

Kansas Advisory Group on Juvenile Justice and Delinquency Prevention

Annual Report to the Governor



Members of Family Services Institute's Responsible Youth Program in Wichita, Kansas
Title V grant recipient

Introduction to the Kansas Advisory Group on Juvenile Justice and Delinquency Prevention

The Kansas Advisory Group on Juvenile Justice and Delinquency Prevention (KAG) authority exists under K.S.A. 75-7007. The KAG is established to fulfill the responsibilities of a state advisory group as directed by Section 223(a)(3) of the Federal Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974.

The purpose of the KAG is to provide vital citizen input into the development of federal and state policy and juvenile justice related programming. The KAG mission is to review juvenile justice policy and advise and advocate on juvenile justice issues to policy makers and juvenile justice system, and to strive to keep Kansas in compliance with the federal JJDP Act.

The KAG meets quarterly, and is composed of members who are appointed by and serve at the pleasure of the Governor. Each member serves a four-year term, and may be considered for reappointment. Currently 20% of KAG members are youth members and 31% are members of minority groups. See attached map for Kansas communities represented by KAG members.

Recommendations to the State Legislature

The KAG encourages the 2008 Kansas Legislature to:

1. Endorse JJA's Proposed Funding Methodology

The new funding methodology provides for the:

Use of Reliable Data- Funding decisions will be based upon data provided by the communities through the JJA CASIMS database.

Mitigation of Changing Caseloads/Stability - Utilizes data across years to provide an updated three-year average each year to account for unusual instances of caseload change.

Sustainability - Provides a means to distribute funds in an equitable manner without regard to the actual amount of funds to be allocated.

Specific details on the new funding methodology:

Measurement & Weight of Relevant Data Points - Data points are ascribed weighted values according to the work related to each of the data points measured. Data for each county will be aggregated to the judicial district level and weighted as follows:

**Annual Total Intakes--33% weighted value*

**New Youth Plans Entered--17% weighted value*

**Average Daily CM & ISP Population--50% weighted value*

Base Funding Assumption - Providing minimum base funding for the three core program components for each judicial district, without regard to data values, assures a minimum level of services will be funded in all areas.

**Base Funding--\$107,000 per judicial district*

2. **Approve JJA's FY 2009 Budget Request**

JJA has requested \$4.5 million for community based programming in its FY 2009 budget request: \$3.5 million is dedicated to increasing the amount of core funding distributed to communities; \$1.0 million would be available as incentive funding.

JJA believes incentive funding would be a way to partner with local communities by creating an environment where local units take some level of ownership in juvenile crime prevention, intervention, and rehabilitation activities.

The following guidelines would be followed by JJA when implementing the \$1.0 million in incentive funding:

- The amount of incentive funding that would be made available to each judicial district would be in the same proportion as provided through the funding methodology, excluding base funding.
- A prohibition of supplanting would be required. Local units of government would be required to provide new cash contributions to be eligible for the incentive funding dollars.
- If a judicial district chose not to participate in incentive funding the amount of funding they are eligible for would not be redistributed across the state but would lapse to the state general fund.

2007 KAG Highlights

Governor Sebelius Appoints a New Officer and New Members to the KAG

Erika Nilles-Plumlee, Kansas Dept of Corrections, Lawrence, appointed Vice-Chair
Brian Black, Community Relations Manager, Spirit AeroSystems, Inc., Wichita
Shelly Chenoweth, CEO, Girl Scouts of Kansas Heartland, Wichita
Willie Cheek, youth member - Senior, Washburn Rural High School, Topeka
Dr. Brenda Dietrich, Superintendent of Schools, Auburn-Washburn USD 437, Topeka
Honorable Wade Dixon, District Magistrate Judge, Tribune
Laura Kelly, State Senator, Topeka
Melissa Rundus, Assistant Riley County Attorney, Manhattan
Tyrah Talbert, youth member - Sophomore, Highland Park High School, Topeka
Sherrie Vaughn-Gregg, COO of TLC for Children and Families, Olathe
Jan West, Community Based Services Coordinator-Four County Mental Health, Independence
Dr. Sonya Willis, Assoc. Principal Shawnee Mission North High School, Overland Park

