

2009 – 2011 Title II Formula 3 Year Plan

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Program Narrative (Attachment 1)

1. Structure and Function of the Juvenile Justice System

Kansas Juvenile Justice Code: Article 16, Chapter 38 of the Kansas Statutes Annotated sets forth the laws that govern the apprehension, proceedings and disposition of juvenile offenders in the state. This code applies specifically to youth between the ages of 10 or more years of age but less than 18 years of age who commits an offense which if committed by an adult would constitute the commission of a felony or misdemeanor as defined in the Kansas Criminal Statute Code. The juvenile justice code does not apply to youth who have come before the court as a Child In Need of Care (CINC) for such things as abuse, neglect or status offenses. The Child In Need of Care Code (Article 15, Chapter 38) governs this population of youth.

The following provides an overview of the major agencies (state, county, public and private) that are involved with the juvenile justice system in Kansas as well as the responsibility each of them have in the delivery of services in the juvenile justice system.

Law Enforcement: There are over 6,000 law enforcement officers, in 426 law enforcement agencies, in Kansas consisting of state, county and local/municipal agencies. This would include the Kansas Bureau of Investigation, Kansas Highway Patrol, County Sheriff Departments and city/municipal police departments. These law enforcement agencies are responsible for ensuring compliance with the state, county and municipal laws of Kansas. In that capacity, they arrest and apprehend juveniles violating laws as well as take into custody children in need of care due to neglect or abuse. The Kansas Bureau of Investigation serves as the central repository of juvenile offender arrest records for the state.

County and Regional Detention Centers: Detention centers are used for short term housing of juvenile offenders pending court hearing and/or placement. Juveniles are brought to intake by way of law enforcement via the juvenile intake and assessment process. The centers are licensed by the Kansas Department of Health and Environment. Detention is a function of county government and juvenile detention centers are owned and operated by counties, with the exception of one, which is privately owned. In 1994, Kansas instituted a regional detention center system. The regional detention center system was designed to meet the need for detention services throughout the state, by locating centers in 5 selected, primary areas of the state. Due to additional initiatives by four larger counties, the implementation of one private detention facilities and three co-located facilities, Kansas currently has 13 juvenile detention centers and 2 secure care centers for status offenders.

District/County Attorneys: They are the prosecutorial arms of the juvenile justice system. The filing of complaints or charges is the primary responsibility of the county and district attorneys.

Unified Court System: The courts of Kansas operate as a Unified Court System under the Kansas Supreme Court administered by the Office of Judicial Administration. The 105 counties of Kansas are organized into 31 Judicial Districts. Judges and magistrates from each of the judicial districts are responsible for hearing the juvenile offender cases brought to the attention of

the court through the filing of a complaint. Upon adjudicating a youth as a juvenile offender the court has the responsibility to make appropriate disposition (sentencing) of the case.

Court Services: The Office of Judicial Administration is also responsible for the management and administration of a statewide court services system. Court Services is structured on the same 31 judicial district format as the court system. Court Services is responsible to the court for the preparation of pre-sentence investigation reports and for the supervision of juvenile offenders when so ordered by the court. Court Services primarily supervises first time juvenile offenders and/or juvenile offenders committing less serious crimes.

Juvenile Justice Authority (JJA): The Juvenile Justice Authority is the statutorily established state agency designated to provide direction, administration and oversight of the juvenile justice system in Kansas to include prevention, intervention and graduated sanctions programs. JJA was created based on a state and local partnership. JJA allocates funds to an administrative county in each judicial district for the delivery of community-based prevention, intervention and graduated sanctions programs for the counties in that district. However, the state maintains the responsibility for establishing criteria and standards by which the programs operate. There are three core services within the graduated sanction programs that must be maintained at the district level. These consist of Juvenile Intake and Assessment (JIAS), Juvenile Intensive Supervised Probation (JISP) and Community Case Management (CCMA). The agency is also responsible for the creation of and maintenance of a Juvenile Justice Information System, which will become the central repository of juvenile offender data.

JJA is the designated state agency to manage Title II Formula, Title V and JABG grant funds distributed to the state through the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and serves as the fiscal agent of these grant funds. The agency serves as the State Planning Agency (SPA) as required by the JJDP Act and works closely with the Kansas Advisory Group who provides oversight and recommendations for the federal grant funds distribution to the communities.

JJA also manages the three state juvenile correctional facilities (JCF). A statutorily established Placement Matrix guides the courts in determining whom the judge can directly commit to a JCF and length of commitment to that facility. Juveniles sentenced to the facilities have either committed a violent or serious offense that indicates need for their removal from the community for public safety and/or have been unresponsive to other levels of community supervision or have failed residential placements. Along with providing a safe, secure environment, the facilities provide educational and treatment opportunities to help address the problems which led to the criminal behavior. The facilities operate according to agency-established policies and procedures as well as national standards for secure juvenile facilities.

- Beloit Juvenile Correctional Facility (BJCF)- 100 bed all-female facility for juvenile offenders between the ages of 10-23 years of age.
- Larned Juvenile Correction Facility-152 bed all-male facility targeting juvenile offenders with diagnosed mental health and/or substance abuse problems. The facility includes a residential substance abuse treatment program consisting of 30 intensive treatment beds and 30 reintegration beds. The mental health program consists of 32 beds.

- Kansas Juvenile Correctional Complex is a new 270 bed all-male facility consisting of maximum and medium security beds and a reception and diagnostic unit.

Kansas Advisory Group (KAG): The Kansas Advisory Group is a nonpartisan body established by the Juvenile Justice and Delinquency Prevention Act of 1974 and the Governor of the State of Kansas to advise the Governor and the Legislature on juvenile justice policy, trends, and other matters pertaining to the youth of Kansas. The KAG serves as an advisory group, and provides guidance and recommendation to the Juvenile Justice Authority on funding and related activities to the Juvenile Justice Delinquency and Prevention Act and other issues at the request of the Commissioner.

Kansas Department of Health and Environment (KDHE): The Kansas Department of Health and Environment is responsible for licensing and regulating community based residential treatment facilities and secure facilities such as detention with whom JJA contracts for services. KDHE also licenses non-secure facilities such as family foster homes, attendant care, and emergency shelters. Licensing of all such facilities ensure they meet and maintain the appropriate level of staffing, safety, health and security requirements for the juvenile population they are serving.

Department of Social and Rehabilitation Services (SRS): SRS serves two primary functions in delivery of services to the juvenile offender population. First, in conjunction with JJA, SRS establishes the treatment standards by which community based residential facilities operate. This is done to ensure juveniles receive appropriate counseling and mental health treatment services while residing at the community based residential facilities. Secondly, SRS is the designated state agency responsible for the administration of federal funds such as IV-E and Medicaid. SRS works closely with JJA to see that the agency is meeting the necessary federal requirements so that JJA can access federal funds as a source to help fund treatment services for juveniles in JJA custody being supervised and treated in the community.

As previously noted, a major cornerstone of the juvenile justice system in Kansas involves the development and operation of community based programs ranging from prevention services through graduated sanctions programs. The following identifies some of the major initiatives, services and programs in which JJA has a community based partnership.

Juvenile Corrections Advisory Board (JCAB): The State of Kansas is comprised of 31 Judicial Districts. In compliance with State Statute each Judicial District has a Juvenile Corrections Advisory Board (JCAB) which consists of 12 or more members who shall represent Law Enforcement, Prosecution, Judiciary, Education, Corrections, Ethnic Minorities, Social Services and the General Public. The function of each JCAB is to develop a local comprehensive plan to address the concerns that are impacting the youth within the community. The JCAB must then obtain approval of the comprehensive plan from the Board of County Commissioners. Once that is done and the comprehensive plan is implemented the JCAB acts as the oversight committee for the community to ensure that the comprehensive plan remains at its peak of effectiveness. To do this the JCAB's meet regularly to continuously go through a process of assessment, planning, implementation, and evaluation of the comprehensive plan in order to make modifications and to ensure maximum effectiveness with the funds available. Their efforts

make a substantial impact on the efficiency of the entire Juvenile Justice System in the State of Kansas.

Community Planning: With the passage of the Juvenile Justice Reform Act in 1997, JJA initiated a statewide process to give communities the opportunity to be active participants in identifying the needs of youth in their communities and the types of programs to best meet those needs. Community planning teams worked through a planning process, which led to the submission of a comprehensive strategic plan for each Judicial District. It was through this process that communities identified their prevention and graduated sanctions program needs. The comprehensive community plan continues to be the foundation that districts use in determining need and the basis for requesting funds for prevention and graduated sanctions programs on an annual basis to JJA.

In 2008, a major initiative was undertaken to reinvigorate the community planning process through the statutorily appointed Juvenile Corrections Advisory Board (JCAB). The Communities That Care planning model is used in assist the community organizing the local planning process, identifying needed data, assessing of risk/protective factors that affect juvenile crime, and program resources to address risk and problem behavior needs.

The KAG has supported JJA in this community planning process and in the updating of their comprehensive community plans. To this end, the KAG requires grant applicants to address how their proposed program addresses needs identified within the local comprehensive plan as certified by the chair of JCAB.

Prevention Services: JJA issues funds through the Prevention Funding Formula to the administrative county in each judicial district. The prevention programs funded by JJA are expected to reflect a history of research based effectiveness and demonstrate how the programs will address community risk and protective factors that will help reduce juvenile crime as identified in their community plan. JJA encourages and assists communities to develop successful programs that will help reduce risk factors and enhance protective factors. Communities have been encouraged to create partnerships with other agencies that have a key interest in prevention focused services (schools, regional prevention centers, community mentoring programs) in order to maximize both funding and program capabilities. Prevention programs cover a wide range of service needs at the community level. Specific programs in the communities will vary depending on the risk factors needing addressed. The general categories of programs funded consist of:

- Truancy Prevention Programs
- Mentoring Programs
- After school support Programs
- Parent Training/Family Support Services

Intervention and Graduated Sanctions: Services at this level consist of a continuum of structured community based program options. Juvenile offenders access the programs as a result of formal contact with law enforcement; a formal juvenile court sentencing/ disposition decision or a formal community based case management decision-making process. Programs provide a

range of supervision and structure that will promote public safety, hold juvenile offenders accountable and enhance the ability for them to become productive community members.

- **Juvenile Intake and Assessment:** The JJA oversees and coordinates the juvenile intake and assessment service centers across the state. These centers are the first point of contact when youth are taken into law enforcement custody. The intake process involves an assessment of the youth's background and circumstances that brought them to intake as well as a screening instrument to help assess the youth's needs. Kansas law requires that all children taken into custody by law enforcement, whether they are suspected to be juvenile offenders or children in need of care, complete the intake and assessment process in accordance with standards as established by JJA.
- **Juvenile Intensive Supervision Probation (JISP):** This is a highly structured/supervised community based program. These are juvenile offenders who have previously failed on traditional court service probation or have committed a serious offense but do not yet need an out-of-home placement or juvenile correctional facility placement. The juvenile court can order an offender to JISP. In SFY 08 (7/1/07 – 6/30/08), 2548 youth were managed under JISP.
- **Community Case Management Agencies (CCMA):** Juvenile offenders in need of community support services are placed by the juvenile court in the custody of the state through the Juvenile Justice Authority to access needed community support and residential (out-of-home) services. Case Management provides supervision and appropriate community based residential and non-residential services to juvenile offenders in the custody of the Juvenile Justice Authority. The local agency responsible for case management operations would adhere to the case management standards as set forth by JJA.
- **Community Based Residential and Provider Services:** An essential component of the case management system is the ability of case management staff to access community non-residential and residential services for the juvenile offenders they supervise. In order for this to occur, the Juvenile Justice Authority establishes provider agreements with providers throughout Kansas. When a case manager, through a case plan assessment, determines community support services or residential services are needed, they can access these services (through purchase of services) with providers with whom JJA holds a provider agreement. The Juvenile Justice Authority has entered into over one hundred and sixty (160) provider agreements for the purchasing of services throughout the State.

Immediate Intervention: Community-based intervention programs provide for immediate intervention for first-time, non-violent offenders who can be treated in the community, such as truancy programs, drug court and teen court.

2. Analysis of Juvenile Crime Problems and Juvenile Justice Needs

A. Analysis of Juvenile Crime Problems

The following appendices reflect data for the State of Kansas and each of the 105 counties from July 1, 2004 to June 30, 2008. These were the most recent years available from state data systems and reports.

3. Juvenile Arrest by offense type, gender, age, and race

Juvenile arrests were collected using the Kansas Standard Arrest Report for the Kansas Incident Based Reporting System maintained by the Kansas Bureau of Investigation (KBI). The race and ethnicity were separated for reporting purposes. For instance, if an individual was reported as White (race) and Hispanic (ethnicity), then the individual was counted as being Hispanic only to avoid duplication in the race and ethnicity counts.

The KBI receives information from local law enforcement agencies in 3 ways – electronic, manual, and summary. Only the electronic and manual data provided by local law enforcement agencies includes the demographics needed for this reporting (i.e. race, age, gender). Some major urban areas with high minority youth only report summary data to the KBI. Several communities have complied with our request for juvenile arrest data by ethnicity and race, including Topeka, Kansas City, Kansas and all law enforcement agencies in Johnson county totaling over 3,000 additional juvenile arrests. It appears that crime spiked last year, but in reality we had a significant increase in reporting in urban areas of the state.

The KBI is at the mercy of each law enforcement agency for reporting juvenile arrests. It was reported by the KBI during the data gathering process that they receive inaccurate age information from the local law enforcement agencies. These records were removed from the final compilation. The KBI is working to gain more accurate detailed information on each juvenile reported.

Appendix A is labeled ‘Juvenile Arrest Data for the State of Kansas and Counties.’ Data is listed by jurisdiction, county, state fiscal year, gender, ages 10-17, race and ethnicity.

Appendix G is labeled “Juvenile Arrest by type of Crime and County”. Data is listed by jurisdiction, county, state fiscal year and type of crime.

Juvenile Arrest reported by the KBI from 2006 -2008 shows an increase in juvenile arrest of almost 16% between 2007 and 2008. Most of the increase is accounted for 4 types of crime - Theft (1945), simple assault/battery (1657), Criminal Damage (924), and Runaways (1399). 2/3 of all theft arrests are for shoplifting and entire increase from 2007 to 2008 was based on an increase in shoplifting arrest. Simple assault and battery increased by 16%. Arrest for criminal damage increased by 60% to 924 arrests. Runaways increased by 40% from the previous year, but were 374 less than 2006. The other two arrest categories that account for almost 25% of all juvenile arrest in the state are drug and alcohol arrest, although they have remained basically stable over the last 3 years.

