment as determined by the individuals' needs.

Juveniles at KJCC did not receive any substance abuse services from July 2011 through January 2012. All substance abuse services at KJCC were stopped in July 2011 because there were concerns the facility and staff may not have been appropriately licensed. While an internal investigation was conducted, the former JJA Commissioner halted all services. According to current JJA officials, those licensing issues were resolved in late August 2011. However, the facility did not resume services until January 2012 because it did not have staff to provide the services.

***JJA and KJCC Officials
Lack Sufficient
Management Information
To Ensure That Juveniles
Receive Adequate and
Appropriate Substance
Abuse Services***

Management needs good information to effectively manage facility programs. For example, knowing and tracking which services juvenile offenders need and which services they are receiving are basic management information. This information is important in being able to effectively manage a facility's resources, but is not readily available to management at KJCC.

KJCC officials do not know how many male juvenile offenders need substance abuse services. Our review of the facility's service tracking data showed that 10% of the current population was missing from the data. In addition, for those who were included, 24% did not show any information about their level of substance abuse needs. As a result, KJCC officials cannot determine the number of juveniles needing substance abuse services.

Without knowing how many juveniles need substance abuse services, facility officials cannot ensure adequate resources are available. Currently, KJCC has two licensed addiction counselors. However, agency officials were not certain if that staffing was appropriate or sufficient to provide the substance abuse services.

Facility officials do not have a mechanism in place to determine whether substance abuse services were effective.

The American Correctional Association standards call for juvenile correctional facilities to include steps to monitor the program and determine effectiveness. Other experts we spoke with agreed that measuring effectiveness is a critical component of an effective program. While there is no one way to determine effectiveness, things to consider include reassessing juveniles during, as well as once they have completed treatment, and then modifying the treatment based on the results. Another way to measure effectiveness is to track juveniles as they transition to the community. However, neither JJA nor KJCC officials have established a system to evaluate the effectiveness of the substance abuse services provided.

In general, substance abuse records at KJCC were in disarray. Good recordkeeping is essential to a well-organized management system. In general, KJCC has not maintained accurate substance abuse records related to juvenile offenders, and in some instances officials were unable to locate files.

- **Although every juvenile should have at least one rehabilitative service recommendation, those services were not recorded for many offenders.** KJCC offers various rehabilitation services, including substance abuse services, mental health services, and sex offender treatment. According to officials, offenders should participate in at least one rehabilitative program. However our review showed no service recommendations for 24% of the female offenders and 6% of male offenders. Without a good record, there is no way to ensure that juveniles are receiving what they need. KJCC staff told us the data are likely incomplete and inaccurate because multiple staff have access to the data and no one person is responsible for ensuring its integrity or accuracy.
- **The substance abuse files maintained on individual juvenile offenders were incomplete, and in some cases were completely missing.** KJCC staff could not find 11 out of 24 substance abuse files we requested. In addition, 12 of the remaining files lacked progress notes, treatment plans, and other documents we would have expected to find in an effective substance abuse service program. Without good records, there is no way to ensure that juveniles receive the services they need.

Because KJCC officials have not tracked the services provided, staff told us some juvenile offenders have been released from JJA custody without receiving needed substance abuse services. According to facility staff, since July 2011, several juveniles have been released from KJCC without receiving substance abuse services. Because of the data inaccuracies noted above, we could not quantify the exact number who were released without receiving services. Staff cited several reasons for the problem, including that substance abuse services

were not provided for six months in 2011. Also, they said that currently, substance abuse services are not offered in such a way to ensure that offenders receive services while they are incarcerated.

Conclusion

Education and substance abuse treatment have been cited in the juvenile corrections literature as two of the most important factors in reducing the likelihood that juveniles will reoffend. This audit found that education services at KJCC and substance abuse services at both facilities are minimal, and that officials do little to evaluate the effectiveness of the services that are provided. While the education and substance abuse needs are not as urgent as the safety and security issues found in the July 2012 audit of KJCC, JJA officials need to take the time to build and implement adequate and equitable education and substance abuse services that are more likely to be effective.

Recommendations for Executive Action

1. To address the issues related to the quality of substance abuse services identified on pages 21 through 25, JJA and KJCC officials should develop and implement a plan for improving substance abuse services that includes:
 - a. providing substance abuse services that best practices have shown to meet the individual needs of juvenile offenders.
 - b. reviewing the effectiveness of the current screening tool (SASSI) to ensure that facilities are using screening and assessment tools that meet best practices.
 - c. analyzing the resources needed to provide adequate and appropriate substance abuse services. If additional resources are shown to be needed, adding those resources to ensure that offenders' needs are addressed.
 - d. implementing an ongoing process to measure the effectiveness of substance abuse services provided, including tracking how many and which juveniles have received substance abuse services and comparing those data with recidivism data for those same offenders.
2. To address the issue related to JJA's facilities being licensed to provide substance abuse services identified on pages 19 through 21, JJA and facility officials should reconsider whether the facilities should be licensed.