Former KAG Member Appointed JJA Commissioner

Governor Sebelius appointed J. Russell Jennings as the Commissioner of Juvenile Justice Authority on February 16, 2007. Not only is Commissioner Jennings a former member of the KAG, but he was also directly involved in the development and implementation of the juvenile justice reforms and the adoption of the Juvenile Justice Act in 1996.

KAG Retreat and Orientation for New Members

A KAG retreat was held November 28-29 to orient new members and begin work on the development of a 3-year strategic plan to address juvenile justice issues. Themes developed as a result of the retreat include increasing the award of grant funding to evidence-based programs, development of a statewide youth advocacy coalition, advocating for improvements for juvenile justice in the legislature, adopting BARJ (Balanced and Restorative Justice) principals into funding and community planning, coordination of prevention programs and funding streams, and continued attention to reducing Disproportionate Minority Contact (DMC).

Juvenile Justice and Delinquency Prevention Act Manual

A manual was developed and distributed to administrative contacts, intake and assessment centers, detention centers, county or district attorneys, and Juvenile Corrections Advisory Board members to address the four core requirements of the JJCPA Act.

KAG Issues and Innovations Committee Established

The KAG established the issues and innovations committee as a standing committee with the responsibility to investigate, research, facilitate, and formulate recommendations on a topic or area of interest as annually determined and assigned by the Kansas Advisory Group. The topic for 2008 will be the development of a database of evidence based juvenile justice programs appropriate for urban, rural, and frontier communities.

KAG Responsibilities

The JJDP Act was first adopted in 1974, and most recently reauthorized by Congress in 2002. The Act is currently being considered for reauthorization. In 2007 Congress conducted hearings regarding the Act and its need for reauthorization, and these hearings were the first on this topic in more than 8 years.

The 2002 reauthorization maintained the four "core requirements" of the Act. These "core requirements" are:

1. **Jail Removal-** juvenile offenders may not be securely detained in adult jails or police lockups, although a six-hour processing option may be acceptable;
2. **Sight and Sound Separation-** during the temporary period of time during which a juvenile may be held in an adult jail or lockup for processing, they are required at all times to be kept separate by both sight and sound from adult offenders;
3. **Deinstitutionalization of Status Offenders (DSO)-** Juveniles charged with status offenses, (runaway, truancy, minor in possession of alcohol, curfew violation), which are acts which would not be offenses if committed by an adult, are not to be placed in secure detention or correctional facilities. Abused, dependent or neglected (CINC) youth may never be held securely.
4. **Disproportionate Minority Contact-** States must address the over-representation of minority youth in the juvenile justice system.

Federal Juvenile Justice funding is allocated to each state contingent upon its compliance with the four core requirements of the JJDP Act. KAG is charged with both monitoring and assuring compliance with and fulfillment of these core requirements. Additionally, the KAG has responsibility for recommending to the Commissioner how federal funding should be distributed to community-based agencies and monitoring the progress of the programs selected for funding.

Prevention and Intervention

Presently the KAG administers three major funding streams tied to prevention activities throughout the state. See the attached table for a breakdown of how Title II, Title V, and Prevention Trust Fund Money has been awarded over the past five years.

1. **Title II State Formula** funds are allocated to states based on relative population of persons under the age of eighteen. Under Title II, states may choose from a variety of purpose areas in awarding grants and distributing funding.

The KAG has in recent years set aside 25% of these funds for programs aimed at reducing disproportionate minority contact. While Kansas has never been out of

compliance with the federal Disproportionate Minority Contact (DMC) mandate, the KAG nonetheless recognized the importance of addressing DMC and prioritized funding for this initiative. Three pilot projects -- located in Sedgwick, Finney, and Riley Counties -- to address DMC were funded beginning in 2004 and ending in September 30, 2007.