KBI Juvenile Arrest 2006 – 2008

Offense	2006	2007	2008
Murder/Non-Neg Manslaughter	3	9	4
Rape	33	53	37
Robbery	37	41	57
Aggravated Assault/Battery	279	315	281
Burglary	322	375	384
Theft (see theft subtotal)	1751	1643	1945
Motor Vehicle Theft	132	100	119
Arson	65	37	57
Total Crime Index Arrests	2622	2573	2884
Simple Assault/Battery	1558	1431	1657
Intimidation	133	142	166
Kidnapping/Abduction	6	4	9
Weapons Violation	147	148	163
Disorderly Conduct	690	709	802
Criminal Damage	550	576	924
Trespassing	185	193	238
Betting/Wagering	0	0	0
Counterfeiting/Forgery	21	18	22
False Pretense/Swindle	9	10	8
Credit Card/ATM Fraud	9	7	29
Impersonation	0	0	2
Embezzlement	23	26	30
Bad Checks	1	1	0
Stolen Property	66	42	52
Family Offenses	16	11	23
Runaway	1773	1000	1399
All Other Offenses - Probation Violation, Failure to Appear	827	906	995
Total Other Arrests	6014	5224	6519

Offense	2006	2007	2008
Forcible Sodomy	20	22	18
Incest	0	1	0
Pornography/Obscene Mat.	0	0	1
Statutory Rape	5	13	20
Forcible Fondling	49	54	67
Total Sex Offense Arrest	74	90	106
Narcotic Drug Violation	1067	1139	1259
Drug Equipment Violation	124	168	191
Total Drug Arrests	1191	1307	1450
DUI	251	282	250
Liquor Violations	1394	1440	1427
Drunkenness	1	2	2
Total Alcohol Arrests	1646	1724	1679
TOTAL ARRESTS	11547	10918	12638

Theft detail non-			
Shoplifting	1102	1096	1301
Purse Snatching	8	5	4
Pocket Picking	1	2	0
Theft Building	156	133	159
Theft Coin Operated Machine	1	5	3
Theft from Motor Vehicle	109	100	148
Theft Motor Vehicle Parts	57	62	58
Theft All Other	317	240	272
Theft Subtotal Arrests	1751	1643	1945

2. Number and characteristics (by offense type, gender, race, and age) of juveniles referred to juvenile court, a probation agency, or special intake unit for allegedly committing a delinquent or status offense. (Appendix C and D)

Appendix H is entitled ‘Juvenile Offender Caseload for the State of Kansas and Counties’ and represents data on Referrals to Juvenile Court, Cases Diverted, Cases Petitioned/Charges Filed, Cases Transferred to Adult Court and Cases Placed on Court Services Probation from 2003 to 2008. This data was obtained from the Office of Judicial Administration (OJA) Annual Reports. This data is not available by gender, race, age, and offense type. OJA has implemented a statewide system to track these categories known as Full Court. This statewide data collection system began in the summer of 2004. It is with great anticipation that a full year of detailed data from OJA could be expected in the spring of 2009.

- Cases referred to the juvenile court have decreased 9.5% from 2003 – 2008.
- Cases transferred to adult court have decreased from a high of 121 in 2005 to a low of 55 in 2008 or a decrease of almost 55%.
- Cases petitioned have shown a steady decrease over the last 6 years. Cases petitioned have decreased 18% from 12,294 in 2003 to 10,125 in 2008.

Appendix B is entitled ‘Kansas Juvenile Intake and Assessment Juvenile Offender Statistics’. All alleged Juvenile Offenders seen by Intake and Assessment are represented from 2004 to 2008. The data is available by gender, race, age, and offense type for the State of Kansas and by judicial district. This data is not available by county at the present time. This data will be available by county when the new web data base funded by JABG is implemented in 2010.

The number and characteristics of juvenile offenders referred to a special intake unit for allegedly committing a delinquent or status offense was provided through the Juvenile Intake and Assessment Management System (JJAMS) maintained by the Juvenile Justice Authority.

- The total number of alleged juvenile offenders seen at intake have decreased from 15,364 in 2004 to 12,875 in 2008 or approximately 16%. This number has remained constant for the last 3 years.
- The number of African-American youth has remained constant at 22.5% of all intakes in the last 3 years.
- The number of Hispanics seen at intake has increased significantly from 16.5% of all intakes in 2004 and 2005 to 20.5% in 2008.
- The number of females seen at intake has decreased significantly from 4,526 in 2004 to low of 3,569 in 2008 or 21%.

Appendix I entitled “Kansas Juvenile Intake an Assessment CINC Statistics”. All alleged Children in Need of Care seen by Intake and Assessment are represented from 2006 to 2008. This data is available by gender, race, age, and offense type by judicial district. This data is not available by county at the present time. JABG is funding a new web based IT system which will make this data available by county in 2010.

- In 2007, a recording change was made to distinguish status offenders from non-offenders. In 2006 the specific CINC classification of 25% of the cases was not known.
- The number of African-American CINC's decreased from 20.6% to 19.5% , while Hispanic CINC's increased from 15% to 18.25% between 2006 and 2008.
- In 2008, the number of neglect cases increase by 6% and the number of runaway cases increase by 14%.
- In 2008, the number of truant cases decreased by 9%.
- In 2008, CINC cases were evenly divided between non offenders and status offenders.
- Non-offenders were composed of 10% abuse and 40% neglect.
- Status offenders were composed of 28% runaways, 6.3% truant and 24% other status offender including MIP.

3. Number of cases handled informally (non-petitioned) and formally (petitioned) by gender, race, and type of disposition (e.g. diversion, probation, commitment, residential treatment).

The state of Kansas does not currently nor does it plan to collect data on cases handled informally (non-petitioned). Most of these cases are in paper form and located in file cabinets in local police stations and/or county attorney offices. These cases may be resurrected if additional charges are filed or considered for plea bargaining.

Appendix H is entitled "Juvenile Offender Caseload for the State of Kansas and Counties" and represents data on Cases Diverted from the Office of Judicial Administration (OJA) Annual Reports. Data is not available by gender, age, race or ethnicity.

- Cases referred for diversion have increased from a low of 2775 in 2006 to 3043 in 2008 or an increase of 10%. The diversion rate is not constant but will vary up to 10% a year.

Appendix H is entitled "Juvenile Offender Caseload for State of Kansas and Counties" and represents data on court services probation from the OJA Annual Reports. This data is not available by gender, race, age, and ethnicity.

- Cases placed on probation under the supervision of court services decreased 12% from a peak in 2004 of 3959 to 3475 in 2006. In 2007 and 2008, the number of cases placed on court services probation increased approximately 3% each year to a total of 3688 cases.

Appendix C, D and F address the number and characteristics of cases for the dispositions of Intensive Supervised Probation and Commitment to Correctional facility and/or Residential Treatment. The Juvenile Justice Authority through an application called the Community Agency Supervision Information Management Systems (CASIMS) collects this data.

Appendix C Intensive Supervised Probation for the State of Kansas and Counties 2004-2008

- The total number of juveniles placed under intensive supervised probation increased by 5% from 2423 in 2007 to 2548 in 2008.

- The percentage of both African-American juveniles remained steady at approximately 18%, while Hispanic juveniles increased from 17.6% to 19.6% over the last 5 years.
- The percentage of females on ISP has increased from 16% to 17.4% for the last two years.

Appendix F is the Juvenile Correctional Facility admissions data from 2004 -2008

- Admissions to JCF in 2008 decreased significantly from 410 to 340 or 17%, after holding constant from 2005-2007.
- Even though total admissions dropped significantly African-American youth still represented 30% of all admissions in 2008 after dropping to 28% in 2007.
- Disproportionality of Hispanic youth did decrease from almost 28% in 2006 to 26% in 2007 to 23.5% in 2008.
- 90% of all youth committed to JCFs in Kansas are male.

Appendix D Custody Supervision for the State of Kansas and Counties 2004 - 2008

- The total number of juveniles placed in the custody of the JJA Commissioner for Residential Treatment or placed in a Correctional Facility have dropped significantly from a high of 3314 in 2005 to 2964 in 2008 or 10.5 % decrease.
- The number of females decreased from a high of 538 in 2004 to 501 in 2008 a reduction of 6%.
- While males in custody of the Commissioner dropped from 1842 in 2005 to low 1478 in 2008 or a reduction of almost 20%.
- Disproportionality of African-American youth and Hispanic youth increased significantly.
- The proportion of African-American youth in custody increased from 25.7% in 2004 to 28.8% in 2008.
- The proportion of Hispanic youth in custody increased from 14.6% in 2004 to 18.7% in 2008.

4. Number of delinquent and status offenders admitted, by gender and race, to juvenile detention facilities and adult jails and lockups (if applicable)

Appendix E is labeled ‘Juvenile Secure Detention for the State of Kansas and Counties’ is based upon Secure Detention Logs submitted by detention centers and adult jails and lock ups to the Kansas compliance monitor. This report captures all youth held securely for any length of time in detention or for processing the arrest.

The secure detention report was compiled by gender, age, race and ethnicity. The race and ethnicity for secured detention records were reported the same as with the KBI data. If an individual is reported as Black (race) and Hispanic (ethnicity), then the individual is counted as Hispanic only, not Black. A juvenile may have multiple secured detention incidents over the course of the 3-year reporting period. The report does not include the juveniles who reside out of state or classified as an interstate compact juvenile/runaway.

Significant problems with the collection of this data is its lack of information pertaining to the race, ethnicity and/or age of the juveniles' records and the actual method used to track the data from year to year.. There is currently progress being made to ensure that these details are recorded as accurately and completely as possible for future reporting.

- The number of youth held securely in Kansas increased significantly in 2006 and peaked in 2007 with 8,429 youth held securely. In 2008, 7,285 or a reduction of 14%.
- The number of females held securely follows the same trend line increasing significantly in 2006 and peaking in 2007 with 2130 females being held securely. In 2008, 1788 females were held securely or a reduction of 16%.
- The number of African American juveniles held securely peaked in 2006, 2258 youth being held securely 28.5% of all youth. 2213 African -American youth were held the 2007 or 26.3% of all youth. , In 2008, 2047 African-American youth were held securely representing 28% of all youth.
- The disparity of African-American youth being held securely is increasing from 26% in 2004 and 2005 to 28% in 2008.
- The disparity in the number of Hispanic juveniles being held securely is also increasing 16.7% in 2003 to 19% in 2008.
- White youth comprised 54.4% of all youth held securely in 2004 and 51% of all youth in 2008.

5. Other social, economic, legal, and organizational conditions considered relevant to delinquency prevention programming.

In order to determine how the KAG could most effectively address juvenile delinquency within the state, given limited resources of approximately \$380,000 of the Title II grant dollars that are passed through to local communities. We also looked at the needs and resources at the local level through the perspective of the Juvenile Corrections Advisory Board (JCAB). JCAB were established by statute for each judicial district in the state as key element of juvenile justice reform in Kansas. The JCAB membership is composed of law enforcement, prosecution, the judiciary, education, corrections, ethnic minorities, social services and the general public. The JCAB is responsible for allocation of 7.2 million dollars in state block grant funds to local community prevention and intervention programs. The JCAB is also responsible for the development of a comprehensive community plan based upon risk and protective factors. The JCAB also oversees the core programs including Intake and Assessment, Intensive Supervised Probation and Case management of all youth placed in the custody of the JJA Commissioner. The analysis included:

- A. Survey of local units of government priorities as determined by the Juvenile Corrections Advisory Board (JCAB).
- B. Analysis of Risk and Protective factors as identified in 2006 State Block Grant applications.

C. Analysis of how JACB allocate State Block Grant dollars for prevention and intervention by OJJDP program area.

Appendix J is labeled OJJDP Program Area Priorities by Judicial District

- 88 JCAB members completed the survey monkey tool ranking the top 7 priorities out 34 OJJDP program areas.
- The highest ranked program area was Delinquency Prevention with 53 respondents ranking it in their top 7 priorities. If survey was taken today, delinquency prevention may rank even higher due to a legislative \$500,000 budget reduction of prevention programming through state block grant funds. Delinquency Prevention has consistently ranked as the highest priority for JCAB members in similar surveys conducted in 2003 and 2006 for the 3 year plan.
- Juvenile Intake and Assessment Follow Up ranked second with 51 respondents ranking it in their top 7 priorities. The name of this category was changed to avoid confusion at the local level as the OJJDP Program area of Community Assessment Center is associated with CINC youth in the state of Kansas.
- Mental Health Programs and School Programs received scores in the low to mid 40's.

Appendix K is labeled 'Risk and Protective Factors by Judicial District'

An analysis was conducted to determine risk and protective factors for each judicial district as identified in the 2009 state block grant application packet.

- Two most frequently identified risk factors were low commitment to school and poor family management - identified in 17 judicial districts. This is consistent with the analysis of 2006 risk factors which were identical. While 2 risk factors were identified in 12 judicial districts including favorable attitudes toward drug and alcohol use and the early initiation of antisocial behavior. Again this very consistent with the analysis conducted in 2006.
- Judicial districts were also grouped by population size (metro, city, western Kansas, and other rural) to determine if the size of the community determined risk and protective factors. There was not a significant difference based upon population size.
- There were approximately half as many protective factors identified as risk factors (85/158). A Belief in a Moral Order was the highest rated protective factors in 17 judicial districts. Three protective factors were identified in 11 judicial districts – Family Attachment, Community Rewards for Conventional Involvement, and School Opportunities for Positive Involvement.. The specific protective factors identified by judicial district are very similar to the protective factors identified in 2006; however the order changed significantly with a Belief in a Moral Order ranking much higher.

Appendix L is labeled '2009 State Block Grant Prevention/Intervention Grants by OJJDP program area. The actual awards to local community programs demonstrate the JCAB's priorities by what program areas they funded within their judicial district.

- 7.4 million dollars is awarded to judicial districts by JJA for prevention and intervention programs and is awarded to community-based programs by the JCAB.
- Almost 3.5 M dollars is awarded to school based truancy and suspension/expulsion programs and delinquency prevention efforts.
- 2.5 Million dollars or 1/3 of the funds are awarded to school based truancy or suspension/expulsion programs. This is consistent with the most frequently identified risk factor being a low commitment to school.
- Almost 1 Million dollars or 13.5 % was awarded to delinquency prevention programs including \$371,995 for parent education and \$373,361 to after-school programming. This is consistent with poor family management.
- Mental health services are the third largest allocation representing \$681,113 or 9.2 %. Many of these programs provide services to the family within the home such as Functional Family Therapy. As such they provide services for the entire family for older adolescents who are already in the system. This is consistent with the risk factor of poor family management.

Appendix M is labeled the Kansas Juvenile Gang Survey which was conducted in October of 2008. 37 law enforcement agencies responded to survey monkey inquiry of which 16 communities reporting a gang problem. Eleven of the 16 communities have a specific gang unit as part of the local law enforcement. Many of these law enforcement agencies belong to the Kansas Gang Investigators Association which was started in 2006. These units provide gang awareness and identification to school districts and the community, develop a gang database, community policing and sponsor community services programs to paint over graffiti. Some of the unique programs included a mentorship program with former gang members in Olathe and an intensive supervision program of gang members on probation or parole that live in the highest crime areas in Wichita. The Salina community is implementing the GREAT program (Gang Resistance Education and Training). The gangs most active in Kansas communities were the Crips (14), followed by the Surenos (11), and the Bloods (11). The Surenos were judged to be the most violent and have the highest level of criminal activity throughout the state. On a scale of 1-5, the Surenos received 7 out 11 scores in the 4 and 5 level. The Bloods and Crips were judged to much less violent with Bloods receiving 7 out 11 scores in the 1 -2 range and the Crips relieving 9 out of 14 scores in the 1-2 range. The biggest increases in recent years in gang activity have been the Hispanic gangs.

