Justice Center
THE COUNCIL OF STATE GOVERNMENTS

February 13, 2025

To Whom it May Concern:

We write in response to the filings of HB 2329 and HB 2325. Both bills contain provisions that would make it easier to detain and incarcerate more youth in Kansas and for longer periods of time, including through required overrides of risk and detention assessment tools. As a result, both bills would also increase costs for KDOC and Kansas taxpayers, including reallocating $10 million dollars intended to support community-based services for use, instead, for residential placements.

The Council of State Governments (CSG) Justice Center is a national, nonprofit, nonpartisan organization that provides states with policy and research expertise to develop strategies that increase public safety and strengthen communities. For over a decade, we have reviewed rigorous research on what works to improve public safety and outcomes for justice-involved youth and have supported states to adopt and implement this research effectively. Research shows the following:

1. *Detaining and incarcerating youth who are not high risk is an ineffective public safety strategy.* Youth who are detained and incarcerated are more likely to reoffend, commit violence, experience mental health challenges and trauma, and less likely to complete high school than similar youth who are supervised in the community.
2. *Detaining and incarcerating youth, including through nonsecure placements, is costly and inefficient*. The average cost per day of incarcerating youth in Kansas is 5 times the cost of community-based, evidence-based programs, which can effectively reduce recidivism. A decade ago, Kansas eliminated its reliance on nonsecure facilities because a legislatively-ordered study of these facilities showed high costs and poor outcomes.
3. *A youth's offense does not predict their likelihood of reoffending.* Risk and detention screening tools are far more reliable indicators of recidivism risk than a youth's offense or professional judgement alone, and jurisdictions that use such tools, without frequent overrides, experience improvements in public safety and youth outcomes.

In 2024, the CSG Justice Center partnered with KDOC, KDADS, DCF, legislators, and others to launch the Stepping Up for Youth Initiative, including formation of a state taskforce, to improve behavioral health services for justice-involved youth. We assessed Kansas' juvenile justice and behavioral health systems and available services, and presented findings to the taskforce. The taskforce unanimously agreed on a set of recommendations focused on addressing gaps in community-based services for youth across Kansas, particularly in rural communities. Due to these gaps, youth are unnecessarily ending up in the child welfare and juvenile justice systems, and most youth in facilities have unmet behavioral health conditions that could have been more cost-effectively addressed in the community if not for the lack of robust community-based, behavioral health services for youth.

The CSG Justice Center is working with KDOC, KDADS, DCF and others to develop a detailed plan to address these service gaps, including through more strategic and comprehensive use of the evidence-based programs account. State agencies are committed to this process, and we encourage the legislative branch to support this research-based, data-driven, cross-systems initiative to improve public safety, youth outcomes, and the efficient use of resources for youth and communities in Kansas statewide.

Sincerely, Josh Weber, Deputy Director, Corrections and Reentry

Joshua Weber