3. JJA officials should provide an update on the status and changes to the substance abuse services to the Legislative Post Audit Committee and the Joint Committee on Corrections and Juvenile Justice Oversight by June 1, 2013.
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***Recommendations for
Legislative Action***

1. The Legislative Post Audit Committee should consider requesting an interim study of the statutory provision that excludes state institutions from having to comply with state substance abuse treatment licensing requirements.

APPENDIX A

Scope Statement

This appendix contains the scope statement approved by the Legislative Post Audit Committee for this audit on January 18, 2012. The audit was requested by Senator Kultala (questions 1 and 2) and Senator Hensley (questions 3 and 4).

Juvenile Justice Authority: Evaluating Safety and Program Issues at the Kansas Juvenile Correctional Complex

The Kansas Juvenile Correctional Complex (KJCC) is one of two juvenile corrections facilities in Kansas. Overseen by the Juvenile Justice Authority, KJCC provides maximum and medium security beds for about 200 male and 20 female juvenile offenders. The ages of juvenile offenders ranges between 10 and 22. KJCC's primary responsibility is the daily care, custody, management, and treatment of inmates. Male and female offenders are housed in separate facilities and are guarded by about 140 security officers.

In addition, KJCC provides a variety of other educational services for juvenile offenders. Educational programs include academic coursework aimed at helping students earn a high school diploma or a GED, and vocational programs that provide inmates with hands-on training. College-level coursework is offered through Highland Community College and the Washburn Institute of Technology. Education services for male and female offenders are segregated.

KJCC also provides substance abuse treatment for its juvenile offenders. Until 2009, KJCC was licensed to provide these services. Since then, the Juvenile Justice Authority has opted to have KJCC provide these services as an unlicensed treatment facility. Officials told us this decision was based in part on the Juvenile Justice Authority's desire to change the focus of their substance abuse treatment curriculum.

Legislators have expressed a variety of concerns about the operations of KJCC, including the safety of juvenile offenders and correctional officers, the adequacy and equality of its educational and vocational programs, and its unlicensed substance abuse treatment program.

A performance audit in this area would address the following questions:

- 1. Does the Kansas Juvenile Correctional Complex take adequate action to ensure the safety of its inmates and staff?** To answer this question, we would review literature and talk with U.S. Office of Juvenile Justice and Delinquency Prevention officials to identify best practices related to securing and monitoring juvenile offenders. We would review KJCC's policies and procedures related to inmate security and compare them to any best practices we identified. Further, we would perform testwork to determine if those policies and procedures were being followed, such as reviews of shift logs and an evaluation of the adequacy of correctional officer staffing levels. For a sample of security incidents, we would review relevant documentation and interview staff to determine whether those incidents appear to have been handled appropriately. Further, we would perform a confidential survey of KJCC staff regarding their perception of both their own, and inmate's safety, at the facility. We would perform additional work in this area as necessary.

2. **Are the Kansas Juvenile Correctional Complex’s educational and vocational programs adequate and equitable for male and female offenders to help prepare them for future academic or work opportunities?** To answer this question, we would assemble an inventory of all educational and vocational programs provided by KJCC. We would interview staff at KJCC, Highland Community College, and the Washburn Institute of Technology to determine the content of those programs, what they are intended to accomplish, who they serve, and how outcomes are tracked and evaluated. If available, we would collect and analyze outcomes data for a sample of programs to determine whether those programs appear to have achieved their intended results. In addition, we would interview staff from the U.S. Office of Juvenile Justice and Delinquency Prevention and other relevant organizations to help us determine whether any of those programs were uncommon or outdated. Finally, we would interview KJCC officials about any programs that appeared uncommon, outdated, inequitable, or had poor outcomes to determine why those programs continue to be offered. We would perform additional work in this area as necessary.
3. **Is the Juvenile Justice Authority legally authorized to operate the Kansas Juvenile Correctional Complex as an unlicensed treatment facility?** To answer this question, we would review applicable State and federal law to identify any requirements for substance abuse licensing. We would further interview Juvenile Justice Authority officials and legal counsel to determine the legal basis for the decision to remove the licensing requirement. Finally, we would compare the Juvenile Justice Authority’s decision against any statutory requirements we had previously identified to determine if that decision was legally allowable. We would perform additional work in this area as needed.
4. **What potential effect does providing unlicensed substance abuse treatment have on inmate care and facility funding?** To answer this question, we would interview Juvenile Justice Authority officials to identify the reasons that they decided to remove the substance abuse license requirement. We would also interview Authority officials and staff to determine what effect that change has had on the type and quality of substance abuse treatment the juvenile correctional facilities can provide. Moreover, we would review relevant research literature, and talk with other states’ juvenile correctional agencies as well as other experts in the field to determine whether it’s common to provide unlicensed substance abuse treatment and whether it’s generally accepted as a viable treatment approach. We would evaluate the extent to which eligibility for federal grants or funding require treatment facilities to be licensed, and conversely, whether either juvenile facility has realized any significant savings by providing unlicensed services (e.g. by reducing staff salaries or eliminating licensing fees). Finally, we would evaluate whether the Authority’s decision has any negative implications for the license status of certified substance abuse employees. We would perform additional work in this area as needed.