B. State's Priority Juvenile Justice Needs/Problem Statements

Delinquency Prevention

The KAG identified evidenced based delinquency prevention programming as their top priority to continue their long-standing commitment to prevention and early intervention for at risk youth in Kansas. Delinquency prevention was identified as the number one priority in a survey of eighty-eight members of Juvenile Corrections Advisory Boards in 31 judicial districts throughout the state. The delinquency prevention program area offers significant flexibility to fund a wide variety of program areas which meet its definition of prevention, including children of incarcerated parents, child abuse and neglect, job training, mental health services, restitution/community service, school programs, youth courts, mentoring, tutoring, after school programs and parent education.

Disproportionate Minority Contact

The KAG will continue its commitment to DMC Core requirement. Starting in 2003, Kansas has made a sustained commitment to address DMC and has made significant progress in data collection statewide and incorporating the identification and analysis of DMC into the state's Juvenile Justice System. Sedgwick County has been recognized by OJJDP in the DMC Reduction Best Practice Database and participates in the MacArthur Foundation's DMC Action Network. Even with significant effort and resources, the DMC problem is not resolved easily. In 2008, African-American youth were 3.85 and Hispanic youth 2.01 more likely to be arrested than white youth. African-American youth were 1.84 and Hispanic youth 1.54 more likely to be placed in secure detention than white youth. African-American youth were 2.44 and Hispanic youth 2.59 more likely to be admitted to juvenile correctional facility than white youth.

During the first 3 years, Kansas established three pilot sites communities to identify and address DMC. Most of the activities in the pilot communities revolved around obtaining accurate data to prepare DMC matrices. As Kansas moved from the pilot programs to a statewide initiative, it became clear that the state needed to provide judicial districts and counties with data on the DMC matrix decision points through a statewide data collection process. In cooperation with the Office of Judicial Administration Court Services program and the Kansas Bureau of Investigation, Kansas will be able to collect data on all DMC decision points by race and ethnicity by county, by jurisdiction and state wide for the first time in 2009. This data will be provided to JCAB and jurisdictions as they prepare their annual applications for state block grant funds where they will be expected to address DMC.

Kansas needs to expand its DMC efforts to additional communities with high minority populations. Shawnee County (Topeka) and Seward County (Liberal) will participate with Sedgwick County in an expansion of the DMC Action Network in Kansas to identify and assess the causes of DMC. This 3 year plan sets aside \$50,000 for each community to partially fund intervention programs in each community. If Wyandotte County (Kansas City, KS) elects to participate, the KAG would commit another \$50,000 to fund an intervention initiative.

Compliance Monitoring

Compliance monitoring in Kansas has been provided through a contract with Sandra Nesbit-Manning, of Juvenile Justice Associates since 1994. The contract allows for the identification and classification of the monitoring universe, the inspection of facilities, the data collection effort and the provision of technical assistance to local communities. The consistency of maintaining a contract with the same provider has proved to be very helpful to the state due to staff turnover at both the state and community levels.

The primary compliance monitoring issue facing the state is with the deinstitutionalization of status offenders. This is mainly due to the discrepancies that exist between state and federal law regarding minors in possession or consumption of alcohol. In addition, some rural areas of the state lack appropriate services and placement options for status offenders.

The primary issue for the jail removal requirement is the turnover of law enforcement officers and county/district attorneys since they are elected positions. In January of 2009, we had 37 new Sheriffs and 24 new district/county attorneys take the oath of office for the first time necessitating regular training and information sharing. There are 174 secure jails and lock ups across the state.

On-site compliance monitoring visits across the state allows for the development of personal relationships, on-going training opportunities and technical assistance to address the origin of the compliance issue.

Juvenile Justice System Improvement

There is an ongoing need for training and networking opportunities for professionals involved in juvenile justice. There is a need to showcase evidence based programs that have been proven to work and to recognize programs within the state that do work. There is a need to continue to educate our juvenile justice partners on the importance of the core requirements and maintaining compliance with JJDPA requirements.

In Kansas, the juvenile justice system is operated by multiple agencies and levels of government that are responsible for different key decision points throughout the process. The Governor's Conference on Juvenile Justice is one of the few opportunities for professionals from all levels of the juvenile justice system to network with each other. All juvenile justice staff benefit from the opportunity for continued education and updated training to enhance their skills. Community Agency and/or professional licensing regulations require many staff to maintain a designated amount of training annually.

In strategic planning session in November of 2007, the KAG identified a need to develop an evaluation of the effectiveness of programs we currently fund through JABG, Title II and Title V. We rely extensively on self reported outcome information from the subgrantees to determine the effectiveness of program efforts as well as site visits. The need for an independent

evaluation of outcomes is necessary to justify the commitment of tax dollars to prevention efforts.

The State DMC legislation also mandates the KAG prepare an annual report to the Commissioner of Juvenile Justice on the effectiveness of programs to reduce racial and geographical disparities.

Native American Pass Through

Kansas is home to four Native American tribes: The Prairie Band Potawatomi Nation, the Sac and Fox Nation of Missouri in Kansas and Nebraska, the Iowa Tribe of Kansas and Nebraska, and the Kickapoo Tribe in Kansas. These four tribes live in far Northeast Kansas, an isolated and economically deprived area of the state. With the exception of the Potawatomi Tribe, which has a successful casino, 54% of tribal families on reservations in Kansas live below the poverty line. Delinquency problems on the reservations are often attributed to a lack of infrastructure to keep youth engaged in positive activities. The KAG and JJA have traditionally funded the Native American Tribes in the state at a significantly higher level than the federally mandated pass through and hope to continue to provide additional Formula dollars to the tribes. Special efforts will be made to encourage the tribes to implement evidence based programming.

3. Plans for Compliance with the First Three Core Requirements of the JJDP Act and the State's Plan for Compliance Monitoring

A. PLAN FOR THE DEINSTITUTIONALIZATION OF STATUS OFFENDERS

Kansas is in substantial compliance with the DSO requirement yet continues to experience minor challenges in its progress toward full compliance with the DSO requirement of the JJDP Act.

Kansas uses the 24-hour hold exception for status offenders in juvenile detention centers awaiting an initial court appearance as well as the Status Offender VCO exception.

Targeted technical assistance will be provided to all facilities, programs, counties and judicial districts experiencing compliance concerns to assist in developing compliance plans and amending policies procedures and practices.

Barriers to Achieving Full Compliance with the DSO Requirement

Kansas statute does not mirror federal law regarding minors in possession or consumption of alcohol.

There is a lack of appropriate services and placement options for status and nonoffenders, particularly in rural areas.

Plans to Achieve Compliance

Strategies / Activities / Timetable

Reduce the number of violations of the DSO requirement.

1. Assist in the identification of local, temporary, non-secure, placement options.

Activities:

- Kansas Juvenile Justice Authority (JJA) will share information on truancy programs to increase compliance with court orders and provide alternatives to detention for violating valid court orders. The numbers of truants held for violating valid court orders have increased over the past three years in several areas of the state. Program options will be collected and shared in 2009.
 - JJA will share information on successful, cost effective programs used for the short-term non-secure holding of juveniles in 2009 to judicial districts. These temporary placement options are especially needed in rural areas of the state. Accused status offenders held in juvenile detention over the allowed 24 hours increased slightly in 2008.
2. Targeted outreach educational campaigns will be developed for judges, county and district attorneys, law enforcement, and other juvenile justice professionals on the JJDP Act and the DSO requirement.

Activities:

- Kansas elected 37 new Sheriffs and 24 new District and County attorneys in November of 2008. Materials regarding federal and state laws will be compiled regarding the holding of juveniles, and the valid court order exception for distribution to these new representatives in early 2009. The effort will offer information in a timely manner to assure understanding and guidance and therefore avoid violations.
- JJA will continue to distribute VCO checklists and court forms to assist in the adequate use of the exception in the detention of status offenders, including minors in possession of alcohol in 2009. Adjudicated status offenders held for violating a valid court order increased in 2008. Incorrect usage of the VCO provision is still a challenge.
- JJA and the KAG will continue to support and assist districts in developing and amending compliance plans annually. Districts with high rates of violations exceeding the national de-minimis rates for two consecutive years will be ineligible to apply for JJDPA funds. We have averaged four districts annually found to be out of compliance with the JJDPA.
- Provide training on the JJDPA at the Annual Governor's Conference on Juvenile Justice in June, 2009. The conference attracts numerous representatives from the juvenile justice arena and is a great opportunity to advise a larger group.

3. Continued on-site compliance monitoring

Activities:

- JJA will continue the annual compliance effort on-site with an increased effort in 2009 to visiting those facilities where new persons are in charge to provide information in a timely manner.
- The JJA compliance monitor will continue to review and assist in the development of judicial district compliance plans to assure progress with violation reduction in 2009. These districts will be visited on-site as well to assure that plans are implemented and working.
- The KAG and JJA will continue to support and review the compliance monitoring effort in 2009 through meetings, calls and quarterly reports.

4. Suggest statutory changes/amendments that provide congruence with federal laws and requirements.

Activities:

- JJA will review and report discrepancies between state and federal laws to the KAG compliance subcommittee and the JJA legal department in the summer of 2009, prior to the convening of the legislature.
- The KAG compliance subcommittee will assist in developing plans to address and support all needed statutory changes annually. In the Annual report to the Governor, the

KAG reported the concern and differing of the state and federal laws regarding minors in possession of alcohol. JJA and the KAG will outreach to the Department of Revenue, Alcohol Beverage Control, Department of Transportation, Sheriff's Association and Chiefs of Police Association at a minimum, to discuss the best means of addressing and changing the state statute to mirror the federal. Violations of minors in possession/consumption of alcohol being held securely have increased over the past two years.

B. PLAN FOR THE SEPARATION OF JUVENILES FROM ADULT OFFENDERS

Kansas has been in compliance with the sight and sound separation requirement for many years. There are no jails or lockups in the state which hold juveniles within sight or sound contact of adult inmates. A violation would be extremely rare and non-systemic. However, counties and cities continue to investigate the need to build or remodel their facilities to meet increasing needs. This presents the need to maintain contact with local governments and continue to provide technical assistance to insure separation compliance.

Barrier to Maintaining Full Compliance

Architects, planners and administrator may develop plans for new jail facilities without the proper information on regulations regarding the temporary holding of juveniles.

Plans to Achieve Compliance

Strategies / Activities / Timetable

Maintain full compliance with the Separation requirement

1. Continue on-site inspections and assessment of jails and lockups.

Activities:

- The JJA compliance monitor will support the development of comprehensible facility policies and procedures toward the necessary separation of juveniles from incarcerated adults during annual on-site visits.
- Monitor will also provide technical assistance, as needed, to architects, planner and facility administrators regarding the federal requirements related to the separation of juveniles from incarcerated adults.

Separation Assurances:

In Kansas, adjudicated juvenile offenders are not reclassified administratively and transferred to an adult correctional authority to avoid the intent of segregating juveniles and adults in correctional facilities.

The state currently has 3 collocated facilities which are all licensed as juvenile detention centers. The state licensing regulations will not allow for the use of same staff to serve both juveniles and adults in these facilities.

Juveniles who have been transferred to the jurisdiction of the adult criminal court who may be placed in a juvenile correctional facility are removed from the juvenile facility prior to or on their 18th birthday.

No programs are in place to secure juveniles under public authority in adult jails, lockups or correctional facilities as a disposition of an offense or as a means of modifying his or her behavior.

C. PLAN FOR THE REMOVAL OF JUVENILES FROM ADULT JAILS AND LOCKUPS

Kansas is in compliance with the Jail Removal requirement. Fluctuations over the years in reported violations appear to be attributed to the need for on-going training for new and changing staff. The screening and assessment process/system has been invaluable to law enforcement in the timely removal and appropriate placement of juveniles taken into custody.

Kansas uses the six-hour hold exception to the Jail Removal requirement. The six-hour hold is well established in state law and local procedures. Sight and sound separation is provided for as well during these brief stays in the adult jails and lockups.

The transfer/waiver of a juvenile to be prosecuted as an adult is provided for in state law as well. The jail and lockup removal requirement does not necessarily apply to those juveniles formally transferred/waived to adult criminal court for criminal felony charges. Juveniles under 16 years of age at the time of sentencing shall be held in a juvenile correctional facility until he/she reaches the age of majority.

Barriers to Achieving Full Compliance with Jail Removal

The turnover and change of law enforcement officers means that there are continually new persons responsible for the temporary processing and potential detention of juveniles which requires training and information sharing on a regular basis. There are a large number of secure (174) adult jails and lockups across the state. Discrepancies between state and federal law regarding minors in possession or consumption of alcohol. These youth are considered juvenile offenders in the Kansas Juvenile Justice Code this has provided additional barriers in reaching full compliance with the Jail Removal requirement. Limited resources and placement options for status and minor juvenile offenders, especially in rural areas.

Plan to Achieve Compliance

Strategies / Activities / Timetable

Reduce the number of violations of the Jail Removal Requirement

1. Assist in the development of innovative, local, non-secure, placement options.

Activities:

- Kansas Juvenile Justice Authority (JJA) will share information on proven programs and practices that could decrease the use of secure detention for status and non-offenders in 2009.

2. Continue on-site monitoring of jails and lockups.

Activities:

- The JJA compliance monitor will support the development of comprehensible facility policies and procedures toward the necessary removal of juveniles from jails and lockups during annual on-site visits.
- JJA compliance monitor will also provide technical assistance, as needed, to architects, planners and facility administrators regarding the federal requirements related to the jail removal provision. Jail Removal violations have remained at the same level for many years, the violations are generally from a couple of facilities annually.
- The KAG will be continue to support the compliance effort by funding the monitoring contract and assisting in the review and development of compliance plan where adjustments are needed.

3. Suggest statutory changes/amendments that provide congruence with federal laws and requirements.

Activities:

- JJA will review and report said discrepancy between state and federal laws to the JJA legal department in the summer of 2009, prior to the convening of the legislature.
 - The KAG Compliance subcommittee will assist in developing plans to address and support all needed statutory changes annually. Primary concern being the short-term detention of minors in possession of alcohol, which accounted for 65% of the jail removal violations in 2008. Information will be shared and legislative amendments considered in 2009.
4. Targeted outreach educational campaigns will be developed for judges, county and district attorneys, law enforcement, and other juvenile justice professionals on the JJDPA and the Jail Removal requirement.

Activities:

- Kansas elected 37 new Sheriffs and 24 new District and County attorneys in 2008. Materials regarding federal and state laws will be compiled regarding the holding of juveniles, and the valid court order exception for distribution to these new representatives in early 2009. The effort will offer information in a timely manner to assure understanding and guidance and therefore avoid violations.

