Committee on Corrections and Juvenile Justice

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House Committee Chair, Representative Tom Kessler, Vice Chair Representative Rebecca Schmoe, and Ranking Minority Member, Representative Silas Miller, thank you for this opportunity to submit written testimony in opposition of Hb 2329, My name is Christopher Chastain, NAMI Kansas Public Policy, and Advocacy Director. What is NAMI Kansas you might be asking, and the simple response is I Am NAMI Kansas. The more complex answer is we are a statewide organization of the National Alliance on Mental Illness, providing services to Kansans for 36 years.

Thank you, Chair and members of the committee, for the opportunity to testify. House Bill 2329 proposes increased placement of juvenile offenders in youth residential facilities (non-foster home beds). I am here to oppose HB 2329 because evidence shows that removing youth from their homes and placing them in residential facilities is more harmful to young people and undermines public safety. Research from Kansas and across the nation consistently finds that incarcerating youth fails to reduce reoffending, damages mental health, and disrupts education, whereas community-based alternatives yield better outcomes. Below, I present key findings and data to support rejecting this approach in favor of effective community interventions.

Recidivism Rates: Residential Placement vs. Community Programs

One of the primary goals of the juvenile justice system is to prevent future offenses. Unfortunately, placing youth in residential facilities has a poor track record for reducing recidivism. In fact, studies indicate it often produces equal or higher reoffending rates compared to handling youth in community programs or under supervision at home:

• National research shows no public safety benefit from youth incarceration. Comprehensive reviews find that incarcerating youth does not lower their likelihood of reoffending and may increase it. Youth released from confinement reoffend at rates equal to or higher than those of similar youth who remained at home. Longer stays in custody also fail to reduce recidivism and can even raise it. In short, locking up juveniles has not proven effective in steering them away from crime.

• Extremely high re-offense rates after incarceration. A state-by-state review found that 70–80% of youth released from residential correctional programs are rearrested within two to three years. In contrast, community-based programs have yielded far better success: for example, more than 80% of youth remain arrest-free after completing community-based programs according to one national program's evaluation. This stark difference shows that community alternatives can significantly outperform confinement in preventing new crimes.

• Community supervision outperforms institutional placement (examples). In Texas, a study found that youths with similar backgrounds had lower rearrest rates if they participated in community-based treatment and supervision programs rather than being held in state facilities. Likewise, Ohio's RECLAIM initiative (which diverts youth to community programs) reported that low- and moderate-risk youth placed in institutions had reoffending rates at least twice as high as comparable youth kept in community programs. These evidence-based examples underline that treating youth locally in their communities yields better public safety outcomes than sending them to residential centers.

• Kansas's own data aligns with these findings. Prior to recent reforms, Kansas found that over 40% of youth released from state juvenile facilities were incarcerated again within three years. By contrast, research shows that well-implemented alternatives to incarceration can cut recidivism by about 20% on average. It is telling that a bipartisan Kansas workgroup in 2015 concluded that "out-of-home placements do not improve outcomes for most youth and can increase the likelihood of offending". Increasing reliance on residential facilities, as HB 2329 proposes, runs counter to this evidence and risks higher recidivism and more crime, not less.

Mental Health Consequences of Institutionalizing Youth

Removing juveniles from their homes and placing them in facilities can inflict serious mental and emotional harm. Most youth who enter the justice system are already vulnerable – many have trauma histories or mental health needs – and incarceration often worsens these issues:

• Worsening of depression and trauma. Research tracking youth into adulthood found that incarceration during adolescence is associated with significantly higher rates of mental health problems later in life. Youth who were incarcerated as teens were over four times more likely to develop depression and twice as likely to have suicidal thoughts in adulthood compared to similar youth who were not incarcerated. Confinement can compound trauma as well. The adolescent brain is still developing, and experts note that incarceration exacerbates trauma and slows normal maturation, undermining rehabilitation.