Finney County. Finney County discovered disproportionality at the point of arrest and confinement in a juvenile correctional facility. Intervention programs implemented in Finney County include "Los Ninos" parenting education classes and the "Too Good for Violence" Curriculum. Cultural competency classes are also being provided to county employees. **Riley County.** Riley County did not discover a significant level of disproportionality. **Sedgwick County.** Sedgwick County is one of the more racially diverse counties in the state and has significant disproportionality at several contact points. The County has been working diligently to address this issue using the following strategies: Targeting five zip codes for intervention, utilizing Wichita State for evaluation and community mobilization efforts, providing diversity training for county employees, encouraging minority recruitment at the Corrections Department, instituting an objective detention screening instrument, developing a Detention Advocacy Services, providing alternatives to detention including home supervision and electronic monitoring, middle school tutoring/mentoring academic achievement program for minority youth, developing a summer youth development and employment program.

Sedgwick County was selected by the MacArthur Foundation to participate in a new action network to reduce the number of minority youth in the juvenile justice system. Sedgwick County was also one of 15 counties selected to be included in the DMC Reduction Best Practice database maintained by the Office of Juvenile Justice and Delinquency Prevention.

2. **Title V Funds** are allocated to states specifically for the purpose of funding prevention programs. This funding stream has traditionally been awarded on an equal basis per state, recognizing that every state has similar issues in dealing with its youth, while funding is limited.
3. **The Prevention Trust Fund** money is state money, statutorily administered by the KAG. This funding is primarily collected as a portion of the filing fees for cases filed in our state district courts.
4. **Native American Funding** represents a portion of the state's federally allocated funds, which the Act requires be passed through to Native American tribes. The KAG recognizes that the required federal amount -- \$957 this year -- is not adequate to meet the needs of Native American communities, and increased the amount available to \$19,000.

For 2007, the Kickapoo Tribe funded a half-time juvenile probation officer; the Iowa Tribe provided a summer youth forum in which elders could pass on traditions and heritage to tribal youth.

Through the Act there is also provided funds for the Juvenile Accountability Block Grant (JABG), although the JABG State Advisory Board determines the use and allocation, and JJA administers, such funds.

The KAG, as well as JJA, has faced the hard reality of maintaining its prevention and intervention programs in the face of continuously decreasing federal funding. The following tables reflect the funding Congress as provided in favor of the JJDP Act nationally and how that funding has then been distributed to Kansas over the past five years:

JJDP Act Funding by Congress

(in millions)	FY 04	FY 05	FY 06	FY 07	FY 08
OJJDP	3.6	3.0	0.7	0.7	
Title II State Formula	83.2	83.3	79.2	79.2	74.3
Research, Eval, T&TA	2.5	9.9	0	0	
Demonstration Projects	78.8	101.4	105.0	105.0	
Title V Delinq Prevent	79.2	79.4	64.4	64.4	61.1
JABG	59.4	54.6	49.5	49.5	51.7
State Challenge Grants	0	0	0	0	93.8
Mentoring Programs	0	14.9	9.9	9.9	70.0
Total	306.7	346.5	308.7	308.7	n/a

(Note: the FY 07 funding came through a Continuing Resolution, as Congress adopted on final budget including the JJDP funding. The FY 08 numbers from the Congressional Omnibus, and represent the negotiated outcomes of House and Senate conference committees. Increasingly more juvenile justice funding is “earmarked;” i.e., funding is dedicated to a specific program in a specific state, and cannot be otherwise used, and neither the State, JJA nor the KAG have any oversight for the money or the program being funded. Of all earmarks contained in the Omnibus budget for juvenile justice programs, only one was for Kansas and that in a relatively small amount.)