Estimated resources: 3 staff for 16-18 weeks (plus review)

Note: The Legislative Post Audit committee directed us to perform this audit in two parts. Part one will focus on safety issues described in question one, part two will focus on programming issues included in questions two through four.

APPENDIX B

Agency Response

On October 2, 2012 we provided copies of the draft audit report to the Juvenile Justice Authority. Its response is included as this Appendix. The agency generally concurred with the report's findings, conclusions, and recommendations.

October 16, 2012

Mr. Scott Frank, Legislative Post Auditor
Legislative Division of Post Audit
800 SW Jackson St., Ste. 1200
Topeka, KS 66612-2212

Re: *JJA's Response to Post Audit Report: "Juvenile Justice Authority: Evaluating Safety and Program Issues at the Kansas Juvenile Correctional Complex, Part 2"*

Dear Mr. Frank:

On behalf of the State of Kansas Juvenile Justice Authority (JJA) and the Kansas Juvenile Correctional Complex (KJCC), I want to thank you and your staff for your recent review entitled: *Juvenile Justice Authority: Evaluating Safety and Program Issues at the Kansas Juvenile Correctional Complex, Part 2*. This administration is committed to transparency and accountability, and your team has been helpful to our agency as we strive to make KJCC a model correctional institution. The process has provided a framework and focus for us to improve both facility and agency operations.

After a review of your findings and recommendations, JJA is pleased to commit to implement all of the LPA's recommendations, as will be more specifically set forth herein.

Recommendations for Educational Programs at KJCC

Recommendation 1:

To address the issues with technical education and work study programs as identified on pages D-9 through D-12, JJA and KJCC officials should develop and implement a plan for technical education and work study that includes:

- a) A process to identify high-demand occupations and industries in Kansas and the Midwest that are suitable for convicted felons.*
- b) Technical education and work study programs that focuses on the occupations and industries identified in (a).*
- c) An emphasis on courses that offer an industry-recognized certificate or credential.*
- d) Expanded options for on-the-job training and job shadowing programs for juvenile offenders.*

Agency Response to Recommendation 1:

JJA acknowledges that there has been a long-standing issue with the lack of a comprehensive, formal plan regarding technical education and work study programs at KJCC. JJA will develop and implement a plan regarding technical education and work study as outlined in Recommendation #1.

Agency Action on Recommendation 1:

As noted in the LPA report, recent efforts have been made to expand the technical education opportunities for juvenile offenders.

JJA, KJCC and Lawrence Gardner High School are finalizing a partnership with Fort Scott Community College to offer a Water Technologies curriculum on the campus of the KJCC. This partnership will offer Water Technologies training to 24 KJCC students every six months (a total of 96 students) over the course of two years through a U.S. Department of Labor/Education Training Administration grant. As part of the stipulation of the partnership, the program will be offered to both male and female residents and is free of charge.

The project is a blend of technical water training in Environmental Water Technologies with water conservation learning projects. The program is designed to encourage participants to further their education and become water operators (whose current average age is 57) throughout the state of Kansas. Students enrolled in the program will have an opportunity to earn up to 36 college credit hours and four semesters of training within the six-month time frame.

Fort Scott Community College intends to provide content instruction and training, developmental education, safety training, service learning, and case management.

In addition to that partnership, Lawrence Gardner High School has established a project with Westar Energy to grow milkweed plants and a project with a battery company in western Kansas to cut and package particle board. In May 2012, the school coordinated a career day with Westar Energy at KJCC which included some experiential learning opportunities.