- JJA and the KAG will continue to train and assist districts in developing and amending compliance plans annually. Districts with high rates of violations exceeding the national rate for two consecutive years will be ineligible to apply for JJDPA funds.
- The JJA compliance monitor will provide training, as needed and requested, to line staff in facilities, judicial district representatives regarding federal and state laws related to the holding of juveniles.
- Provide related JJDPA information at the Annual Governor's Conference on Juvenile Justice in 2009. The conference attracts numerous representatives from the juvenile justice arena and is a great opportunity to advise a larger group.

D. PLAN FOR COMPLIANCE MONITORING

The Kansas Juvenile Justice Authority has the oversight authority for monitoring compliance with the JJDPA. The Kansas Juvenile Justice outlines the powers and duties of the Commissioner of JJA, which includes the authority to monitor state juvenile correctional facilities and any supplementary facilities to state institutions. Additionally, Kansas State Statutes [(KSA 38-1691(e)] provides JJA with the authority to review jail and lockup records for compliance with sight and sound separation and the jail removal provisions.

Kansas has strongly and emphasized compliance monitoring since 1994, when a contract was negotiated for monitoring services. The current compliance monitoring contract is responsible for the four monitoring tasks delineated in the JJDPA regulations as well as providing education, training and technical support around the JJDPA. Formula grant funds are used to support this contract. The compliance monitoring contractor is Sandra Nesbit-Manning, Juvenile Justice Associates, 1943 Etton Drive, Fort Collins, CO, 970-484-9775.

The contract between JJA and Sandra is monitored by the Juvenile Justice Specialist. Sandra develops a plan for monitoring annually, reports quarterly in writing and maintains on-going communication with JJA and the Kansas Advisory Group Compliance Subcommittee.

1) Policy and Procedures.

The following is a copy of the 2008-2009 Kansas Compliance Monitoring Policies and Procedure Manual.

2) Monitoring Authority

The Authority policy may be found on page 4 of the aforementioned manual.

3) Monitoring Timeline

The Monitoring Timetable is located on page 6 and the Monitoring Report Period policy is located on page 18.

4) Violation Procedures

Violation Procedures may be found on page 19

5) Barriers and Strategies

Included in the manual on page 20

6) Definition of Terms

The terms used in the monitoring effort are on page 8

7) Identification of the Monitoring Universe

The identification process is defined on page 11

8) Classification of the Monitoring Universe

The classification process description starts on page 12

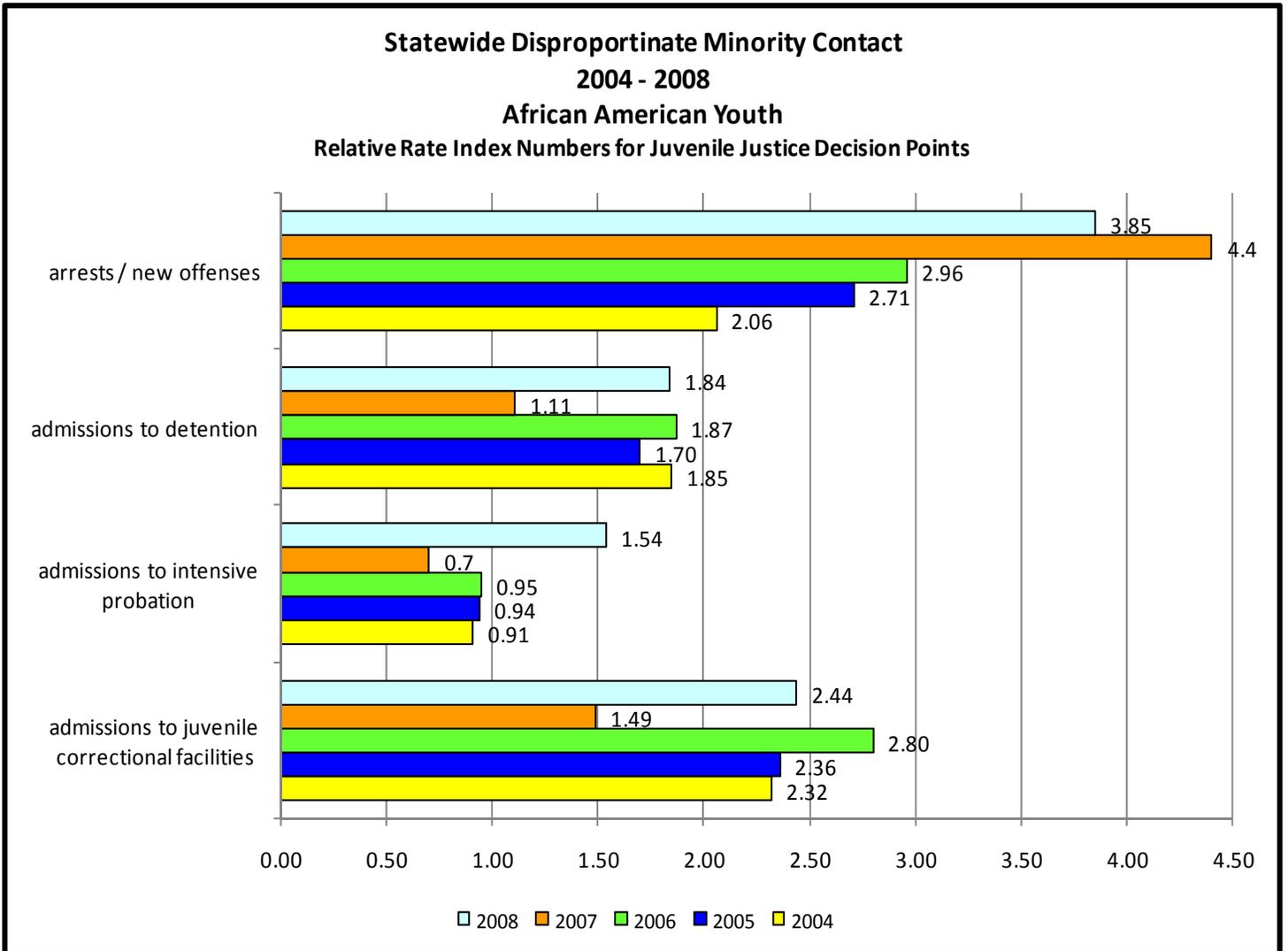
9) Inspection of Facilities

The manual includes the inspection policy on page 14

10) Data Collection and Verification

The data collection and verification process is located beginning on page 16

4. Plan for Compliance with the Disproportionate Minority Contact Requirement
 Phase 1: Identification - Updated DMC Identification Spreadsheets (See Attachment 2)

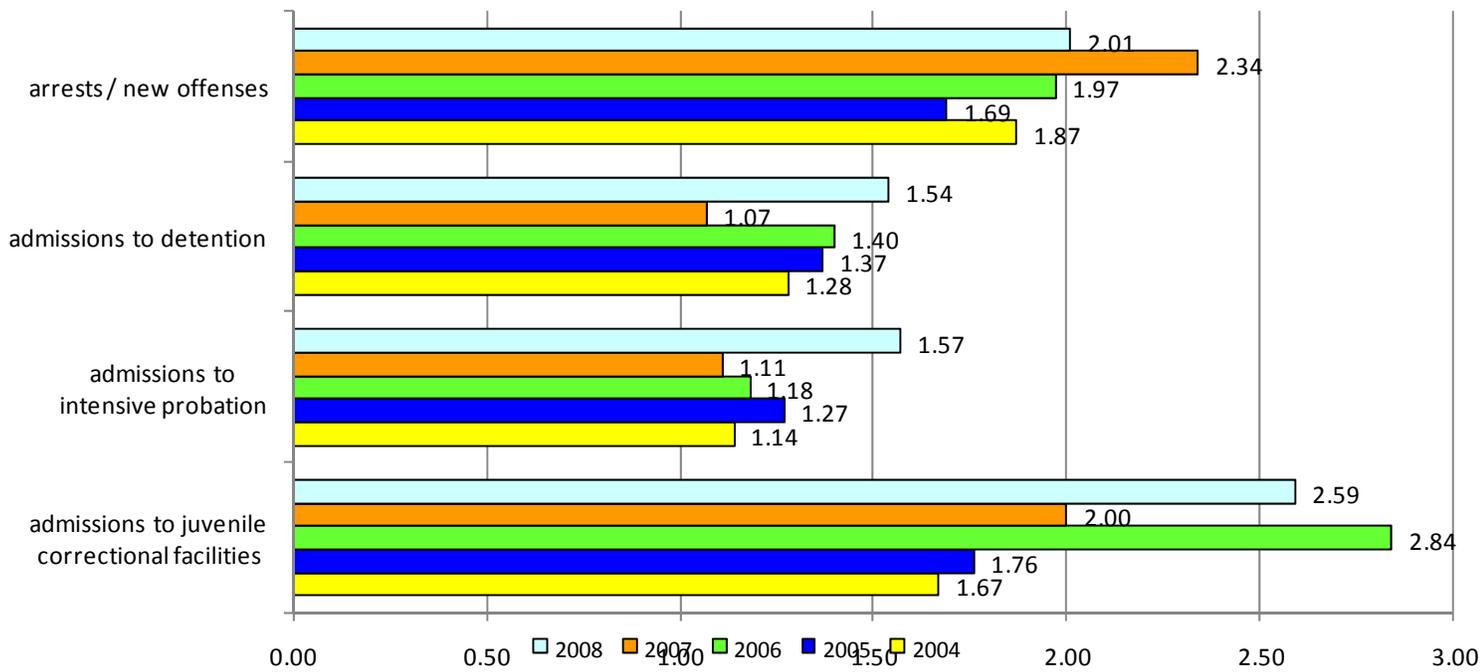


Statewide Disproportionate Minority Contact

2004 - 2008

Hispanic Youth

Relative Rate Index Numbers for Juvenile Justice Decision Points

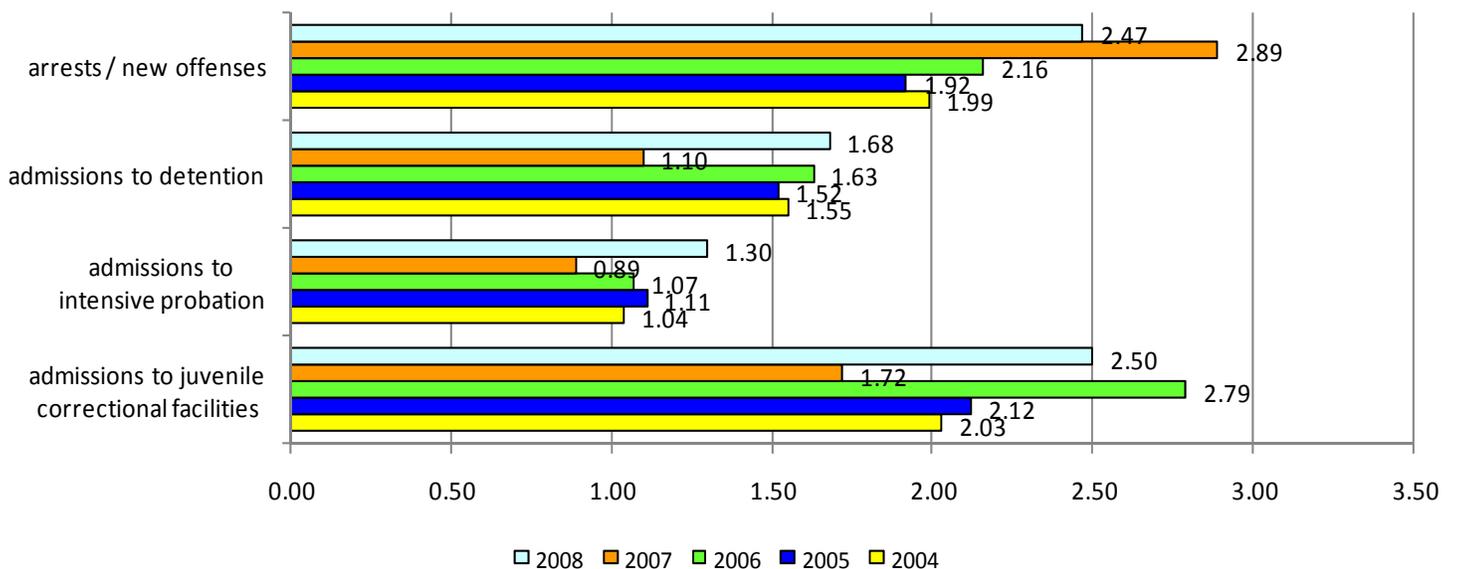


Statewide Disproportionate Minority Contact

2004 - 2008

All Minority Youth

Relative Rate Index Numbers for Juvenile Justice Decision Points



2) DMC Data Discussion – State of Kansas

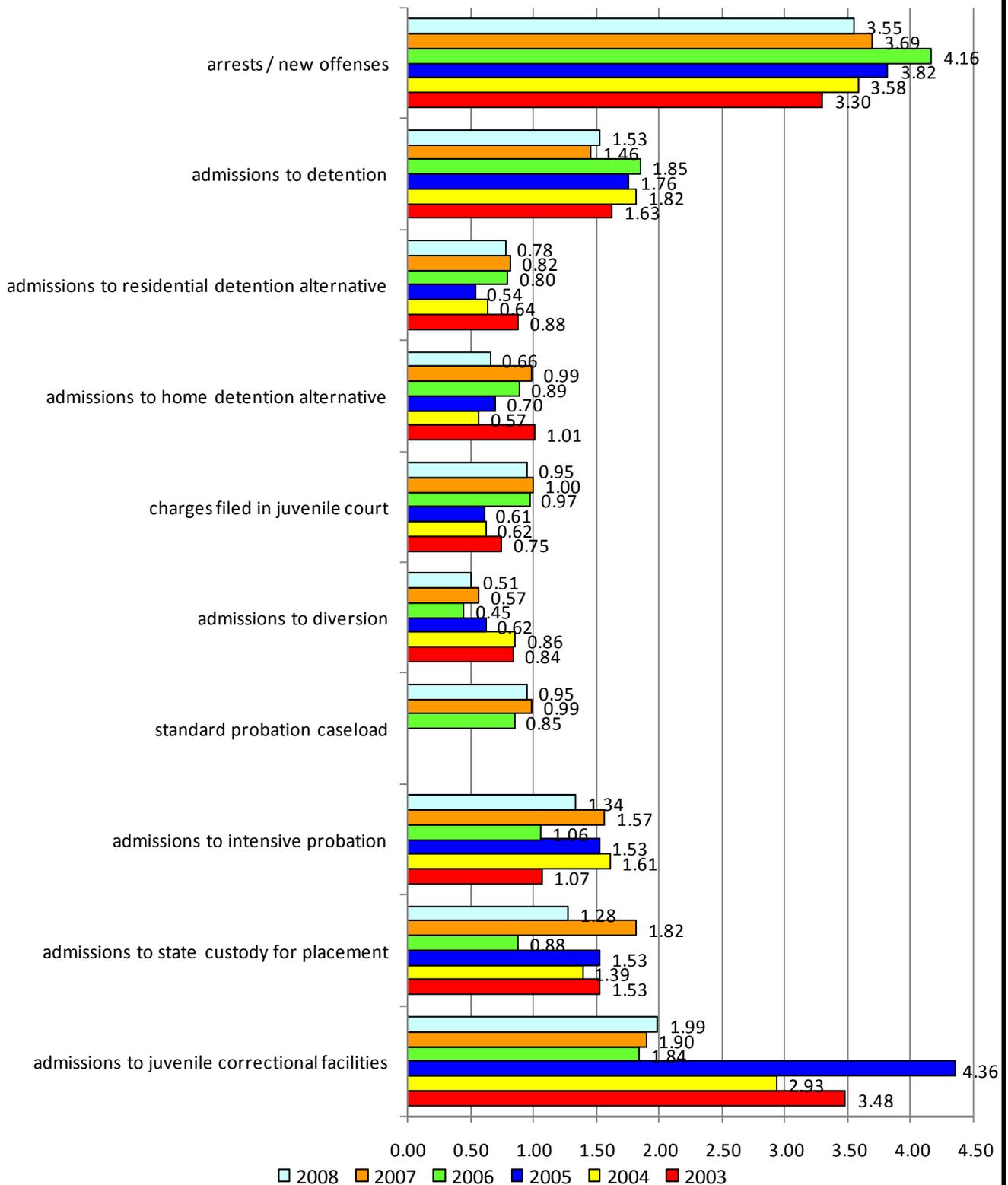
In reviewing 5 year state wide trend data for the 4 decision points that Kansas historically has been able to track, the dramatic decreases experienced in 2007 at all decision points but arrest were an anomaly. 2008 rates for all minorities exceed the RRI rates experienced in 2004, 2005, and 2006. Data should be reviewed to insure there was not a mistake in reporting in 2007.

