

Report to House Committee on Corrections and Juvenile Justice
House Bill 2021
Kansas Department of Corrections (KDOC)
January 17, 2024

Key Provisions of Each Section

Section 1: Requires the Department for Children and Families (DCF) to implement an evidence-based risk and needs assessment for children who have been identified as exhibiting behavior that could lead to juvenile offender charges.

Implementation Steps:

- Collaborated with the Department of Children and Families (DCF) on provisions that require DCF to implement risk assessments for certain children. Initial meeting held on June 6, 2023 and we have continued meeting since this date. Additional information related to this section is provided in Section 14.

Section 2: Required KDOC to ensure that youth placed into local detention centers have a risk and needs assessment within 72 hours, an updated or completed case plan within 48 hours after the risk assessment, and have access to behavior health, mental health, and substance abuse services while in juvenile detention. Costs to be assessed to KDOC.

Implementation Steps:

- KDOC hosted a meeting of representatives of the local juvenile detention centers across Kansas in June 2023 to begin discussions on how to implement case planning in those facilities.
- KDOC identified the Global Assessment of Individual Needs (GAIN) assessment as the risk/needs assessment for detention centers. KDOC is currently working with vendor on possible modifications, including a case plan document.
- KDOC released budget documents to juvenile detention centers to propose their budget for providing behavioral health services. To date, 8 of the 9 juvenile detention centers have submitted budgets for these services.
- KDOC staff revised detention logs to track data on assessments and services. This log was distributed to detention centers in October 2023.
- The Evidence Based Programs Account was identified as the funding source for these services.
- Funds will be released in early CY 2024 to begin providing behavioral health services for youth in detention with an identified need.

Section 3: Adds the definition of “behavior health crisis” to the child in need of care code.

Implementation Steps: None.

Section 4: Adds language in the child welfare code about collaboration for services between DCF, KDOC, and judicial branch which is later reciprocated in the juvenile offender code.

Implementation Steps: None.

Section 5: Amends provisions of the child welfare code to change the term from mental health crisis to behavior health crisis.

Implementation Steps: None.

Section 6: Amends provisions of the child welfare code to change the term from mental health crisis to behavior health crisis.

Implementation Steps: None.

Section 7: Adds the definition of “behavior health crisis” to the juvenile offender code.

Implementation Steps: None.

Section 8: Adds language in the juvenile offender code about collaboration for services between DCF, KDOC, and judicial branch which is later reciprocated in previous changes in the child welfare offender code.

Implementation Steps: None.

Section 9: Amends provisions of the juvenile offender code to change the term from mental health crisis to behavior health crisis.

Implementation Steps: None.

Section 10: Amends K.S.A. 38-2391 modifies the duration of an adjudicated juvenile offender’s sentence by adding new provisions for the court to extend the term of probation under certain circumstances for an undefined amount of time. And eliminates the case cap, or maximum term of supervision, in those instances.

Implementation Steps: None.

Section 11: Reverts to past practices by requiring the court services and community corrections to report violations of conditions to the court instead of addressing the behavior as a part of supervision. Then authorizes the court to impose a term of incarceration in a juvenile detention center in response to a violation of probation or for contempt of court.

Implementation Steps:

- KDOC staff developed a reporting process for use by local probation officers to report technical violations of probation. This was finalized in KDOC’s standards for community supervision and released to communities on 10/11/2023.

Section 12: Amends term from mental health to behavior health crisis in existing law and provides definition of a behavior health crisis.

Implementation Steps: None.

Section 13: Requires KDOC to develop a system to facilitate exchanging of confidential data by July 1, 2025.

Implementation Steps:

- KDOC has attended two presentations from potential vendors, with a third in the exploration stage. Next steps include engaging other partners and impacted stakeholders to gain feedback.

Section 14: Amends current law on use of funds in the evidence-based programs account of the state general fund to allow expenditures on children who have been administered a risk and needs assessment and allows additional named entities to receive grants. Also, to develop rolling grants application periods.

Implementation Steps:

- Have reviewed new provisions that impact administration and management of grant processes. Currently focused on reviewing requests to continue FY2023 grants in FY2024 to sustain existing programs that have demonstrated effectiveness and merit. Once that is completed in mid-summer will shift staff resources to implementation of changes and/or new grants specified by HB2021.
- Initiated a discussion and received support from sub-committee members of the Juvenile Justice Oversight Committee (JJOC) as a first step towards potential formal request to the full JJOC for funding to provide additional resources to manage the increasing number and type of grants administered by KDOC. Two additional positions have been created to support additional grants and improvement of the grant processes through the evidence-based programs account: 1 auditor and 1 grant manager. To date, neither position has been filled.
- KDOC staff, with input from community corrections, foster care agencies, and DCF, developed a referral form to be used when a CINC youth is identified as needing services per the DCF assessment in Section 1. Referrals began on November 13, 2023.
- KDOC, DCF, and foster care agencies have continued regular meetings in order to identify barriers and strategies for resolution with this new process.