As part of the initial development of a more formalized, comprehensive plan:

- ✓ KJCC officials have held a preliminary meeting with Lawrence Gardner High School officials regarding recommendations on how improve the technical education and work study programs.
- ✓ JJA officials have reached out to officials from the Department of Commerce to discuss the development of a list of high-demand jobs in Kansas that do not exclude the juvenile offender population from consideration.
- ✓ The Acting JJA Commissioner solicited feedback from her counterparts in the Council of Juvenile Correctional Administrators' Midwestern region on the types of programs they offer in their state correctional facilities' educational and vocational programs.

The information gleaned from these exchanges (and others like them) will be considered during the JJA plan development.

Recommendation 2:

To address the issues of postsecondary programs as identified on page D-12, JJA and KJCC officials should develop and implement a plan that includes:

- a) A process for periodically evaluating the availability and sufficiency of resources to help juveniles pay for the course work.*
- b) Input from officials with other juvenile correctional institutions and relevant state agencies. At a minimum, officials should consult the Kansas State Department of Education and the Kansas Board of Regents to determine what postsecondary options are available and the Kansas Department of Commerce to determine what funding options are available.*

Agency Response to Recommendation 2:

JJA acknowledges that postsecondary programs have been offered at KJCC only sporadically since the fall of 2008. JJA and KJCC officials recognize the need for, and will develop a plan to, address the issues of postsecondary programs, including input from officials with other juvenile correctional institutions and relevant state agencies.

Agency Action on Recommendation 2:

KJCC officials have held a preliminary meeting with Lawrence Gardner High School officials regarding recommendations on how to improve the availability of postsecondary programs at KJCC and we will continue these discussions to help finalize our agency plan. This will include investigating grants or funding sources available that may exist to help offenders with tuition costs.

In late August 2012, representatives from the Kansas Board of Regents and the Kansas Department of Education gave a presentation on SB155 (Career and Technical Education Bill) at KJCC. JJA will follow up with both agencies on how we can possibly access funds to help with tuition costs.

Recommendation 3:

To address the equity issues with the education programs at KJCC as identified on pages D-7 through D-9 and D-11, JJA and KJCC officials should develop a plan to bring the quality and availability of education programs for female offenders in line with what is provided to male offenders. This plan should include:

- a) Provisions for male and female offenders to have comparable access to a gymnasium.*
- b) A process for expanding the technical education and work study options that are accessible to female offenders. Officials should consult appropriate experts in juvenile corrections in developing this process.*

Agency Response to Recommendation 3:

JJA will develop a plan to bring the quality and availability of education programs for female offenders in line with what is provided to male offenders.

Agency Action on Recommendation 3:

As noted in the Agency Action on Recommendation 1, JJA, KJCC and Lawrence Gardner High School are finalizing a partnership with Fort Scott Community College to offer a Water Technologies curriculum on the campus of the KJCC. This partnership will offer Water Technologies training to 24 KJCC students every six months over the course of two years through a U.S. Department of Labor/Education Training Administration grant. As part of the stipulation of the partnership, the program will be offered to both male and female residents.

JJA and KJCC officials are evaluating the physical plant and perimeter fencing options to allow for the use of the west gym for the female offender population as well as the associated costs.

Recommendation 4:

To address the issues with the evaluation of education programs as identified on pages D-13 through D-14, JJA and KJCC officials should develop a plan for monitoring, evaluating, and modifying educational programs based on outcomes. Such a plan should include:

- a) Short-term and long-term goals for the education programs and the entity (JJA, KJCC, or Greenbush) that will be responsible for implementing them.*
- b) Measurable outcomes that will allow officials to determine if short-term and long-term goals are being met.*
- c) A process for incorporating the goals and measures identified in (a) and (b) in the contract for education services as appropriate.*
- d) A process for periodically evaluating the sufficiency of resources for education programs.*

Agency Response to Recommendation 4:

JJA will develop a more formalized and comprehensive plan for monitoring, evaluating and modifying educational programs based on outcomes.

Agency Action on Recommendation 4:

As noted in the Agency Action on Recommendation 1, feedback was solicited from the Council of Juvenile Correctional Administrators' Midwestern region on their state correctional facilities' educational and vocational programs. As part of that request, they were asked for information on outcome measures (both goals and actuals).

The information gleaned will be considered during the JJA plan development. The plan will include a process for incorporating outcome measures in the existing contracts (both at KJCC and LJCF) for educational services and a mechanism for program evaluation.

Recommendation 5:

JJA officials should provide completed plans for technical education, work study, and postsecondary programs (1 and 2), improving programs for females (3), and monitoring and evaluating programs (4) to the Legislative Post Audit Committee and the Joint Committee on Corrections and Juvenile Justice Oversight by June 1, 2013.