• Prevalence of mental illness in locked facilities. A large proportion of youth suffer from diagnosable mental disorders. Studies consistently show 65–70% of youth in juvenile detention have a diagnosable mental illness. Often these youth end up confined simply due to lack of available community mental health services. Instead of treatment and support, they experience

the stress of separation and institutional life, which can aggravate conditions like anxiety, PTSD, and behavioral disorders.

• Institutional environments can be harmful. Unfortunately, many youth facilities struggle to provide adequate mental health care. Over the past two decades, investigations have uncovered pervasive problems in juvenile facilities nationwide – including violence, abuse, and isolation practices – all of which can further traumatize youth. Even well-run facilities inherently separate youth from family and positive support. This disruption of family bonds and social support is itself linked to worse behavioral and mental health outcomes. In contrast, community-based interventions can involve families in treatment and keep youth connected to healthy support systems.

In sum, placing juveniles in residential facilities frequently compounds mental health challenges, whereas community-based programs are better positioned to provide therapy, counseling, and family engagement without the added trauma of incarceration.

Educational Outcomes for Youth in Residential Placement

Education is a key factor in a young person's future success and law-abiding behavior. When youth are removed from school and home and placed in a facility, their educational path is often derailed. The data on educational outcomes for incarcerated youth is alarming:

• Dramatically lower high school graduation rates. Youth who spend time in custody are far less likely to graduate high school than their peers. A recent multi-city study found that juveniles who were incarcerated were less than half as likely to earn a high school diploma as similar youth who were never incarcerated. Other studies have documented that a stay in a juvenile facility can reduce the likelihood of high school graduation anywhere from 13% to 31%, even after controlling for a youth's prior history. In short, confinement frequently knocks young people off the track to completing their education.

• Very low school re-enrollment after release. Many youths do not return to school at all after being released from a facility. In Cook County, Illinois (Chicago), only 38% of youth returned to a public school within six months of leaving detention. Similarly, a Florida study found just 44% of youth released from residential programs re-enrolled in school within three years. Nationwide, the U.S. Office of Juvenile Justice and Delinquency Prevention estimates that only about one-third of youth released from juvenile facilities ever re-enroll in school – meaning the majority drop out and fail to continue their education. This loss of educational opportunity is a tragic outcome of removing kids from their communities.

• Long-term educational and career setbacks. The disruption caused by incarceration has ripple effects on later success. Youth who are confined not only struggle to finish high school but also have lower rates of college enrollment and completion, and reduced employment prospects in adulthood. One national longitudinal study found that youth incarceration significantly lowered years of schooling and led to lower wages and less work experience by age 39. By contrast, community-based programs can keep youth engaged in local schools or alternative education, helping them continue progress toward a diploma or GED. Keeping juveniles in school is one of the best strategies to prevent future criminal behavior, so the educational disruption from residential placement is a serious public safety concern as well.

In light of this evidence, expanding the use of residential facilities (as HB 2329 envisions) would likely result in more dropouts and fewer educated young adults in Kansas. That outcome runs counter to our goals of rehabilitation. We should strive to keep justice-involved youth in their communities where they can remain in school or job training programs, rather than pulling them out and jeopardizing their educational futures.

Kansas Data and Experience: Community Reforms vs. Incarceration

Kansas in recent years provides a telling case study. Our state has already grappled with the problems of over-relying on incarceration for juveniles and has moved toward community-based solutions – with promising results. The evidence from Kansas mirrors the national research:

• High recidivism and low program success in the old system. Prior to reforms, Kansas spent the vast majority of its juvenile justice budget on incarceration yet saw poor outcomes. About 70% of juvenile justice funding went toward incarceration or residential placements, versus only roughly 3% on community-based prevention and rehabilitation programs. The returns on this investment were disappointing: over 40% of youth released from Kansas youth correctional facilities were reincarcerated within three years, and fewer than half of youth placed in non-secure residential programs (Youth Residential Centers) successfully completed those programs. In other words, Kansas was paying millions for a system where more than half the youth in costly out-of-home placements did not succeed. Meanwhile, research indicated that every $1 invested in evidence-based alternatives could save $2 to $10 in future costs by reducing crime. This imbalance prompted action.