JJDP Act Funding to Kansas

	2004	2005	2006	2007	2008
Title II	856,000	855,000	855,000	853,000	600,000
Title V	262,000	0	136,295	138,000	56,250
JABG	2,334,100	1,798,500	593,900	539,600	474,100
Challenge	87,500	117,973	0	0	0
Byrne	803,560	565,000	696,657	0	0
Total	3,539,600	2,771,473	1,585,195	1,530,600	1,130,350

(Byrne funding is not included in the Total, as those funds are not distributed through the JJDP Act; nonetheless, this is another significant source of federal funding traditionally relied upon by the states that are no longer being made available.)

KAG Grants

Last year the KAG awarded a total of \$727,000 in grants for prevention and intervention programs. The following chart identifies programs funded by the funding source, the program location, type of program, whether the program is evidence-based, the amount of the award, the number of youth served, and program satisfaction levels. National averages are included to aid in comparison.

You will additionally find, as an attachment, a map of funding by judicial districts in Kansas. JJA jurisdictions are organized by judicial district.

Prevention Trust Fund Subgrantees 2007

Agency/Program	County	Type of program	Evidence Based Program	Award \$	Youth Served	Changes in Targeted Behavior	Completing Program Requirements	Parent Satisfaction	Youth Satisfaction
Girl Scouts Beyond Bars	Statewide	Incarcerated Parents	No	\$47,232	87	62/66 = 94%	19/20 = 95%	41/47 = 85%	42/47 = 85%
NW KS Council on Substance Abuse	Thomas Sherman	After-School Program	Yes	\$19,321	175	88/107 = 82%	107/119 = 90%	31/31 = 100%	30/30 = 100%
Rainbows United, Inc.	Sedgwick	Therapeutic Pre-School	Yes	\$62,862	21	5/14 = 36%	8/12 = 67%	17/17 = 100%	17/18 = 94%
Family Service Guidance Center	Shawnee	Elem.School Violence Prevention	No	\$5,383	25	21/23 = 91%	17/17 = 100%	No Measurement	No Measurement
Mental Health Assoc. of South Central KS/Pathways	Sedgwick	Middle and High School Prevention Curriculum	Yes	\$40,000	301	270/301 = 90%	278/301 = 92%	55/55 = 100%	278/301 = 92%
Shawnee County Family Resource Center -	Shawnee	Expelled or Suspended Students	No	\$66,927	58	47/58 = 81%	39/54 = 72%	30/34 = 88%	52/54 = 96%
Emporia Public Schools – Project Quest	Lyon	After-School Program	No	\$70,000	1851	199/318 = 63%	318/1335 = 24%	89/89 = 100%	352/423 = 83%
Regional Prevention Center NE KS	Wabaunsee Geary Pottawatomie	Community Service Leadership	No	\$19,440	2312	817/817 = 100%	817/817 = 100%	No measurement	817/817 = 100%
TOTAL			38%	\$331,165	4830	1509/1704 = 89%	1603/2675 = 60%	263/273 = 96%	1588/1690 = 94%

National Averages

21%

55%

78%

Title V Community Prevention Grants 2007

Agency/Program	County	Type of Program	Evidence Based Program	Award \$	Youth Served	Changes in Targeted Behavior	Completing Program Requirements	Parent Satisfaction	Youth Satisfaction
Leavenworth	Leavenworth	Truancy	Yes	\$48,245	120	97/120 = 81%	80/86 = 93%	110/115 = 96%	103/120 = 86%