Agency Response to Recommendation 5:

JJA will provide the aforementioned plans to the Legislative Post Audit Committee and the Joint Committee on Corrections and Juvenile Justice Oversight by June 1, 2013.

Recommendations for Substance Abuse Programs at KJCC

Recommendation 1:

To address the issues related to the quality of substance abuse services identified on pages D-18 through D-23, JJA and KJCC officials should develop and implement a plan for improving substance abuse services that includes:

- a) Providing substance abuse services that best practices have shown to meet the individual needs of juvenile offenders.*
- b) Reviewing the effectiveness of the current screening tool (SASSI) to ensure that facilities are using screening and assessment tools that meet best practices.*
- c) Analyzing the resources needed to provide adequate and appropriate substance abuse services. If additional resources are shown to be needed, adding those resources to ensure that offenders' needs are addressed.*
- d) Implementing an ongoing process to measure the effectiveness of substance abuse services provided, including tracking how many and which juveniles have received substance abuse services and comparing those data with recidivism data for those same offenders.*

Agency Response to Recommendation 1:

As noted in the LPA report, JJA significantly changed the way substance abuse services were provided at KJCC in 2008 with little evaluation of the program's effectiveness since that time. The current program can (and should) certainly be enhanced.

The JJA administration is committed to developing and implementing a plan for improving substance abuse services that reflects best practices, is individualized, and includes an evaluation component.

Agency Action on Recommendation 1:

Substance abuse services are an integral part of an effective program continuum of services for the juvenile offender population nation-wide. Kansas is no exception. As of October 1, 2012, a Kansas University Physicians, Incorporated (KUPI) review of the KJCC population revealed that 68% of the offenders have a diagnosis of substance abuse. JJA, KJCC, and KUPI officials are all committed to fully developing, implementing and monitoring an appropriate substance abuse program provided by qualified, licensed staff.

JJA, KJCC and KUPI officials are currently working together on the initial substance abuse services plan components. We have submitted a formal request for technical assistance to the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to assist us with program development. We are also researching other states with model programs for juvenile offenders in a custodial setting. Other states' Juvenile Justice Commissioners have been polled about the current screening and assessment tools they use in their custodial programs. We will also be examining a number of evidence-based curricula to determine which will best meet the agency's needs.

While the review of staffing will be part of the plan consideration, we have identified resources to add a Chemical Dependency Counselor position to KJCC. This position was posted in October, 2012.

Until the plan is finalized, we are augmenting our current substance abuse services with mental health staff as a stop-gap measure until we have sufficient licensed substance abuse staff on board and the full complement of services.

As previously mentioned, the state's female juvenile offenders have been housed at KJCC since 2009. As part of a continuum of services, it is imperative that gender responsive services are offered. Much research exists on best practices for gender responsive services curricula and JJA is committed to ensuring those are incorporated at the facility. We have taken the initial steps for the inclusion of a well-researched substance abuse treatment model. This model also addresses issues of trauma, which is especially prevalent in the female offender population.

Recommendation 2:

To address the issue related to JJA's facilities being licensed to provide substance abuse services identified on pages D-16 through D-18, JJA and facility officials should reconsider whether the facilities should be licensed.

Agency Response to Recommendation 2:

As noted in the LPA report, JJA officials voluntarily stopped licensing substance abuse programs at its juvenile correctional facilities in 2009.

While current Kansas statutes allows the JJA (and other state agencies) to provide substance abuse programs without being licensed, JJA administration is open to and will reconsider whether the juvenile correctional facilities should be licensed.

Recommendation 3:

JJA officials should provide an update on the status and changes to the substance abuse services to the Legislative Post Audit Committee and the Joint Committee on Corrections and Juvenile Justice Oversight by June 1, 2013.

Agency Response to Recommendation 3:

JJA will provide an update on the status and changes to the substance abuse programs to the Legislative Post Audit Committee and the Joint Committee on Corrections and Juvenile Justice Oversight by June 1, 2013.

Conclusion:

JJA is committed to operating a better, safer, more transparent and a more accountable state agency. This Legislative Post Audit process has helped us focus on areas that need improvement to assist in that endeavor. Though we concur with the LPA that the findings in Part I of this audit are of a more “urgent” nature, it is our goal to offer services to our offender population which are well researched, evidence-based, that reduce recidivism and help successfully reintegrate our offenders safely back into the community.

Thank you for your time and attention to the Juvenile Justice Authority.

Sincerely,



Teresa Williams, Acting Commissioner
Kansas Juvenile Justice Authority