On the positive side, the RRI rate for African-American youth at arrest when compared to the general youth population did drop from 4.4 to 3.85, while the rate for Hispanic youth at arrest decreased from 2.34 to 2.01. The RRI rates for admission to intensive supervised probation (a less severe disposition) increased from .7 to 1.54 for African-American youth and from 1.11 to 1.57 for Hispanic youth. Data was not available by referral to the court so RRI are calculated based on arrest data.

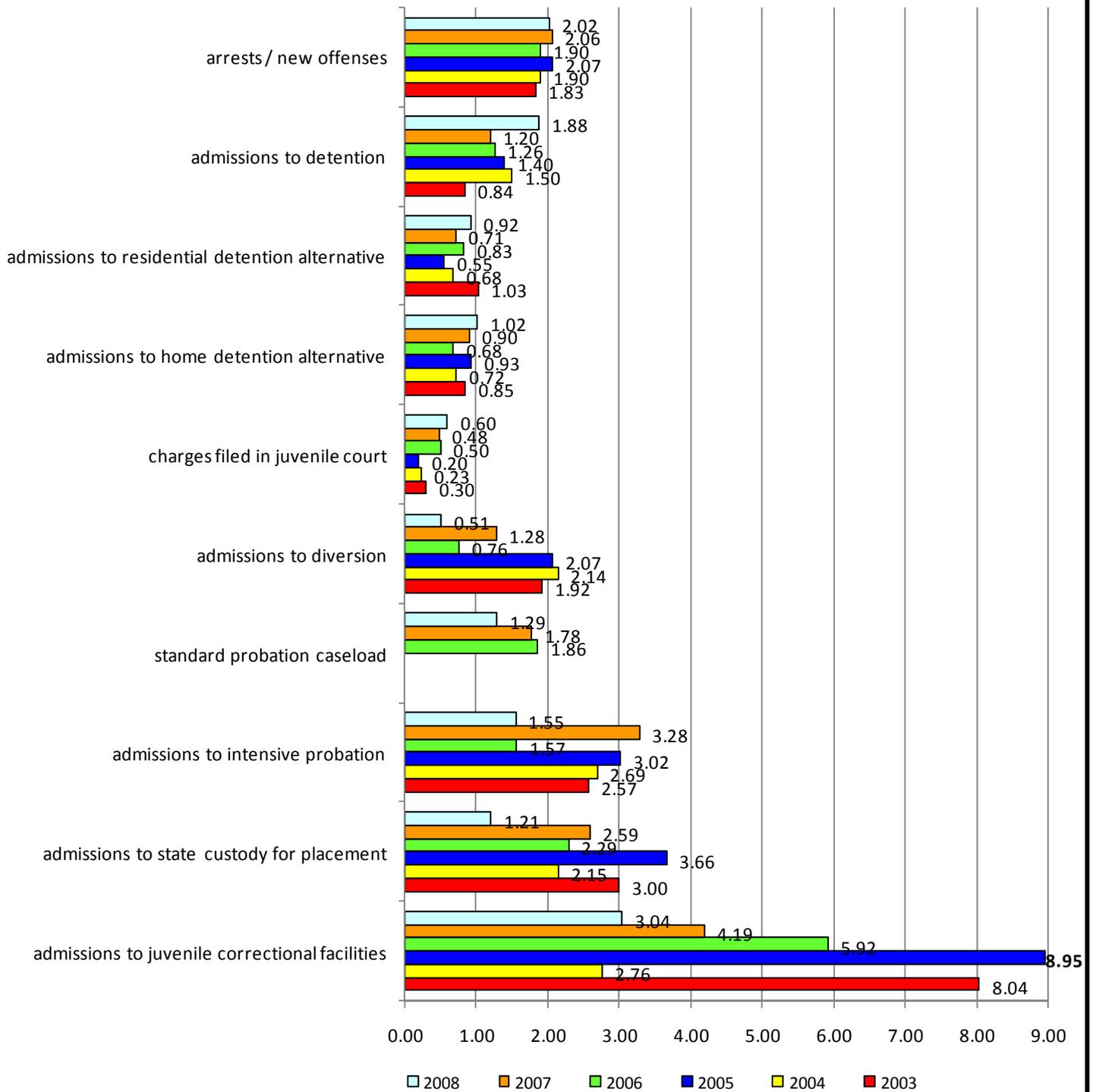
Hispanic youth had a worse RRI rate for admissions to Juvenile Correctional Facility than did African-American youth. Hispanic youth had RRI rates of 2.59 in 2008 and 2.00 in 2007, while African-American youth of 2.44 in 2008 and 1.49 in 2007. Data was not available by delinquent findings so RRI are calculated using arrest data.

On the positive side, the total number of youth admitted to juvenile correctional facilities in Kansas has decreased by almost 25% from 450 in July of 2007 to 338 in December of 2008. Unfortunately much of the decrease was in white males and admissions of minorities to Juvenile Correctional Facilities are increasingly disproportionate.

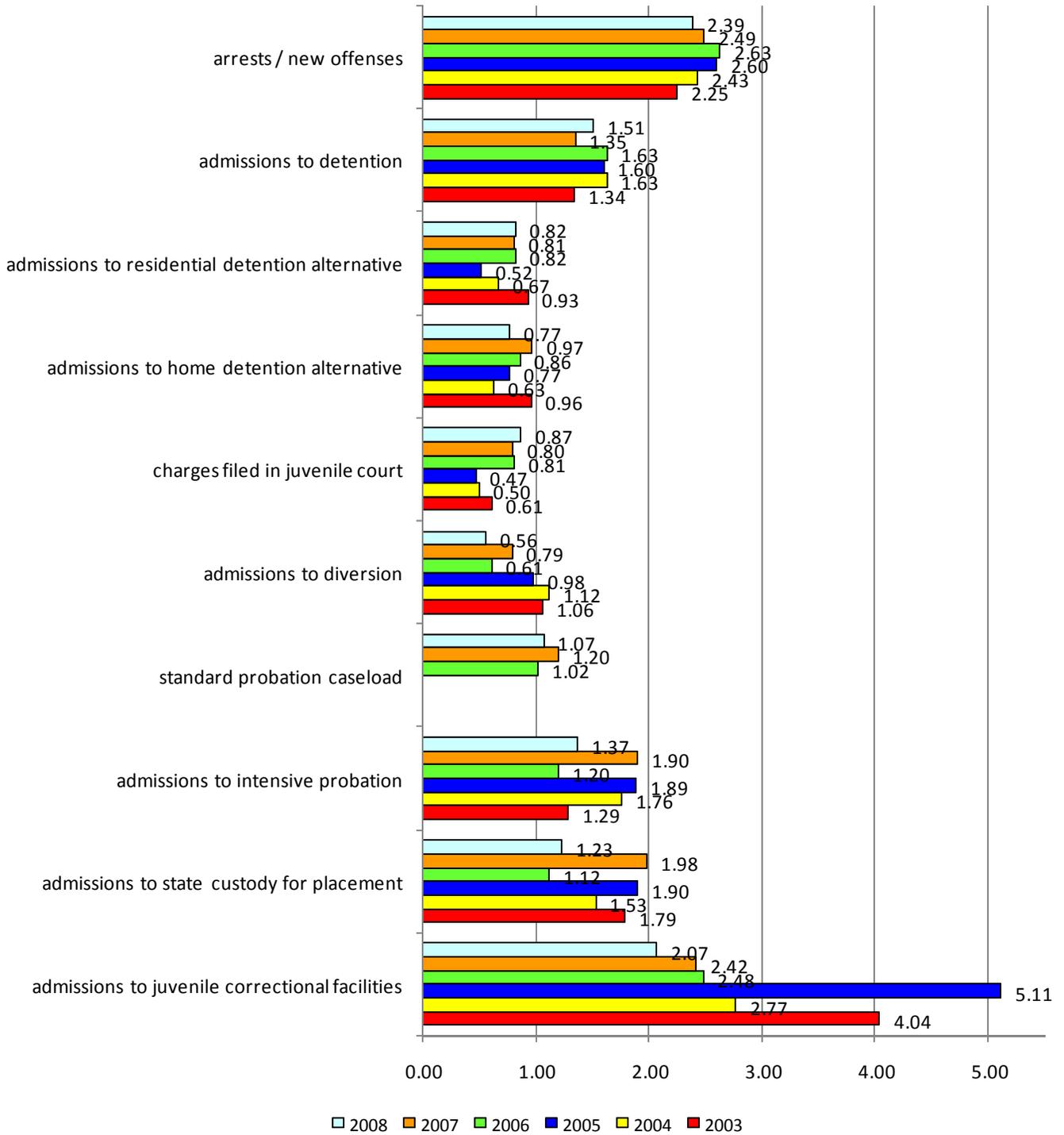
**Sedgwick County Disproportionate Minority Contact
2003 - 2008
African American Youth
Relative Rate Index Numbers for Juvenile Justice Decision Points**



**Sedgwick County Disproportionate Minority Contact
2003 - 2008
Hispanic Youth
Relative Rate Index Numbers for Juvenile Justice Decision Points**



**Sedgwick County Disporportionate Minority Contact
2003 - 2008
All Minority Youth
Relative rate Index Numbers for Juvenile Justice Decision Points**



2) DMC Data Discussion – Sedgwick County

Sedgwick County Department of Corrections chooses to report their DMC data using the calendar year and decision points which are representative of their system. The State of Kansas uses the state fiscal year, therefore the data presented in the previous 3 pages is slightly different than data presented in the official RRI matrices reported on the DMC website.

Progress has been made in the relative rate index (RRI) numbers for arrests of minority youth, reversing a four-year upward trend from 2003-06. The RRI rate at arrest for African American youth has fallen from 4.16 in 2006 to 3.69 in 2007 to 3.55 in 2008. The 2008 rate for all minority youth was 2.39.

Arrest rates were compared to the 2007 population estimates.

Another area of improvement is in the average daily population in secure detention that declined from 75 to 73 (2006 to 2007) and is 67 YTD (thru September). Sedgwick County data over time shows use of objective detention screening, alternatives to detention and detention advocacy with case management has produced and sustained a 45% reduction in secure detention days. Consultation with Wichita State University resulted in several in-depth studies examining system decisions for like grouping of youth and advancement in use of objective evidence based assessment tools and programming. Results of Sedgwick county's work were published in two reports available on Sedgwick county website (Benchmark Report and Annual Program Evaluation). <http://www.sedgwickcounty.org/corrections/>

Other positive trends include significant decrease in admissions to juvenile correctional facilities, when compared to delinquent findings. The RRI rate for African American youth decreased from 4.36 in 2005 to 1.99 in 2008, while Hispanic youth decreased from 8.95 in 2005 to 3.04 in 2008. The RRI rate for all minorities decreased from 5.11 to 2.07 during the same time period.

Admissions to state custody when compared to delinquent findings also decreased from 2007 to 2008. The RRI rate for African-American youth decreased from 1.82 to 1.28. The RRI rate for Hispanic youth decreased from 2.59 to 1.21. The RRI rate for all minorities decreased 1.98 to 1.23.

Admissions to secure detention when compared to arrest rates increased slightly from 1.46 to 1.53 for African American youth and Hispanic youth increased from 1.20 to 1.88. Admission to non-secure detention alternatives minorities continued to lag behind their white peers with .82 RRI rate for residential detention alternatives and .77 admissions to home detention alternatives.

Finney County has elected to no longer formally participate in the DMC program and has incorporated the DMC projects into their regular programming within the judicial district funded by the state block grant. 2008 data shows significant increase at the point of arrest for black youth 7.47 RRI and Hispanic Youth 2.38. The RRI for Hispanic youth increased

from 1.82 the previous year. The rate for black youth is skewed as there are only 85 African American youth in Finney county between 10 and 17. The diversion rate for Hispanic youth is almost 1/3 of their white counterparts with an RRI of .36. Detention RRI has also increased to 1.76 for Hispanic youth and the use of probation as a disposition has increased to 1.27. The courts even out the playing field with RRI rate for Hispanic youth of .74 of delinquent findings.

Seward and Shawnee County have been selected to participate in the MacArthur Foundation DMC Action Network with the assistance of Sedgwick county. The first step in the process will be collecting data on DMC decision points. I have attached a preliminary review of the data for each county.

Seward County is located in Southwest Kansas. The largest community is Liberal, which is home to several large beef packing plants. Hispanic youth are the majority composing over 60% of all youth between the ages of 10 to 17. Law enforcement and community corrections have reported increased activity among Hispanic gangs. We requested TA from OJJDP last year in sponsoring a gang summit for the community. Gang activity flows easily between the communities of Seward, Ford and Finney County. All counties are home to large beef packing plants and Hispanic youth are the majority in all communities.

Seward County has an RRI of 1.71 at arrest for Hispanic youth and RRI rate of 2.81 for secure detention. Youth need to be transported 65 miles to the secure detention facility in Garden City located in Finney County. The courts level the playing field with a Hispanic RRI rate of .58 of filing juvenile offender cases and .65 RRI delinquent findings.

Shawnee County is the state capital and is located in Northeast Kansas. There are 18,633 youth between the ages of 10 -17, with 71.6% white, 13.2% African-American, 12.6% Hispanic, 1% Asian, and 1.5% American Indian. Shawnee County and Johnson County do not use the state's full court data base, but have their own data bases. Unfortunately we do not have the court services data for either county at this time. Shawnee County data represents the 4 decision points we have historically measured in the state. If we receive the data, prior to OJJDP review we will submit a revision.