• Bipartisan reforms to reduce youth removal from home. In 2016, Kansas lawmakers overwhelmingly passed comprehensive juvenile justice reform (Senate Bill 367). A key goal was to limit out-of-home placements to only the highest-risk cases and expand community interventions. As noted earlier, the Kansas Juvenile Justice Workgroup found that placing lower-risk youth in facilities was ineffective and could increase recidivism. The reform invested in evidence-based programs like behavioral health treatment, family therapy, and mentoring

programs within youths' home communities. It also created incentives to keep young people with their families whenever safely possible. These changes directly sought to address the very issues House Bill 2329 now risks exacerbating.

• Positive trends since Kansas reduced youth incarceration. The results of Kansas's shift toward community-based alternatives have been encouraging. The number of youths in state juvenile correctional facilities dropped 37% from 2010 to 2016 and has continued to decline. The average daily population at the Kansas Juvenile Correctional Complex fell from 231 youth in FY 2016 to just 92 in FY 2021 – a 60% reduction. At the same time, the outcome has improved. By the cohort of youth released in 2017 (after reforms), over 72% did not return to custody or get convicted within three years. This was a marked improvement in the 3-year success rate compared to prior years. Fewer low-risk teens are being locked up, which means fewer are becoming repeat offenders. Kansas is now recognized as a leader in juvenile justice reform for prioritizing community solutions and reserving confinement for only the most serious offenders.

• Reversing course would jeopardize progress. HB 2329's call to increase placement of juveniles in residential facilities would reverse the hard-won progress Kansas has made. It harkens back to an approach that Kansas moved away from because it wasn't working. Re-expanding non-foster residential beds might fill institutions again with young people who could be better served at home. This threatens to drive up recidivism and costs exactly when Kansas has demonstrated that evidence-based community programs can reduce both. In short, Kansas's own experience shows that expanding incarceration is a step backward – the state has achieved lower youth crime and improved outcomes by limiting youth incarceration, not by increasing it.

Conclusion: Why HB 2329 Is More Harmful to Youth and Public Safety

House Bill 2329, though well-intentioned in seeking to address juvenile crime, proposes a solution – more youth residential facility placements – that is contrary to the best available evidence. The research is clear that incarcerating more youth will not make our communities safer. On the contrary, it often makes things worse by reinforcing a cycle of crime, trauma, and lost potential:

• Harm to Youth: Residential placement often traumatizes and stigmatizes young people. It separates them from family and positive support, aggravates mental health conditions, and interrupts schooling. These harms can be lasting – leading to higher risks of depression, suicide, educational failure, and unemployment in adulthood. Instead of rehabilitation, many confined youths emerge with deeper problems than they entered with.

• Harm to Public Safety: When youth recidivism rates are higher for those coming out of facilities than for those supervised in the community, public safety suffers. Every re-offense means another victim and further strain on the system. As noted, community-based programs have achieved much lower re-arrest rates. By funneling more adolescents into ineffective

placements, HB 2329 would likely increase the number of repeat offenders, undermining the goal of crime reduction.

• Inefficient Use of Resources: Kansas has limited resources to invest in youth justice. Dollars spent expanding residential beds are dollars not spent on proven community interventions that could actually help youth build skills and resist crime. Empirical studies show community alternatives yield better outcomes per dollar, reducing future crime and saving taxpayer money. We should build strategies that work, not pour funds into approaches with a record of failure.

In closing, I urge the committee to oppose HB 2329. Expanding youth residential facility placements would be a costly mistake that ignores evidence-based practices. Our focus should remain on approaches that hold youth accountable while keeping them connected to home, school, and treatment. That means strengthening community-based programs, not removing more kids from their communities. By rejecting HB 2329, Kansas can continue its nationally recognized efforts to improve juvenile justice outcomes – protecting public safety and giving our youth the best chance to get back on track and become productive, law-abiding adults.

Thank you for this opportunity to speak and to share.

Best Regards,

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