

January 30th, 2023

Proponent Testimony on HB2021

House Corrections and Juvenile Justice Committee

Chair Owens, Vice Chair Smith, Ranking Member Highberger, and Members of the House Corrections and Juvenile Justice Committee, thank you for the opportunity today to speak to you about benefits to public safety that would be realized with the passing of HB2021.

My name is Erica Case, and I am an attorney for Saint Francis Ministries. Prior to working for Saint Francis Ministries, I represented adults and juveniles in the practice areas of criminal defense and child in need of care (CINC) around the State of Kansas.

Saint Francis Ministries (SFM) is an independent not-for-profit that has served Kansas children and families since 1945. At Saint Francis, we remain committed to providing high-quality services to children and families that meet the current needs of Kansas families. Today, Saint Francis provides a continuum of child welfare services that include case management, prevention, out-of-home, and residential services. This work has always included service to children involved in the juvenile justice system.

The intended purpose of recent juvenile justice reform was to reduce the number of youths being detained, open more evidenced-based programs in the community, and focus on prevention within the juvenile justice system itself. That reform has successfully reduced the number of detained youth and kept children from entering the juvenile justice system. We agree these are important successes with benefits for many Kansas youth, especially those with lower-risk behaviors.

In our work with children and families, however, we have observed that more moderate to high risk level youth are not accessing needed supports to change their path. You heard last week about the unintended increase of criminogenic CINC cases, a decrease in access to KDOC placements in foster home and residential settings, and frustration within our court system of inability to provide immediate consequences for juvenile offenses.

We support HB2021 as an important first step in addressing these gaps in our juvenile justice system.

HB 2021 will require collaboration between DCF and KDOC that allows for appropriate interventions for youth involved in juvenile justice. Without appropriate evidence-based prevention services and collaboration these youth will be placed in the child welfare system, which we know is not the appropriate service milieu for these youth.

Placement in foster care increases the risks that these youth will present a safety risk to other youth, caregivers, and staff. Additionally, with these safety risks, youth experience placement instability and ultimately are at risk of not finding placement at all, leading to running behaviors. This cycle exacerbates the negative behaviors of the youth – we need your help to do better.

Saint Francis Ministries believes that HB2021 can have a positive impact on Kansas youth and improve public safety due to:

- Expanded juvenile access to evidenced-based programs, regardless of adjudication as a juvenile offender or child in need of care.
- Juvenile Crisis Intervention Centers that enable us to provide prevention services to the family while a juvenile is placed here.
- The need for data systems to effectively coordinate and communicate the care of the children in our custody in a timely fashion.
- Cumulative cap of 90 days would ensure coordination of resources while the youth is in a stable placement. Often substance abuse treatment centers, mental health services, congregate care, or residential facilities have a waiting list. We want to ensure youth receive the benefit of the rehabilitation service to support reductions in recidivism. Extended case length limits can help in prevention efforts and reduce recidivism for youth in foster care.
- Provisions for immediate and intermediate consequences for a juvenile offender demonstrating a behavioral health crisis on probation. Our courts need the discretion to assist these kids with compliance with the conditions of probation, and thus reduce their recidivism rate. We want youth with a drug addiction to receive adequate treatment. We want a youth struggling with trauma to receive proper mental health treatment. HB2021 can help us engage youth to receive the services they need.

Thank you for improving care and expanding resources for Kansas children and families.

Erica Case