

TESTIMONY ON HB 2737



FEBRUARY 16, 2012, Thursday

*Before the* HOUSE CORRECTIONS &

JUVENILE JUSTICE COMMITTEE

*Presented by* BRITT NICHOLS, Inspector General

KANSAS JUVENILE JUSTICE AUTHORITY

**The Hon. Pat Colloton, Chair, and Honorable Members  
of the House Corrections and Juvenile Justice Committee**

**Chairman Colloton, Vice-Chair Kinzer, Ranking Member McCray-  
Miller and Members:**

HB 2737 presents a fairly clear policy consideration. JJA is not really organized to be a policy advisor. We serve more as an informational resource.

The proposed language at new (e) at lines 14 through 17 on page 4 states:

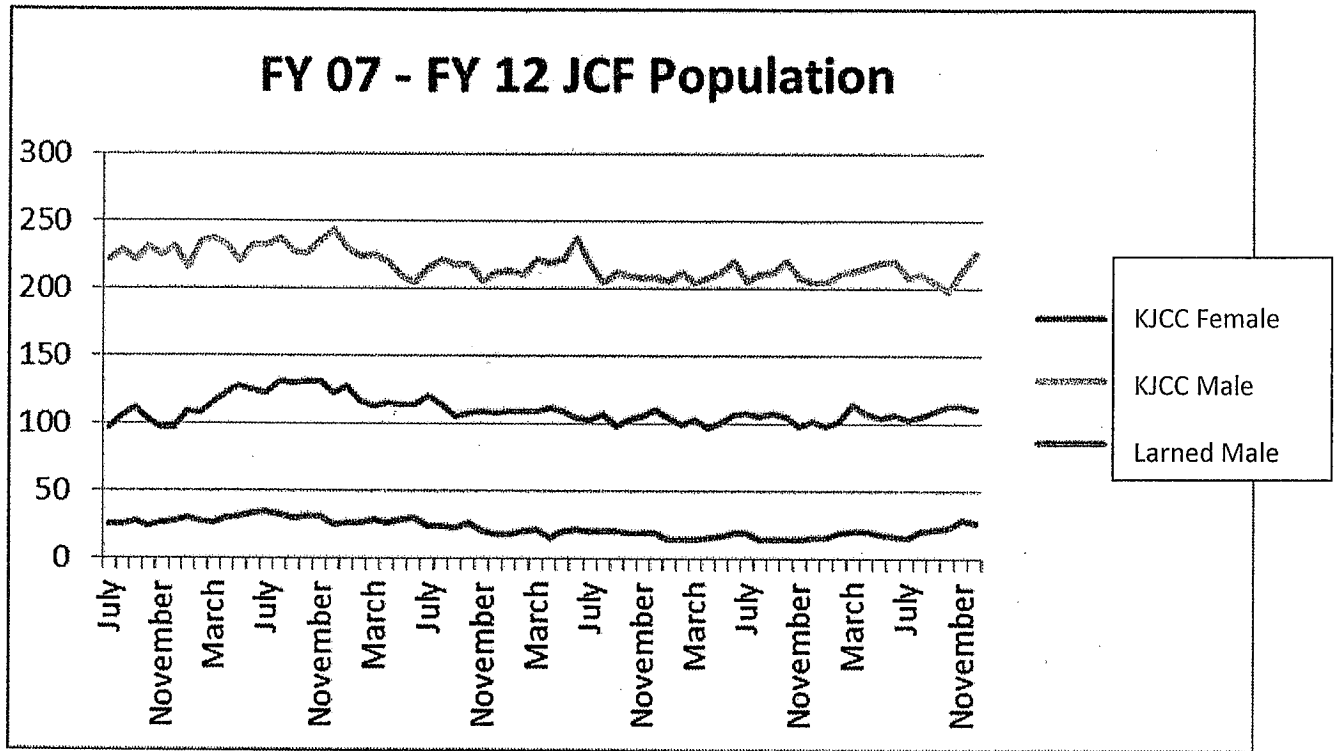
*“Any juvenile offender committed to a juvenile correctional facility who is adjudicated for an offense committed while such juvenile was committed to a juvenile correctional facility, may be adjudicated to serve a consecutive term of commitment in a juvenile correctional facility.”*

The bill as submitted would apply to a very narrow population. The average juvenile correctional facility population, which has been fairly stable over recent years, totals around 360 youth distributed amongst House Corrections and Juvenile Justice Committee

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the two locations (Topeka – KJCC and Larned – LJCF). The juvenile offenders who reside in JCFs represent approximately 20% of the approximately 1,500 youth on average committed to the custody of JJA on any day. Information about the relative distribution of the custody population can be found in Exhibit A. The JCF population:



While, *on the one hand*, logic suggests that to the extent that current law does not already provide a specific court with a wide-range of post-adjudication discretionary control and pathways (if the indeterminate hold nature of custody should prove insufficient, judicial discretion extends up to and including waiver to adult status) to manage and re-direct the behavior and activities of a specific youth before that court that providing the additional option of ordering that the subsequent adjudication be served consecutive to the release of the initial adjudication may provide the court with an additional element of control over such youth (and, to the extent that youthful minds stop to consider the effects of their wrongful actions, presumably a deterrent to additional bad behavior while such youth resides in the state’s JCFs), that same logic, *on the other hand*, also demands a recognition that imposing consecutive sentences will have the likely impact of increasing JCF populations and average length of stay (“LOS”). As population and LOS increase, costs also increase.