Title II Formula Subgrantees 2007

Agency/Program	County	Type of Program	Evidence Based Program	Award \$	Youth Served	Changes in Targeted Behavior	Completing Program Requirements	Parent Satisfaction	Youth Satisfaction
Communities in Schools of Rice County-Youth Friends /Life Skills	Rice	Mentoring Life Skills	Yes	\$52,300	495	4/13 = 30%	36/37 = 97%	6/8 = 75%	12/15 = 80%
Communities in Schools of Sedgwick County	Sedgwick West High School		No	\$46,580	60	12/20 = 60%	23/26 = 88%	20/20 = 100%	20/20 = 100%
Shawnee County Family Resource Center	Shawnee	Truancy Prevention	No	\$52,599	41	17/41 = 42%	32/34 = 94%	4/4 = 100%	11/11 = 100%
Big Brothers/Big Sisters of Scott, Greely, Wichita Counties	Scott	Mentoring	Yes	\$17,213	17	5/17 = 29%	17/17 = 100%	17/17 = 100%	17/17 = 100%
Big Brothers/Big Sisters of Ellis County	Ellis	Mentoring	Yes	\$42,644	56	42/56 = 75%	10/10 = 100%	56/56 = 100%	56/56 = 100%
Catholic Social Services	Ford	Hispanic Teen Mom's	No	\$30,888	12	5/12 = 42%	2/6 = 33%	1/1 = 100%	1/1 = 100%
The Hub, Inc.	Marion	Teen Drop In Center	No	\$31,850	306	301/306 = 98%	297/306 = 97%	122/125 = 98%	294/306 = 96%
RPC of Wichita Sedgwick County	Sedgwick	Children of incarcerated parents	No	\$13,868	40	33/33 = 100%	27/33 = 82%	27/28 = 96%	35/35 = 100%
Mental Health Association of South Central KS	Sedgwick	School based Violence Prevention	Yes	\$37,353	260	213/224 = 95%	215/224 = 96%	36/40 = 90%	198/224 = 88%
Riley County Community Corrections	Riley	Intake and Assessment Case Management	No	\$22,392	26	16/24 = 66%	10/14 = 71%	20/26 = 77%	21/26 = 81%
TOTAL			40%	\$347,687	1313	648/746 = 87%	669/707 = 95%	309/325 = 95%	665/711 = 94%

National Averages

21%

55%

78%

Compliance Monitoring

The KAG has a contract with Juvenile Justice Associates, operated by Sandra Nesbit-Manning, to monitor Kansas's compliance with the Deinstitutionalization of Status Offenders, Sight and Sound Separation and Jail Removal requirements of the JJDP Act. (These core requirements are discussed on page 5, *supra*.)

In addition to monitoring compliance, Ms. Nesbit-Manning also provides technical assistance to communities to achieve, enhance and maintain compliance.

The following summary regarding compliance comes from the 2007 Compliance Monitoring Report.

Deinstitutionalization of Status Offenders (DSO): Based upon the report, Kansas is in substantial compliance with the DSO requirement. Plans to reach full compliance include: recommending statute changes where there are discrepancies between state and federal law; assist judicial districts in developing a comprehensive compliance plans if they exceed the national violation rate; and to develop a plan to advise counties about the restrictions in holding civil, non-criminal traffic, and fish & game offenders.

Sight and Sound Separation of Juveniles from Adult Inmates: Kansas is in full compliance with the separation requirement, thanks in no small part to the commitment and assistance of law enforcement.

