

CROSSOVER YOUTH

HOW KANSAS CAN CONTINUE TO PROTECT AND SERVE SYSTEM-INVOLVED CHILDREN

Incarcerating young people, especially youth who exhibit mental and behavioral health issues, is ineffective policy with detrimental consequences.⁽¹⁾ In 2016, state lawmakers passed comprehensive juvenile justice reform (Senate Bill 367) after extensive deliberation with bipartisan groups of legislators, agency leaders, and national experts.⁽²⁾ The reforms were implemented between 2016 and 2019 with great success. As of May 2020, there were 257 kids in KDOC custody (a 77% decrease since 2016), including 139 kids in the state's one remaining youth prison (a 48% decrease).⁽³⁾

The juvenile justice reforms have been successful and must be protected so they can continue reducing youth incarceration and helping Kansas foster care youth get the services they need.

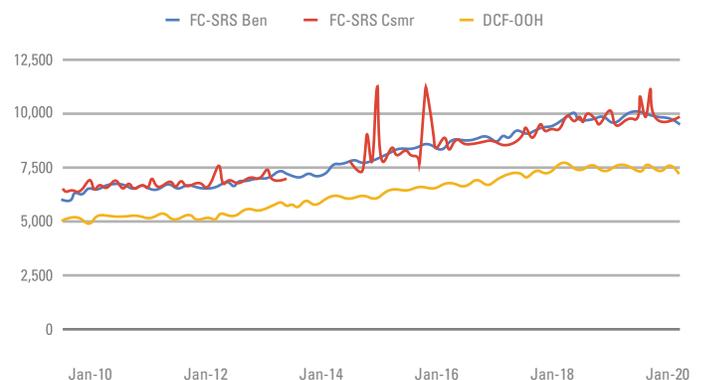
The crisis in Kansas's foster care system predates juvenile justice reform. The rise in the number of kids in child welfare began in January 2012. Significant legislative and administration action is still required to address the complex and structural problems facing the foster care system.

Though the child welfare and juvenile justice systems do interact, data tell us juvenile justice reforms are not responsible for the foster care system's failures.

Foster care numbers leveled out after juvenile justice reforms, and children began receiving the medical assistance they needed more efficiently.

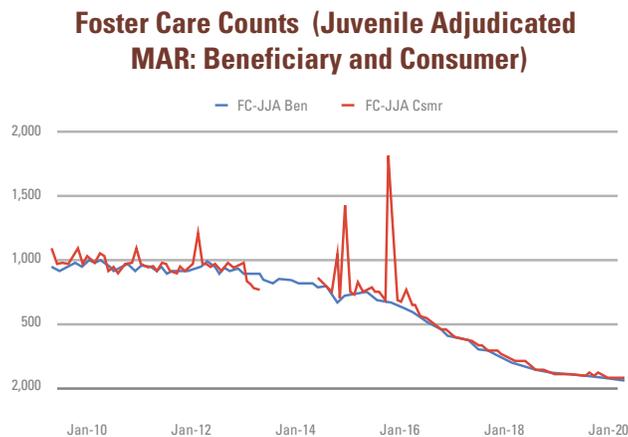
The Medical Assistance Report (MAR) is a record of spending and enrollment in state medical plans that includes data of Medicaid expenditures for kids in the care of the Department for Children and Families (DCF) and the Department of Corrections (KDOC). The charts below initially show more variability between who is eligible for benefits (blue line: Foster Care Beneficiary Count) and how many are actually receiving benefits in a given month (red line: Foster Care Consumer Count). After juvenile justice reforms passed, the red line began tracking closer to the blue line, (with one exception being the government shutdown in the beginning of 2019.) **This means health benefits are delivered more efficiently.** *Consumer numbers were not included on the 2014 MAR report because of a system change.*

Foster Care Counts (MAR:Beneficiary, MAR:Consumer, DCF:Out of Home Placement)



This chart below shows both a decline in the enrollment in Medicaid and spending for kids in the juvenile justice system, as well as, increased efficiency in medical service expenditures since the 2016 reforms. A gradual decline in the number of foster care kids in the juvenile justice system was already underway before Senate Bill 367 was passed, but then dropped precipitously after the reforms.

If juvenile justice reforms were driving the burden on the foster care system, then we would expect to see a large increase in the number of kids in DCF care after the drop in the number of kids in KDOC. Instead, we see the total number level out.



The charts above demonstrate that the volatility in consumer benefits was much greater before reforms. After Senate Bill 367 passed, the consumer numbers began tracking much closer to the beneficiary numbers, particularly with foster care kids who were also in the juvenile justice system. This indicates that as the number of kids in both systems decreased, those eligible for medical benefits were receiving them each month.

Juvenile justice reforms did not shift burden to the foster care system.

When you combine medical expenditure information with data from DCF, it further demonstrates that juvenile justice reforms do not push kids from one system to another. The number of kids being placed into foster care for behavior reasons has continued to decrease since the implementation of SB 367 reforms. If SB 367 were pushing kids with behavioral issues from KDOC to DCF, this number would be increasing. This is not the case.

In state fiscal year 2019, DCF convened a working group to gather information about “crossover youth” who were involved with both foster care and juvenile justice systems.⁽⁴⁾ According to the June

SFY	Total Removals	Child Behavior Removals
2011	3,407	239 (7.01%)
2012	3,623	271 (7.48%)
2013	3,974	247 (6.22%)
2014	3,805	240 (6.31%)
2015	3,799	237 (6.24%)
2016	3,952	226 (5.72%)
2017	4,020	204 (5.07%)
2018	4,212	191 (4.53%)
2019	4,125	192 (4.65%)
2020	3,477	144 (4.14%)

Source: <http://www.dcf.ks.gov/services/PPS/Pages/FosterCareDemographicReports.aspx>

2019 Crossover Youth Working Group Report, all data tracked and compiled by DCF show a decreasing trend in the number of kids who are or may be crossover youth.⁽⁵⁾ The only evidence of any increase in crossover youth issues comes from anecdote, not data. As the report details: “KVC, a DCF Contractor, reported an increase in the number of youth entering the child welfare system due to child behavior challenges and not due to abuse or neglect. This assumption is, however, contrary to DCF referral data.”⁽⁶⁾

The problems in Kansas’s foster care system are further traumatizing children and placing unsustainable stress on social workers. But it is important to use data to understand the full picture and guide efforts to fix it. None of the available data indicates that juvenile justice reform is contributing to problems in the foster care system.

To ensure the safety and wellbeing of Kansas youth—especially those who are system-involved—Kansans must look forward by making necessary changes to ensure children receive the behavioral and medical supports they need while letting the ongoing success of Senate Bill 367 continue.

1. Lambie, Ian, and Isabel Randell. “The impact of incarceration on juvenile offenders.” *Clinical Psychology Review* 33.3 (2013): 448-459.

2. National Conference of State Legislatures. “Comprehensive Juvenile Justice Policy Reform | Kansas.” (2019). <https://www.ncsl.org/research/civil-and-criminal-justice/juvenile-justice-reinvestment-kansas.aspx>

3. Kansas Department of Corrections. Juvenile Population Reports. 2020. <https://www.doc.ks.gov/publications/juvenile/population>

4. Crossover Youth Services Working Group Report. (2019): p. iii. <http://www.dcf.ks.gov/Agency/Documents/CrossoverYouthServicesWorkingGroupReport.pdf>

5. Crossover Youth Services Working Group Report. (2019): p. 6-8.

6. Crossover Youth Services Working Group Report. (2019): p. 9.