Shawnee County RRI rates at arrest are 3.38 for African-American and 1.71 for Hispanics. Arrest numbers are suspect as 632 arrests were reported in 2008, while 997 juvenile offenders were processed through intake and assessment, 859 juveniles were held in secure detention. RRI rates at secure detention were 1.29 for African Americans and .67 for Hispanics. RRI rates at probation were 1.78 for African Americans and 1.11 for Hispanics. The RRI rate for confinement in JCF was 1.42 for African Americans and too few events to record a RRI rate for Hispanics.

Phase II: Assessment /Diagnosis

The State of Kansas has not completed a statewide DMC assessment for several years. Kansas is submitting a time-limited plan for completing the assessment.

Kansas Juvenile Justice Authority is very lucky to have secured the services of Dr. Jennifer Pealer as the Assistant Commissioner of Research in 2008. Dr. Pealer received her Doctorate degree at the University of Cincinnati under the tutelage Dr. Edward Latessa.

The Kansas Advisory Group will contract with Kansas Juvenile Justice Authority to employ two Washburn University Criminal Justice majors as paid interns (\$1,000 a month) to help collect the data under the supervision of Dr. Pealer in September of 2009. The state wide DMC assessment should be completed by January of 2010 and included in the 2010 update to the 3 year plan.

Dr. Pealer and the JJA research division will examine contributing factors to DMC by conducting a state wide assessment disaggregating 2008 RRI data on DMC decision points by geography (frontier, rural, urban, suburban) and by crime type (personal, property, drug, public order offenses). SFY 2008 marks the first year Kansas has been able to access statewide data from the courts by race and ethnicity. This includes the following decision points: cases referred to the juvenile court, cases diverted after referral to the court, cases petitioned, cases adjudicated, cases resulting probation, cases waived to the criminal court. SFY 2008 will serve as base year for the on-going monitoring of DMC data, because of the significant increases in both quality and quantity of data.

In addition, the Communities that Care (CTC) risk and protective factors would be disaggregated by race and ethnicity on both a state wide basis and by jurisdiction to develop recommendations for specific intervention strategies. The State of Kansas was one of six states that piloted the Hawkins and Catalano survey in 1994. Today approximately 70% of our school districts completing the CTC survey for 6th, 8th, 10th, and 12th grades.

The Burns Institute completed an on-site assessment of DMC activity in Sedgwick County in September of 2008 as part of the MacArthur DMC Action Network. The study concluded that Sedgwick County is in an excellent position to address DMC disparities due to its data capacity and its potential for community involvement through the African-American Coalition. Recommendations for future support of the Burn Institute included: developing consensus on the definitions of DMC, success, and the purpose and use of detention. Strategic thinking and planning is recommended concerning structure and format of stakeholder meetings to incorporate community voice into the meetings, activities to engage the community with law enforcement, expanding the service providers to community based organizations working with youth in the neighborhoods

impacted by racial disparities. Finally, strategic planning is recommended for providing consistent and regular DMC related data at stakeholders meetings. The Burns Institute is providing a proposal and cost estimate for additional work.

Phase III: Intervention

1) Progress Made in FY 2008 Statewide

Significant progress was made statewide to incorporate the DMC legislation into the network of Juvenile Justice Reform with the state of Kansas. Nine regional training sessions were held with Juvenile Corrections Advisory Boards (JCAB) and administrative contacts in the spring 2008 to address the community planning process and the new requirement to address DMC in the community plan. RRI data and Kansas Communities that care risk and protective factor data specific to each judicial district were provided at each session. Either the Commissioner or Deputy Commissioner attended each of the training sessions. Relative Rate Index (RRI) data was provided to all 31 judicial districts for SFY 2004, 2005, 2006, and 2007 for the following decision points – arrest, secure detention, intensive supervised probation and admits to secure correctional facilities. The Office on Judicial Administration was able to provide court services data in FY 2008, but early in FY 2009 we received data on 5 additional decision points in December 2008 including court referral, post referral diversion, petitions, adjudications, court services probation, and waiver to the adult criminal court. JJA did change the application for state general funds to include a section on identification of DMC and activities to address any disparities. The KAG changed its application packet for funding to include a section addressing how the proposal would address DMC reduction and certification by the JCAB for consistency with the judicial district's community plan. In partnership with the Office of Judicial Administration an objective decision-making instrument (YLS/CMI) was implemented in two pilot communities (Sedgwick and Johnson County) at the presentence phase of the juvenile court process. The tool will identify risk to reoffend and will aid decision makers in diverting low risk youth from the system and targeting high/moderate risk youth for specific evidence-based interventions.

2) Progress Made in FY 2008 Sedgwick County

Sedgwick County is a partner with the City of Wichita in a comprehensive revitalization project, The New Communities Initiative that is focused on strengthening the neighborhood in the 67214 zip code where the highest numbers of minority youth are arrested. Three DMC strategies were accepted for implementation. The strategies include cross-agency gang offender supervision, a training program to change stereotypes and reduce fears of the police and youth of color, and development of partners and plans to develop a faith-based gang intervention program to help youth in leaving gang life (Homeboy Industries Model).

Sedgwick County has developed a partnership with the African American Coalition (AAC) to address DMC through community engagement strategies with the help of the MacArthur foundation funds. The AAC has developed a partnership with the Racial Profiling Advisory Board to promote community education with a series of seminars that focus on citizens' constitutional rights. The Board has developed an informational

brochure and distributed it at community events titled “Know Your Rights”. Community police officers are also teaching sessions to students in the schools titled “Rap with a Cop”. Another partnership with a community organization helped to connect females at-risk with gang prevention/intervention services. The AAC was tasked with and built the start of a resource directory that identifies programs and services located in the DMC target zip code areas that will be updated, maintained and shared to assist referral sources and constituents.

The Detention Advocacy Service program (previously funded with Title II) was funded with local funds to provide legal representation for the duration of the court process (not just for the detention hearing). Specialized tutoring and mentoring to help close the achievement gap for students at two middle schools and to pay for curriculum supplies for the Corrections Department in meeting diversity plan goals was funded through Title II.

Sedgwick County leaders, project staff and AAC partners attended three mandatory meetings with DMC Action Network in Washington, DC in December, June and September. Sedgwick County’s work on DMC was presented at the Kansas Governor’s Conference on Juvenile Justice by Brian Black, a KAG member and member of Team Justice. Diversity training sessions with Corrections staff included DMC education and updates as part of each session.

3) DMC Reduction Plan for FY 2009-2011 Statewide

Incorporate the identification and analysis of DMC into Juvenile Justice Reform in the State of Kansas. All jurisdictions will be required to address DMC in their applications for State Block Grant funds by March 16, 2009. This will include:

- a. Assessment of the accuracy and reliability of data provided by the state. If not accurate, a plan and timetable are requested to submit accurate data.
- b. Identify areas of greatest disproportionality within the jurisdiction.
- c. Current activities to address DMC.
- d. Planned 2010 activities to address DMC.
- e. Identify community stakeholders involved in the DMC effort outside of the Juvenile Corrections Advisory Board (JCAB)

To assist local judicial district to update their applications and community plans, the Kansas Juvenile Justice Authority will provide RRI matrix data from 2004 – 2007 for 4 contact points to each jurisdiction – arrest, detention, intensive supervised probation and juvenile correctional facility. Kansas Communities That Care (KCTC) data will be disaggregated by race and ethnicity for each risk and protective factor by judicial district. Technical assistance will be provided to administrative contacts and JCAB’s to understand and use the data by JJA and NTTAC if requested. After several years of diligent work, the State of Kansas through the Office of Judicial Administration will be able to provide court services data which will allow us to address all decision points within the RRI matrix. (FFY 2009 Federal Block Grant through SAMSHA’s Center for Substance Abuse Prevention)

Governor Kathleen Sebelius announced a new effort under her Health and Human Services Subcabinet team to assure racial and ethnic equity is a standard outcome across all Kansas child welfare and juvenile justice programs. “Kansas must determine what is necessary to reduce the over representation of African American and Hispanic children and youth in the foster care and juvenile justice system.” Sebelius said. “Regardless of their racial background, children must receive the services needed to ensure safety in their home, timely permanency when removed from the home and positive well-being at every service point.”

The governor’s Health and Human Services Subcabinet team will be comprised of representatives from the Departments of Social and Rehabilitation Services; Health and Environment; Aging; Corrections; Juvenile Justice Authority; Kansas Health Policy Authority and the Federal Grants Office. The team will partner with agency officials, community leaders, experts and advocates to:

- Understand the nature and causes of disproportionality in our state;
- Understand the role poverty plays in contact with the child in need of care and juvenile justice systems;
- Identify jurisdictions that face particularly large issues of racial inequality in child welfare and juvenile justice programs;
- Identify approaches to address these issues.

The Subcabinet team will work closely with Representative Melody McCray-Miller (KAG member) and other legislative leaders who have been working on this issue in the juvenile justice system and reports its findings and recommendations to the Governor’s office in the fall of 2009. (FFY 2010 State General Funds)

DMC will be one of the primary themes of the 2009 Governor’s Conference on Juvenile Justice. Mark Soler, Executive Director, Center for Children’s Law and Policy and the DMC lead for the MacArthur Foundations DMC Action Network will be a keynote speaker. The minority youth in the juvenile justice system will be one of eight tracks with 6 breakout sessions. These include:

- Interpretation of RRI matrix data in Kansas – Dr. Bill Feyerherm, Jerod Bond (Two sessions – Beginning and Advanced)
- Sedgwick County DMC initiative – Mark Masterson
- Community Engagement – African American Coalition – Rep. Melody McCray-Miller, and Brian Black
- Philadelphia Minority Youth-Law Enforcement Initiative: Improving Relationships to Reduce DMC Rhonda McKitten – Philadelphia DMC Coordinator DA office, David Scott, Deputy Police Chief
- New Approaches to Address Racial and Ethnic Disparities in the Juvenile Justice System - Mark Soler

(FFY 2009 Title II, JABG, MacArthur Foundation)

In addition to the Governor's Conference , JJA will host a Juvenile Corrections Advisory Board (JCAB) summit in the April of 2009, which will become an annual event.

(FFY 2009 Federal Block Grant through SAMSHA's Center for Substance Abuse Prevention)

The MacArthur Foundation DMC Action Network will be expanded from Sedgwick County to Shawnee and Seward counties. The KAG is setting aside \$100,000 in Title II funding for intervention initiatives in Shawnee and Seward after the identification and assessment phases are completed to address DMC. If Wyandotte County agrees to participate the KAG will commit another \$50,000 funding for intervention programs. Based upon the current 5 year funding cycle, this would be commitment of \$187,500 for each initiative funded. It is anticipated the expansion communities would join the DMC Action Network in October of 2009. (FFY 2009/2010/2011 Title II)

4. DMC Reduction Plan for FY 2009 – 2011 Sedgwick County

Burn's Institute will provide technical assistance on community engagement strategies. Currently the scope of work, timeline and cost for their services is being negotiated. The DMC Committee (Team Justice) will review the proposal with the African American Coalition (AAC) and make recommendations to the Board of County Commissioners for next steps. It is expected that working with Burn's Institute and implementation of the adopted strategies will be the focus of work for the AAC and Corrections Department for this strategic innovation. (FFY 2009/2010/2011 MacArthur Foundation)

The AAC will develop a funding and sustainability plan as an organization, carry out a communications plan of activities to build support for system improvements and service connections to reduce DMC, and complete capacity assessments of service organizations in the DMC target areas. (FFY 2009/2010/2011 MacArthur Foundation)

The Sedgwick County Corrections Department will promote and facilitate three collaborative strategies to address and reduce DMC at the point of arrest as part of the New Communities Initiative. The strategies include cross-agency gang offender supervision, a training program to change stereotypes and reduce fears of the police and youth of color, and development of partners and plans to develop a faith-based gang intervention program to help youth in leaving gang life (Homeboy Industries Model). (FFY 2009/2010/2011 funding to be determined)

The detention screening instrument will be revalidated by Wichita State University's School of Community Affairs and any necessary changes will be reviewed with detention policy stakeholders and implemented. The validation will address race, ethnicity and gender. (FFY 2009 State Block Grant and County Mill levy funds)

Attendance at the national DMC Action Network mandatory meetings by the Project Director and other designees selected based upon the topic areas the meetings will address. (FFY 2009/2010/2011 MacArthur Foundation)

Sedgwick County will present its DMC work at the 2008 Oregon Governor's Summit on Eliminating DMC in the Juvenile Justice System, on November 17-18, 2008. Sedgwick County is sending a six-member community team to the conference (FFY 2009 Title II).

Sedgwick County will establish a competitive grant program to assist community-based service providers interested in serving juveniles assessed to be at high or moderate risk for offending with evidence-based programming. The program will provide up to \$9,000 per agency for staff training and materials. State funding dedicated for this program will be distributed by the County Corrections Department in January 2009 to local service providers. (FFY 2009 State Block Grant)

Phase IV: Evaluation

Sedgwick County will continue its professional consultation services from Wichita State's University School of Community Affairs with its Benchmark Report in April and Evaluation Report in November. This includes data collection, analysis, evaluation and reporting activities. All work will be presented and discussed with key policy and community leaders at the detention utilization committee, DMC committee and with the County Commissioners as deemed appropriate. (FFY 2009/2010/2011 State Block Grant and county mill levy funds)

The Kansas Advisory Group is required by state DMC legislation to prepare an annual report to the Commissioner of Juvenile Justice on which DMC programs are effective in reducing racial, geographic and other biases in prevention, alternatives to detention and incarceration, and intake and assessment procedures. The evaluation will be accomplished through collaboration with Dr. Pealer and JJA Research department and Washburn University's intern students. (FFY 2009/2010/2011 Title II)

Phase V: Monitoring

The State of Kansas will monitor and track changes in DMC annually based on the State Fiscal Year. The baseline will be readjusted to the past State Fiscal year since for the first time we can measure all 9 decision points with the addition of court services data. In previous years we were only able to measure arrest, detention, intensive supervised probation, and correctional facilities. It has been a long and laborious process, but our data has significantly improved in both quality and quantity.

Kansas does not have a state DMC Coordinator. The JJ Specialist assumes these responsibilities for federal reporting purposes. The state does employ a program consultant who works as a liaison with Juvenile Corrections Advisory Board (JCABs) and administrative contacts who monitors and tracks DMC changes and trends overtime. All decision point data from the state fiscal year will be obtained (and cleaned up if

necessary) in the fall of each year, with public release in December. This allows adequate time for the JCAB's to review and consider in developing their application for state block grant funds and updating their comprehensive plans.

This position is paid for by a federal block grant through SAMSHA's Center for Substance Abuse Prevention.