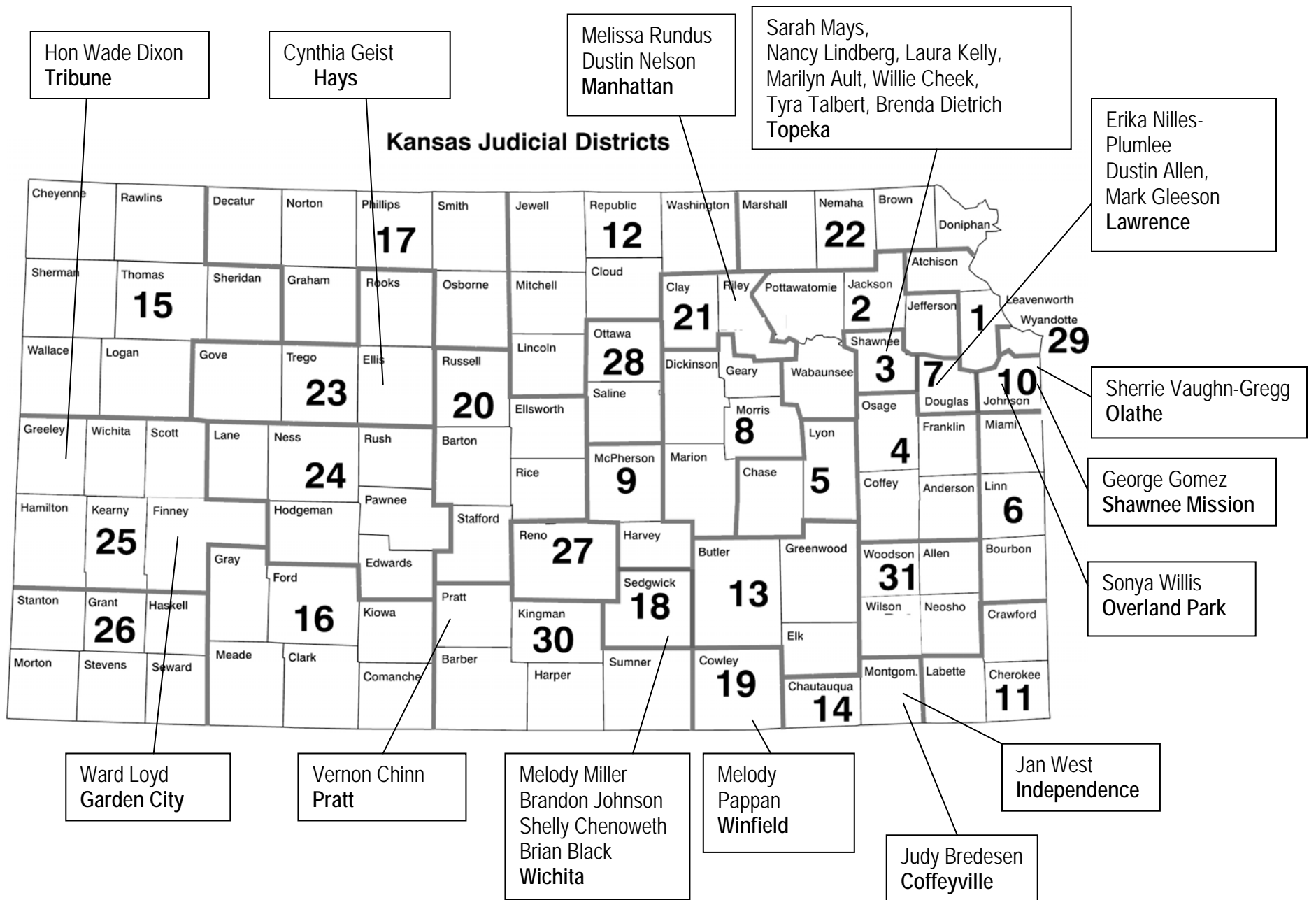
Removal of Juveniles from Adult Jails and Lockups: Kansas is in compliance with the Jail Removal requirement. Plans to reach full compliance include: making statute change recommendations to address the current discrepancies between state and federal law; advise counties on the restrictions around holding civil, non-criminal traffic offenders; and to provide technical assistance with the violating counties and facilities to address compliance challenges and responses, amendments to policies and procedures, staff training and internal violation response plans.

Monitoring Report Violation History 2000-2007

JJDPA Compliance Report	Dates Covered	Deinstitutionalization of Status Offenders	Separation of Juveniles from Adult Inmates	Removal of Juveniles from Adult Facilities
2000	7/99 – 6/00	190	0	12
2001	7/00 – 6/01	131	0	24
2002	7/01 – 6/02	154	0	21
2003	7/02 – 6/03	104	0	9
2004	10/03 – 9/04	73	161	20
2005	10/04 – 9/05	114	0	27
2006	10/05 – 9-06	109	0	22
2007	10/06 – 9/07	99	0	19

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Distribution of Grants FY2007

