Bipartisan group on track with juvenile justice reforms in Kansas

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Kansas’ treatment of juvenile offenders is inconsistent, costly and often overly harsh. It harms young people and families and does little to deter the youths from committing crimes as adults.

Fortunately, a serious bipartisan effort is underway in the state Legislature to do better.

“The single best thing I know of to reduce adult crime is to do a better job with juvenile offenders than we have in Kansas,” said Rep. John Rubin, a Republican from Shawnee who is chairman of the House Corrections and Juvenile Justice Committee.

A group of lawmakers, judges, prosecutors, police and state officials worked with experts from The Pew Charitable Trusts and Community Resources for Justice to identify the problems in Kansas’ system and remedies.

One significant recommendation that could be put before the Legislature later this session is to stop placing youthful offenders in group homes and use community-based services instead.
That would be a big step forward. In 2011, Kansas used out-of-home placements for juveniles in trouble at the ninth-highest rate in the nation, according to the most recent federal data.

The work group discovered that two-thirds of the young people placed on supervision, usually in state-funded group homes, were there for misdemeanor charges. The same was the case for a third of the youths sent to secure Juvenile Correctional Facilities. Most of them had two or fewer encounters with the criminal justice system before they were placed in custody.

This overuse of residential facilities is costly and foolish. Out-of-home placements for juveniles can run as high as $89,000 a year, 10 times the cost of probation. In total, they cost the state more than $53 million a year.

Young people who commit low-level offenses often end up in the same facilities as youths with more serious problems and records. And research shows that taking young people out of their homes generally doesn’t set them straight. It can actually increase the risk that a youth will commit another crime.

As Rubin correctly said, “Out-of-home placements are not the answer.”

Community-based services have shown better results in Kansas and elsewhere. But the work group found that many court systems lack access to these services, “leading to higher costs, less public safety and poorer outcomes for youth, families and communities.”

A presentation to Rubin’s legislative committee this week portrayed a disorganized juvenile justice system that doesn’t make good use of data or best practices.
The work group found inconsistencies among counties and judicial districts in how youths flow into the system, and how they are treated once they get there.

“I don’t understand the system and I work in it,” a detention director told the researchers.

The work group has reached a consensus on 40 recommendations for courts, state officials and in some cases the Legislature.

Broadly, they attempt to create a more consistent structure for responding to offenses committed by juveniles.

The system would shift from out-of-home placements to community services and supervision. While the plan is to phase out group homes, space in secure juvenile correctional facilities would be reserved for youth who pose the greatest risk to public safety.

Young people who commit more low-level offenses would be channeled into community services — like substance abuse treatment and supervised probation — that include rewards and sanctions for behavior.

Certainly, the work group is recommending a more sensible and humane approach than what is now taking place.

A financial investment will be required to hire professionals and get community services up and running. That’s a tricky issue in cash-strapped Kansas, but it would pay off down the road. The work group estimates the state could free up $81 million over five years by cutting out-of-home placements by at least 62 percent.
Those savings should be reinvested into more services to help youthful offenders stay on the right path, not diverted to pay other state expenses.

It is troubling to see a juvenile justice system in such disarray. The safety of communities and the futures of young people depend on the state doing this work correctly.

But the efforts of the work group give reason for optimism. It is encouraging to see lawmakers of both parties work with judges, law enforcement and state staffers to build a better system. Those are groups that often cast blame at one another.

Criminal justice and corrections has proven to be an issue for which people are willing to put aside partisan bickering and work toward solutions. That seems to be taking place in Kansas.

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