Sedgwick County Department of Corrections and African-American Coalition, both have full time DMC coordinators paid for the MacArthur Foundation funds. (FFY 2009/2010)

5. Coordination of Child Abuse and Neglect and Delinquency Programs

A. Reducing Probation Officers Caseloads

The KAG has elected not to participate in this “elective” program due to insufficient funds. Section 223(a)(25) of the act states “specify a percentage (if any), not to exceed 5 percent of funds received by the State ... that the State will reserve... to provide incentive grants...to reduce the caseload of probation officers”.

B. Sharing Public Child Welfare Records (including child protective services) with the Courts in the Juvenile Justice System.

Section 223 (a) (26) Under Kansas law, in order to protect the privacy of children who are the subject of a child in need of care record or report, all records and reports concerning children in need of care, including the juvenile intake and assessment report, received by the department of social and rehabilitation services, a law enforcement agency or any juvenile intake and assessment worker shall be kept confidential except: (1) To those persons or entities with a need for information that is directly related to achieving the purposes of this code, or (2) upon an order of a court of competent jurisdiction pursuant to a determination by the court that disclosure of the reports and records is in the best interests of the child or are necessary for the proceedings before the court, or both, and are otherwise admissible in evidence. See K.S.A. 38-1507(a).

The certain persons or entities shall have access to information, records or reports received by the department of social and rehabilitation services, a law enforcement agency or any juvenile intake and assessment worker. Among others, a court-appointed special advocate for a child, a citizen review board or other advocate, which reports to the court are included. See K.S.A. 38-1507(d)(3).

Access shall be limited to information reasonably necessary to carry out their lawful responsibilities to maintain their personal safety and the personal safety of individuals in their care or to diagnose, treat, care for or protect a child alleged to be in need of care. Additionally, by statute, there is a requirement for a free exchange of information between the courts, law enforcement and agencies of the state. See K.S.A. 38-1608.

C. Establishing Policies and Systems to Incorporate Relevant Child protective Services Records into Juvenile Justice Records.

Section 223(a)(27) Kansas’ statutes provide for such records to be available. The Kansas Code for the Care of Children at § 38-1507 (c)(2), (8), (10) & (11) provides for the department of social rehabilitation services, a law enforcement agency or any juvenile intake and assessment worker to freely exchange of information between and among themselves and the commissioner of juvenile justice, a court services officer, an intake and assessment worker and any community corrections program which has the child under court ordered supervision.

Section 223(a)(28) It is the policy of the Juvenile Justice Authority that case planning and case plan review shall be provided to all youth receiving services from the Juvenile Justice Authority. Included in this are juvenile offenders whose placement is funded under Section 472 of the Social Security Act who receive a case plan and case plan review as defined in Section 475 of the Social Security Act.

6. Collecting and Sharing Juvenile Justice Information

A. Juvenile Arrest by offense type, gender, age, and race

Juvenile arrests are collected using the Kansas Standard Arrest Report for the Kansas Incident Based Reporting System, maintained by the Kansas Bureau of Investigation (KBI).

Barriers: Only electronic data provided by local law enforcement agencies is used by the KBI to report the race, age and gender of juvenile arrests. Two out of four major urban areas submit summary data that does not report race, age and gender.

The KBI is dependent on local sheriff and police departments for reporting juvenile arrests. The KBI is working to gain more accurate detailed information on each juvenile reported. Successful request for arrest data by race and ethnicity have been made directly to police departments and sheriff's office in Johnson County and police departments in Topeka and Kansas City, Kansas. Previously these urban areas reported only summary data and we could not track race and ethnicity.

B. Number and characteristics (by offense type, gender, race, and age) of juveniles referred to juvenile court, a probation agency, or special intake unit for allegedly committing a delinquent or status offense.

Data on Referrals to Juvenile Court, Cases Diverted, Cases Petitioned/Charges Filed, and Cases Transferred to Adult Court are obtained from the Office of Judicial Administration (OJA).

Barriers: The Kansas Advisory Group and JJA have worked with the Courts for several years to obtain data by race and ethnicity for DMC purposes. Court services data for State Fiscal Year 2008 data will be available in 2009 for the first time. OJA implemented a statewide data system to track these decision points known as Full Court. OJA is working with county court clerks in local jurisdictions to enter data on race and ethnicity into the Full Court system.

Data on alleged Juvenile Offenders and Children in Need of Care (CINC) seen by the state's Intake and Assessment centers are available by gender, race, age, and offense type for the State and by judicial district. The number and characteristics of juvenile offenders referred to a special intake unit for allegedly committing a delinquent or status offense was provided through the Juvenile Intake and Assessment Management System (JJIAMS) maintained by the Juvenile Justice Authority.

Barriers: This data is not available by county. Intake and Assessment workers are not able to search statewide to determine whether the alleged offender has other arrest in other jurisdictions. These barriers will be addressed in the IT upgrade to a web based system funded by JABG.

C. Number of cases handled informally (non-petitioned) and formally (petitioned) by gender, race, and type of disposition (e.g. diversion, probation, commitment, residential treatment).

The state of Kansas does not collect data on cases handled informally (non petitioned). Most of these cases are in paper form and located in file cabinets in local police stations and/or county attorney offices. These cases may be resurrected if additional charges are filed or considered for plea-bargaining. The Office of Judicial Administration does collect information on cases formally petitioned.

Data on cases formally diverted after a petition has been filed is available from the Office of Judicial Administration (OJA).

Barriers: Court services data will be available for the first time in 2009 by race and ethnicity. At this time, we can not anticipate additional barriers as we anxiously awaiting our first reports.

Data on probation is obtained through court services from the OJA Full Court system.

Barriers: Court services data will be available for the first time by race and ethnicity. At this time, we can not anticipate additional barriers as we are anxiously awaiting our first reports.

The number and characteristics of cases for the dispositions of Intensive Supervised Probation and Commitment to Correctional facility and/or Residential Treatment is collected by the Juvenile Justice Authority through an application called the Community Agency Supervision Information Management Systems (CASIMS). Data is available only for SFY 2008, 2007, and 2006 by age, gender, race and ethnicity.

Barriers: The system was designed to have paperless case management system including approval of fiscal expenditures. Unfortunately it is labor intensive and not user friendly, field staff generally completes only the mandatory entries and underutilize its potential. These barriers will be addressed in the IT upgrade to a web based system funded by JABG.

D. Number of delinquent and status offenders admitted, by gender and race, to juvenile detention facilities and adult jails and lockups (if applicable)

Data for delinquent and status offenders held securely is based upon Secure Detention Logs and submitted by detention centers and adult jails and lock ups to the Kansas compliance monitor. This report captures all youth held securely for any length of time in

detention or for processing an arrest. The secure detention report was compiled by gender, age, race and ethnicity.

Barriers: A juvenile may have multiple secured detention incidents over the course of the 3-year reporting period each reported as a separate incident. The report does not include the juveniles who reside out of state or classified as an interstate compact juvenile/runaway.

Significant problems with this data are police or sheriff's office not recording the race, ethnicity and/or age of the juveniles' records. There is currently progress being made to ensure that these details are recorded as accurately and completely as possible for future reporting.

E. Other social, economic, legal, and organizational conditions considered relevant to delinquency prevention programming.

School data for the state is pulled from the Kansas Department of Education website. Data is clearly listed by race, ethnicity, age, and geography. The Education site also includes a "Report Card" section where data is searchable by school district and building. The "Report Card" section includes very good charts & graphs, and offers information on performance indicators.

Kansas Communities That Care (KCTC) reports contain the levels of adolescent substance use, delinquency, violence, as well as, risk and protective levels as reported by adolescents through the Kansas Communities That Care school survey. This assessment is undertaken annually by the Kansas Department of Social and Rehabilitation Services/Addiction and Prevention Services and is used by state agencies, counties, schools and communities in Kansas to monitor the incidence and prevalence of adolescent problem behaviors and the environmental factors that put children at risk or protect them from developing those behaviors.

Kansas Action for Children conducted the Kansas Children's Report Card project to provide a regular, consistent measure of how Kansas children are progressing toward becoming healthy and productive citizens by evaluating the quality of life for Kansas children in five categories: Safety and Security; Health; Education; Teen Years; and Child Care. Each year KAC produces a state report card; a handful of county report cards; and a briefing book that provides an overview of the project, explains the grading system and offers more detailed information on the state report card. Some data in the report card is sortable by race and ethnicity.

State Statutes addressing the sharing of juvenile justice information include:

75-7024 Commissioner of Juvenile Justice; powers and duties:

(n) Adopt rules and regulations as are necessary to encourage the sharing of information between individuals and agencies who are involved with the juvenile.

The Juvenile Justice Code also addresses the sharing of information with agencies involved with the juvenile offender.

38-2309 Court records; disclosure; preservation of records:

The official file is open for public inspection for all juveniles with the exception of a juvenile who is less than 14 years of age and victims of sex offenses. The social file is open to select agencies including the Juvenile Justice Authority core programs of intake and assessment and juvenile community corrections.

38-2310 Records of law enforcement officers, agencies, and municipal courts concerning certain juveniles; disclosure:

All records of law enforcement officers and agencies and municipal courts concerning an offense committed by a juvenile under 14 should not be disclosed to anyone with exception all agencies involved in the juvenile justice process.

38-2312 Expungement of Records.

Identifies the circumstances that juvenile records can be expunged.

38-2326 Establishment and maintenance of Central Repository of juvenile offender information:

Information is open to inspection to law enforcement, social and rehabilitation services, juvenile justice authority, secretary of corrections, educational institutions and educators to the extent of providing protection of pupils and employees, county and district attorneys, attorney's for juvenile offender, intake and assessment, and a judge's order.

38-2374 Conditional Release; procedure; supervision; notification; aftercare services:

Upon satisfactory completion of incarceration at juvenile correctional facility (JCF), the person in charge of JCF will notify the school district when the juvenile offender will be residing. If the crime meets certain severity levels, the JCF will notify the County or District attorney. The County or District Attorney is required to notify the victim and law enforcement.

7. Program Descriptions

The State of Kansas is aware that the state and its subgrantees need to report all mandatory output and outcome measures in the Title II Annual Performance Report.

Compliance Monitoring (Program Area 06)

A. Problem Statement: The compliance monitoring effort has been provided through a contract with Sandra Nesbit-Manning of Juvenile Justice Associates since 1994. The process is coordinated with the Juvenile Justice Specialist and the Kansas Advisory Group's Compliance Committee. Reaching and maintaining full compliance with the JJDP Act core requirements is an on-going goal and challenge.

The primary issues facing the state for the Deinstitutionalization of Status Offenders (DSO) are discrepancies between state and federal law regarding minors in possession or consumption of alcohol. In addition, some rural areas of the state lack appropriate services and placement options for status offenders and non-offenders. The primary issue for the jail removal requirement is the turnover of law enforcement officers, which necessitates regular training and information sharing. In 2008, Kansas elected 37 new Sheriffs and 24 new District and County Attorneys. There are 174 secure jails and lock ups across the state.

B. Program Goal: Increase the statewide capacity to reach full compliance with the core requirements.

C. Program Objectives: To obtain a level of compliance with core requirements for each judicial district below the national rate of compliance.

D. Activities and Services Planned

- Coordinate with Sandra Nesbit-Manning of Juvenile Justice Associates to assure the monitoring universe is identified and classified for monitoring purposes; inspect facilities on-site; and collect and verify secure detention data.
- Conduct meetings related to compliance issues, on-site monitoring visits and complete the annual monitoring report.
- Targeted outreach educational campaigns will be developed for judges, county and district attorneys, law enforcement, and other juvenile justice professionals on the JJDP core requirements.
- Assist in the identification of local, temporary, non-secure, placement options.
- Suggest statutory changes/amendments that provide congruence with federal laws and requirements.

E. Performance Measures:

1. **Number and percent of program staff trained.**
2. **Number of hours of program staff training provided.**
3. **Number of activities address compliance with Section 223 (a) (14) of the JJDP.**
4. **Funds allocated to adhere to Section 223 (a)(14) of the JJDP**
5. **Number of facilities receiving technical assistance.**
6. **Submission of the Annual Monitoring report to OJJDP.**

F. Budget

	JJDP	STATE/PRIVATE/LOCALALLOCATION	Total
FY 2009	61,000	0	61,000
FY 2010	58,000	0	58,000
FY 2011	58,000	0	58,000

Delinquency Prevention Program Area 09

A. Program Problem Statement

Primary and Secondary Prevention programs are an important component of a comprehensive juvenile justice service system. Adequate resources are not sufficient at the local level to meet the needs of the at-risk population or to adequately address gaps in the service system. Input from local units of government was obtained through a survey of local Juvenile Corrections Advisory Boards. The survey responses identified delinquency prevention, as their as their number 1 priority. Delinquency prevention is the most flexible of all program areas incorporating prevention programs in at least 10 other Title II program areas. The KAG has had a long standing commitment to encouraging the development of delinquency prevention programs within the state.

B. Program Goals: Reduce delinquency through the support of primary and secondary prevention efforts, focusing on the general youth population thought to be at-risk for juvenile delinquency.

C. Program Objectives: Establish sustainable evidence based prevention programs throughout the state of Kansas.

D. Activities and Services Planned

- Provide technical assistance regarding the implementation of primary and secondary evidence based prevention strategies and programs.
- Educate service providers regarding risk factor/protective factors and the Model Programs Guide.
- Distribution of funds for projects aimed at developing risk factor/protective factor strategies and implementing evidence based programs.
- Conduct a pre-bid conference and post award conference.
- Require documentation of a relationship between the proposed grant project and risk and protective factors identified in judicial districts comprehensive plan.
- Conduct a competitive grant process with 25 volunteer grant readers.

E. Performance Measures

1. **Number of program youth served.**

2. **Number and percent of program youth exhibiting desired changes in targeted behaviors both short and long term.**
3. **Number and percent of program youth completing program requirements.**
4. Number and percent of program families satisfied with program
5. Number and percent of program youth satisfied with program

F. Budget

	JJDP Funds	STATE/PRIVATE/LOCAL ALLOCATION
FY 2009	261,000	0
FY 2010	263,000	0
FY 2011	263,000	0

G. Expected Number of Sub-grants

The State expects to fund 5 subgrantees at approximately \$50,000 each.

Disproportionate Minority Contact (Program Area 10)

A. Program Problem Statement

In August of 2003, OJJDP determined that the State of Kansas progress on the DMC initiative was inadequate and prepared to restrict 25% of the state’s Title II funding. Over the last 6 years, Kansas has made significant strides to address DMC. This has included a statewide DMC coordinator, establishing 3 pilot programs in Finney, Riley, and Sedgwick counties, State legislation incorporating DMC into juvenile justice reform, incorporating an analysis of DMC into the community planning process at the judicial district level, and the collection of data at all 9 decision points of the matrix.

Sedgwick County has been selected to participate in the MacArthur’s Foundation DMC Action Network and is highlighted in OJJDP’s DMC Reduction Best Practices Database. Two additional Counties (Shawnee and Seward) have been selected to begin the process of participating in the DMC Action Network with technical assistance from Sedgwick County. The primary focus during the next 3 years will be expanding the project to other communities with significant minority populations and incorporating DMC analysis into planning process at the judicial district level. This assimilation of the DMC initiative into juvenile justice reform will eventually allow DMC to be monitored and addressed locally without a special statewide project.

