

RESOLUTION NO. 2023-31

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS ADOPTING AN AMENDED RESOLUTION REVISING SECTION 4(a)(8) OF RESOLUTION 2023-24 WHICH ESTABLISHED A LEAVENWORTH COUNTY JUVENILE CORRECTIONS ADVISORY BOARD AND REPEALED RESOLUTION 1999-7.

WHEREAS, state statutes, specifically K.S.A. 75-7038 through 75-7053 and amendments thereto, provide for the establishment of a local juvenile corrections advisory board by counties; and

WHEREAS, K.S.A. 75-7044 and amendments thereto provide for the general composition of such boards, allowing for additional members other than those set out in statute; and

WHEREAS, on September 13, 2023, the Board of County Commissioners of Leavenworth County established a Leavenworth County Juvenile Corrections Advisory Board pursuant to state statute with membership as required by state statute and repealed and rescinded Resolution 1999-7; and

WHEREAS, on November 1, 2023, the Board of County Commissioners of Leavenworth County appointed three members and an educational representative to the Leavenworth County Juvenile Corrections Advisory Board; and

WHEREAS, the Board of County Commissioners of Leavenworth County wishes to amend Section 4 (a)(8) of Resolution 2023-24 to provide for the general composition of the Juvenile Corrections Advisory Board and allow for additional members as authorized by state statute.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, SITTING IN REGULAR SESSION, DOES HEREBY RESOLVE THAT THE FOLLOWING AMENDED RESOLUTION BE ADOPTED REPLACING RESOLUTION 2023-24:

Section 1. Establishment of Juvenile Corrections Advisory Board.

There is hereby created the Leavenworth County Juvenile Corrections Advisory Board, (hereinafter referred to as "JCAB").

Section 2. Repeal of Prior Resolutions.

That Resolution 1999-7 is hereby repealed and rescinded. To the extent any provisions of prior Resolutions contradict with this Resolutions, those provisions are hereby repealed and rescinded as it is the intent of the Board of County Commissioners that the provisions of this Resolution superseded those resolutions and replace them in their entirety.

Section 3. Purpose and Duties.

The JCAB shall:

- (a) Annually consider the availability of treatment programs, programs creating alternatives to incarceration for juvenile offenders, mental health treatment, and the development of risk assessment tools, if they do not currently exist, for use in determining pretrial release and probation supervision levels.
- (b) Report to the Kansas department of corrections and the Kansas Juvenile Justice oversight committee by October 1 of each year detailing the costs of programs needed in the 1st Judicial District to reduce the out-of-home placement of juvenile offenders and improve the rate of recidivism of juvenile offenders in such judicial district.
- (c) Adhere to the goals of the juvenile justice code as provided in K.S.A. 38-2301, and amendments thereto and coordinate with the Kansas juvenile justice oversight committee created in K.S.A. 75-52,161.
- (d) Actively participate in the continuing formulation of the comprehensive plan for the development, implementation, and operation of juvenile correctional services as described in K.S.A. 75-7038 and amendments thereto.
- (e) Make formal recommendations to the Leavenworth County Board of Commissioners at least annually concerning the comprehensive plan and its implementation and continuing operation.
- (f) Advise the Leavenworth County Board of Commissioners on any and all matters touching upon juvenile corrections.

Section 4. Composition of the JCAB.

The JCAB shall be composed of voting members appointed as follows:

- (a) Members shall assume positions on the JCAB pursuant to statutory requirements of K.S.A. 75-7044 and amendments thereto as follows:

- (1) The Sheriff or the Sheriff's designated representative;
- (2) The Chief of Police of Leavenworth, Kansas, or the Chief of Police's designated representative;
- (3) The County Attorney or the County Attorney's designated representative;
- (4) A District Court Judge assigned to the juvenile court docket appointed by the Administrative Judge of the 1st Judicial District;
- (5) An education professional appointed by the Leavenworth County Board of County Commissioners;
- (6) A court Services officer designated by the judge of the 1st Judicial District who is assigned the juvenile court docket or the judge who is assigned most juvenile court cases;
- (7) The executive director of the community mental health center or such director's designated representative;
- (8) As the governing body for the county, the Leavenworth County Board of Commissioners shall appoint at least three (3) members and no more than six (6) additional members to the Board pursuant to the statutory requirements of K.S.A. 75-7044 and amendments thereto;
- (9) The City of Leavenworth, Kansas shall be invited to designate three representatives to the JCAB. If the City fails to designate such representative(s), the Leavenworth County Board Commissioners may appoint representative(s) to fill such position;
- (10) A juvenile defense representative that is a practicing juvenile defense attorney in the judicial district and selected by the judge of the 1st Judicial District who is assigned the juvenile court docket.

(b) To the extent possible, JCAB members appointed by the Leavenworth County Board of Commissioners shall be representatives of one or more of the following:

- (1) Public or private social services agencies;
- (2) Ex-offenders;
- (3) The health care professions; and
- (4) The general public.

- (c) At least two members of the JCAB shall be representative of ethnic minorities and no more than 2/3 of the members of the JCAB shall be members of the same gender.

Section 5. Term and Vacancies.

- (a) The term of the JCAB members shall be for three years from the effective date of this Resolution or until their successors are appointed and qualified.
- (b) All vacancies on the Board shall be filled for the unexpired term in the manner that the position was originally filled.

Section 6. Proceedings and Records Opens; Votes Recorded.

- (a) All proceedings of the JCAB and any committee or subcommittee of the JCAB shall be open to the public pursuant to K.S.A. 75-7045 and any amendments thereto.
- (b) All votes of members of the JCAB shall be recorded and shall become matters of public record.
- (c) All other records of the Board shall be open to public inspection pursuant to K.S.A. 45-215 et seq., the Kansas Open Records Acts and any amendments thereto, unless disclosure is or may be restricted under state or federal law.

Section 7. Meeting Quorum; Voting; Proxies; Attendance.

- (a) The JCAB shall hold regular meetings at a time and place to be determined by the JCAB. Additional and special meetings may be called by the Chair at any time. Notice of additional or special meetings, either oral or written shall be give to each JCAB meeting at least 48 hours before the meeting.
- (b) A quorum shall be majority of voting members of the JCAB. A quorum must be present at any meeting at which official JCAB action is taken.
- (c) The JCAB may take action only by a vote of a majority of the voting members present at a meeting at which a quorum exists.
- (d) Each member of the JCAB, in writing, may designate a proxy who may attend meetings and cast votes in the place of the member.

(e) If any JCAB member fails to attend two regular meetings during the State fiscal year and fails to send a proxy to such meetings, the Chair will consult with the JCAB member in writing as to the JCAB member's intention to continue in the position. If any JCAB member fails to attend three regular meetings in a State fiscal year and fails to send a proxy for such meetings, the JCAB member will be deemed to have forfeited his or her position. Such position will be filled under Section 5 of this Resolution.

Section 8. Officers.

The Board shall elect its own officers.

Section 9. Conflict. All resolutions, County Policies or parts thereof, in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

Section 10. Effective Date.

This Resolution shall take effect immediately upon adoption by the Leavenworth County Board of County Commissioners.

The County Administrator, and Leavenworth County's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

ADOPTED the ____ day of November, 2023.

**BOARD OF COUNTY COMMISSIONERS
OF LEAVENWORTH COUNTY, KANSAS**



VICKY KAAZ, CHAIR



JEFF CULBERTSON, MEMBER



MIKE SMITH, MEMBER

Doug Smith

DOUG SMITH, MEMBER

Mike Stieben

MIKE STIEBEN, MEMBER



Janet Klasinski
LEAVENWORTH COUNTY CLERK