**As always, we stand for questions.**

**Respectfully submitted,**

**Britt Nichols, JD CIG  
JJA Inspector General**

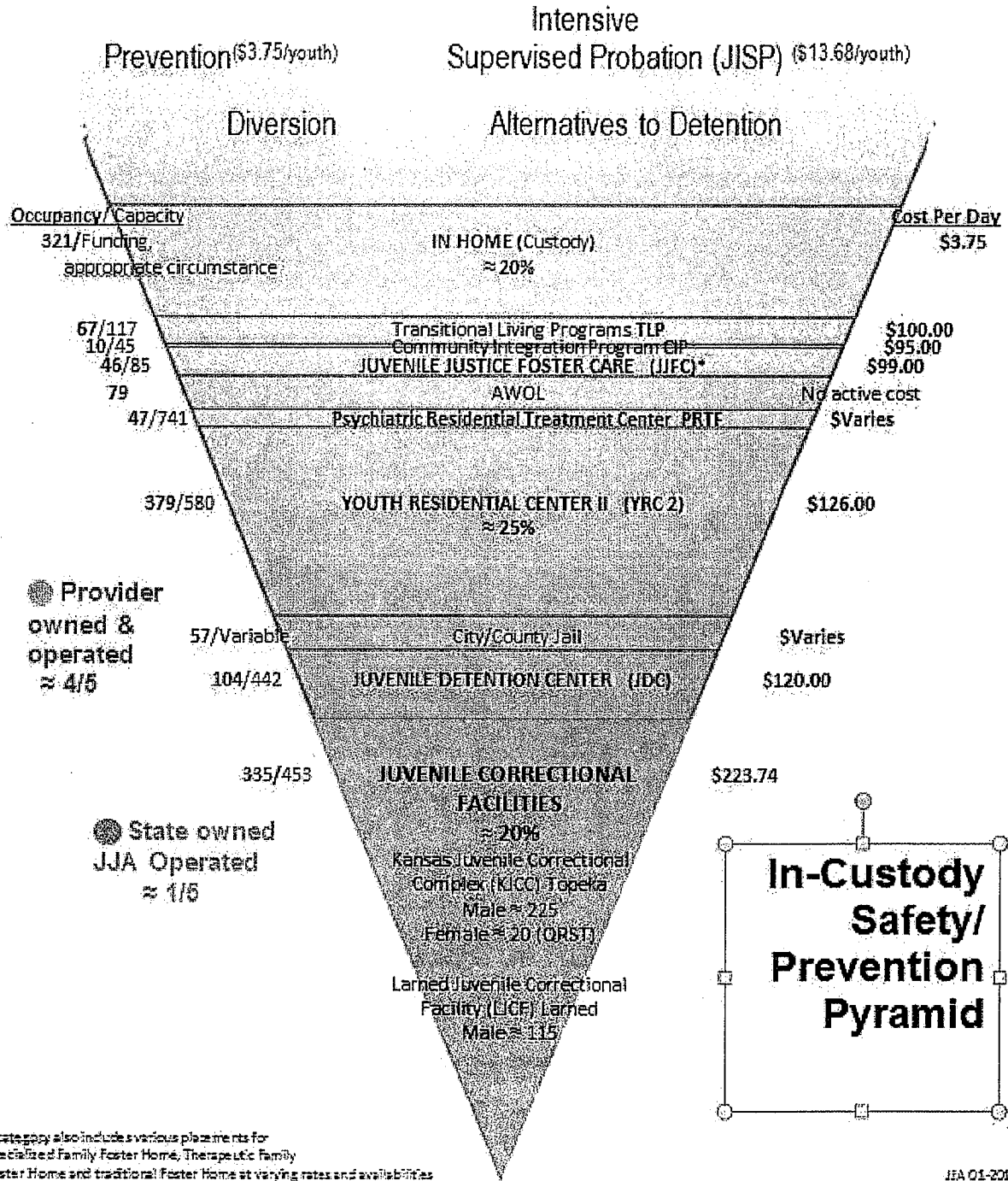
Exhibit A

# Juvenile Justice Custody Population

Annual Juvenile Intake Process: 2,500 youth approx.

Average Daily JJA Custody Population: 1,500 youth approx.

(Snapshot – Population Approximations)



\* category also includes various placements for Specialized Family Foster Home, Therapeutic Family Foster Home and traditional Foster Home at varying rates and availabilities

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