B. Program Goals

To incorporate the analysis of DMC and addressing racial and ethnic disparities into the community planning process.

C. Program Objectives

1. Require all judicial districts to address DMC in their applications for State Block Grant funds by March 16, 2009.
2. Complete a state wide assessment of DMC by January 2010.
3. DMC will be one of the primary themes of the Governor's Conference on Juvenile Justice by June of 2009.
4. Expand the MacArthur Foundation DMC Action Network to include Shawnee and Seward counties by January of 2010.

D. Summary of Activities Planned and Services Provided

- Prepare the application for State Block Grant funds
- Prepare RRI for all judicial districts within the state and post on website
- Develop relationship with Washburn University Criminal Justice Department
- Develop evaluation protocols
- Participate on Governor's Conference Planning Committee and Chair DMC subcommittee
- Rewrite DMC RFP to incorporate intervention programs in Shawnee and Seward

E. Performance Measures

1. **Number and percent of program staff trained (State).**
2. **Number and hours of program staff training provided (State).**
3. **Number of planning activities conducted (State).**
4. **Number of assessment studies conducted (State).**
5. **Number of data improvement projects implemented (State).**
6. **Number of objective decision-making tools developed (State).**
7. **Number of programs implemented.**
8. **Number of program youth served.**
9. **Number of State agencies reporting improved data collections systems (short and long term).**
10. **Number of local agencies reporting improved data collections systems (short and long term).**
11. **Number and percent of program youth who offend or re-offend (short and long term).**
12. **Number and percent of program youth exhibiting desired change in targeted behavior (short and long term).**
13. **Number and percent of program youth completing program requirements.**
14. **Number and percent of recommendations from assessment studies implemented.**
15. **Number of contact points reporting reduction in disproportionality at the state level.**
16. **Number of contact points reporting reduction in disproportionality at the local level.**

F. Budget

	JJDP Funds	STATE/PRIVATE/LOCAL ALLOCATION	Total
FY 2009	100,000	0	100,000
FY 2010	100,000	0	100,000
FY 2011	100,000	0	100,000

G. Expected number of Sub-grants

The KAG is funding two DMC intervention projects in Shawnee and Seward counties participating in the DMC Action Network for \$50,000 each. If Wyandotte County elects to participate in the DMC Action Network, the KAG would commit to an additional \$50,000 to fund an intervention project.

Juvenile Justice System Improvement (Program Area 19)

A. Program Problem Statement

The juvenile justice system in Kansas as in many states is characterized by different levels of government addressing key decisions points and providing services in juvenile justice process. There are limited training opportunities for juvenile justice professionals from different organizations to network on a statewide basis. Many juvenile justice professionals (attorneys, social workers, psychologist, counselors, alcohol and drug counselors, case managers) have continuing education requirements to maintain their license.

In strategic planning session in November of 2007, the KAG identified a need to develop an evaluation of the effectiveness of programs we currently fund through Title II and Title V. We rely extensively on self reported information from the subgrantees to determine the effectiveness of program efforts. The need for an independent evaluation of outcomes is necessary to justify the commitment to tax dollars to prevention efforts.

B. Program Goals

1. To provide an opportunity for juvenile justice professionals to learn about evidence based programming and improve communication between local jurisdictions, state and federal programs.
2. Develop a program evaluation capacity to determine effectiveness of funded programs including DMC programs.

C. Program Objectives

1. To co-sponsor a Governor's Conference on Juvenile Justice in the summer of 2009, 2010, and 2011.
2. Conduct evaluation of the effectiveness of all DMC and second year prevention programs and report the Kansas Advisory Group.

D. Performance Indicators

1. Formula grant funds awarded for juvenile justice system improvement
2. Average Length of time between initial court appearance and disposition
3. Number of research studies conducted.
4. Number of process evaluations conducted.
5. Number of impact or outcome evaluations conducted.
6. Number and percent of programs evaluated as effective.
7. Number of programs modified based on evaluation/research study results.
8. Number and percent of program staff trained.
9. Number of hours of program staff training provided.
10. Number and percent of program staff with increased knowledge of program area.
11. Number and percent of non-program personnel with increased knowledge of program area.

E. Activities and Services Planned

- An annual Governor's Conference on Juvenile Justice is planned for 2010, 2011, and 2012.
- Contract with Washburn University for two paid intern students for site visits and data collection under the supervision of Dr. Jennifer Pealer and JJA Research Department

F. Budget

	JJDP Funds	STATE/PRIVATE/LOCAL ALLOCATION
FY 2009	42,000	0
FY 2010	42,000	0
FY 2011	42,000	0

G. Expected Number of Sub-grants Governor's Conference on Juvenile Justice will receive \$17,000 and JJA's evaluation project will receive \$25,000.

Native American Tribes (Program Area 22)

A. Program Problem Statement

Kansas is home to four Native American tribes: Iowa, Kickapoo, Potawatomi and Sac and Fox. According to the census, 47% of tribal families living on the reservation are below the federal poverty level. The KAG has historically provided more funding for the tribes than the prescribed Native American pass through (\$980) in order to assist them in their prevention and intervention programs and is seen as part of our DMC effort.

B. Program Goals

Encourage Native American tribes to submit evidence based programs or to include evidence based curriculums within their programs.

C. Performance Objectives

1. Conduct outreach efforts to the reservations and Tribal authority.
2. Provide technical assistance in identifying needs and appropriate evidence-based programming.

D. Performance Indicator

1. Number of program youth served.
2. Number and percent of program youth completing program requirements.
3. Number and percent of program youth who re-offend (short and long term –intervention programs).
4. Number and percent of program youth exhibiting desired change in target behaviors (short and long term – prevention programs).
5. Number and percent of program families satisfied with program.
6. Number and percent of program youth satisfied with program.

E. Summary of Activities Planned and Services Provided

Invite members of the tribe to a special by invitation only training on evidence-based programs and curriculum for Native American youth conducted by Dr. Jennifer Pealer.
Provide technical assistance to tribes in drafting their funding proposals.

F. Budget

	JJDP FUNDS	STATE/PRIVATE/LOCAL ALLOCATION
FY 2009	980	0
FY 2010	980	0
FY 2011	980	0

G. Expected Number of Sub-grants

The State expects to fund at least two sub grants to the tribes at a cost of eight to ten thousand dollars each. Additional funds necessary to totally fund Native American proposals will be drawn from the delinquency prevention fund.

Planning and Administration (Program Area 23)

A. Program Problem Statement

The planning for the administration of the JJDP in Kansas will be accomplished in coordination with the Kansas Advisory Group (KAG). The KAG is the successor to the Kansas Youth Authority, which was established in 1995, by the Kansas legislature and the governor, to plan for and design a system of juvenile justice and delinquency prevention in accordance with section 222 (c) of the JJDP Act.

B. Program Goals

To provide necessary information and support to the KAG in an effort to create an effective juvenile justice and delinquency prevention system for the State of Kansas.

C. Program Objectives

1. Provide accurate and timely applications for funding and performance measurement reports.
2. Administer a competitive grant making process utilizing volunteer grant readers.
3. Maintain compliance with JJDP core requirements.
4. Provide support to the KAG and its committees.

D. Performance Indicators

- 1. Formula grant funds allocated to planning and administration.**
- 2. Number of FTE's funded with Formula Grant funds**
- 3. Number of subgrants awarded during reporting period.**
- 4. Number and percent of programs using evidence-based models.**
- 5. Average time from receipt of sub grant application to date of award.**

E. Summary of Activities Planned and Services Provided

- Ongoing partnership between the KAG and JJA
- The provision of assistance and expertise to the KAG in the preparation of the three year plan, annual report to the governor, annual performance reports and selection of competitive grant proposals.
- The development of the application packet and pre-bid conference to solicit proposals for funds made available under the approved plan.
- Involvement in the monitoring and evaluation of funded projects, through post award training and on-site visits.
- Oversight of the compliance monitoring contract and DMC core requirements.
- Acting as the state contact (Juvenile Justice Specialist) regarding matters pertaining to the administration of the federal grant program.
- Fiscal management of JJDP grants and subgrantees.

F. Budget

	JJDP FUNDS	STATE/PRIVATE/LOCAL ALLOCATION
FY 2009	60,000	60,000
FY 2010	60,000	60,000
FY 2011	60,000	60,000

G. Expected Number of Sub-grants
N/A

State Advisory Group Allocation (Program Area 31)

A. Program Problem Statement

This program will provide funds to enable the KAG to carry out its duties and responsibilities, as specified by the Governor (as its appointing authority), and the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415) Section 222(d).

B. Program Goals

The purpose of the Kansas Advisory Group (KAG) is to review juvenile justice policy and advise and advocate on juvenile justice issues to policy makers and juvenile justice system; and strive to keep Kansas in compliance with the federal Juvenile Justice and Delinquency Prevention Act.

C. Program Objectives

D. Performance Indicators

- a. **Number of SAG committee meetings held.**
- b. **Number of SAG subcommittee meetings held.**
- c. **Annual Report to the Governor**
- d. **Number of grants funded with Formula Grant funds**
- e. **Number and percent of programs using evidence-based models.**
- f. **Number and percent of plan recommendations implemented.**

E. Summary of Activities Planned and Services Provided

- Quarterly KAG meetings
- Most of the KAG work will be conducted in committee meetings i.e. (Compliance, Grants, Operations, Issues and Innovations and Executive.) These committees meet 3 to 4 times a year and are staffed by the JJ Specialist.
- Payment of mileage and per diem to attend KAG related meetings and to reimburse expenses incurred in attending National conferences and any other expenses determined, by the KAG to be a necessary expense related to its functioning.

F. Budget

	JJDP FUNDS	STATE/PRIVATE/LOCAL ALLOCATION
FY 2009	30,000	0
FY 2010	30,000	0
FY 2011	30,000	0

G. Expected Number of Sub-grants

N/A

8. Subgrant Award Assurances

In November of 2007, the KAG adopted a strategic plan which prioritized evidence-based programs and curriculum by providing bonus points to applicants proposing evidenced based programs. Evidence based programs is the first issue the newly created standing committee of the KAG called the Issues and Innovations committee will address. Applicants are encouraged to access the Model Program Guide through the DSG website.

The KAG and JJA have implemented a policy that if a subgrantee cannot demonstrate substantial success in meeting their goals within two years, the program will not be funded for a third and subsequent years. On site visits are conducted during the first year the program is funded and is documented through an on-site monitoring report. Any corrective action and/or technical assistance needs are identified in the report. If a program is determined to be at risk, more frequent site visits and telephone contacts are made to provide technical assistance to help ensure program success.

9. SAG Membership

Representing the following categories

- A. Locally elected official representing general purpose local government.
- B. Representative of law enforcement and juvenile justice agencies.
- C. Representatives of public agencies concerned with delinquency prevention or treatment.
- D. Representative of private nonprofit organizations.
- E. Volunteers who work with juvenile justice.
- F. Youth workers involved with programs that are alternatives to incarceration.
- G. Persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion.
- H. Persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence.
- I. Persons who have been or currently are involved with the Juvenile Justice System.

	Name	Represents	F/T Gov	Youth	Date of Appointment	Term Expires	Residence
1.	Ward Loyd - Chair	E, G, H			6/08	7/12	Garden City
2	Erika Nilles-Plumlee Vice Chair	D, G, H	X		5/07	7/11	Lawrence
3	Marilynn Ault	D, H			5/07	7/11	Topeka
4	Cynthia Geist	C, D			5/07	7/10	Hays
5	Mark Gleeson	B, E	X		9/05	7/09	Topeka
6	George Gomez	H			1/08	7/11	Shawnee Mission
7	Nancy Lindberg	D			9/05	7/09	Topeka
8	Sarah Mays	B, G, H	X		5/07	7/11	Topeka
9	Senator Laura Kelly	E,F			5/07	7/11	Topeka
10	Rep. Melody Miller	G, E			5/07	7/10	Wichita
11	Brain Black	D, E, H			5/07	7/11	Wichita
12	Melody Pappan	B, G	X		5/07	7/11	Dexter
13	Shelly Chenoweth	D.			5/07	7/11	Wichita
14	Dustin Nelson	B, I, C, G		X	5/07	7/10	Hutchinson
15	Vernon Chinn	A, B, C,D	X		9/05	7/09	Pratt
16	Judy Bredeesen	E			5/07	7/11	Coffeyville
17	Tyrah Talbert	E		X	5/07	7/10	Topeka
18	Brandon Johnson	D, E, F, J		X	5/07	7/10	Wichita
19	Melissa Rundus	B, E, F	X		5/07	7/10	Manhattan
20	Dr. Brenda Dietrich	C			5/07	7/11	Topeka
21	Judge Wade Dixon	B	X		5/07	7/11	Tribune
22	Jan West	C,D,F,H			5/07	7/11	Independence
23	Sherrie Vaughn-Gregg	D			5/07	7/11	Olathe
24	Timothy Bacon	E		X	10/08	7/10	Topeka
25	Alayna Howell	E		X	10/08	7/09	Pratt
26	Emily Deaver	E		X	11/08		Augusta

10. Staff of the JJDP Formula Grants Program

Governor Kathleen Sebelius appointed J. Russell Jennings as the Commissioner of the Juvenile Justice Authority on February 26, 2007. Commissioner Jennings was a long-term member of the Kansas Advisory Group and chaired the Compliance/DMC Committee for many years. The Federal programs (Title II, Title V and JABG) have been placed under the Deputy Commissioner, Dennis Casarona. The Deputy Commissioner is responsible for community and facility programs. The Juvenile Justice Specialist oversees the OJJDP programs, including staff support to the KAG, the Compliance Monitoring, Disproportionate Minority Contact, Title II, Title V and the JABG grant programs.

Don Chronister was appointed as the full time JJ Specialist for the State of Kansas, effective October 27, 2003. The JJ Specialist serves as the liaison with the KAG and its various committees. This position is responsible all applications, performance reports and other GMS reports for Title II Formula, Title V, JABG and Prevention Trust Fund. The JJ Specialist is also responsible for DMC reporting as the DMC coordinator position was not refilled. The JJ Specialist oversees all technical assistance requests. The JJ Specialist also oversees the compliance monitoring contract and the grant making process including site visits to sub grantees. Ursula Hendrickson assumed Sandy Barnett fiscal responsibilities on January 12, 2009 as the position is being frozen as a cost saving measure. Ursula oversees the fiscal reporting for Title II Formula, Title V, JABG and the Prevention Trust Fund for both sub grantees and OJJDP. Sandra Nesbit-Manning has served as a contracted compliance monitor for the state of Kansas for approximately 14 years.

The following chart represents the funding for JJA staff members responsible for the administration of JJDP funds.

Name	State General Funds (SGF)	SGF (JJDP Match)	SGF (JABG Match)	Title II Admin	Title V	JABG	Total
Don Chronister (JJ Specialist)		25%	25%	25%		25%	100%
Ursula Hendrickson Public Service Admin.	70%	7.5%	7.5%	7.5%		7.5%	100%