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**Testimony to the Senate Committee on Judiciary  
In Support of HB2329  
January 22, 2026**

Chair Warren and Committee Members,

Our interest in this bill is mainly in those portions that started in HB2325 last year. Those are the issues dealing with juvenile repeat offenders and other related juvenile offender issues.

Several years ago, the legislature passed SB367 to revamp juvenile justice, the intent was not to place as many juveniles into custody. KSA testified on that bill and was concerned about a certain percentage of juveniles that were going to slip through the cracks because of their constant criminal behavior. This has happened and now is overloading the foster-home system and group home alternatives. We believe the bill assisted most juveniles from becoming institutionalized by the system. However, around 10% are continually involved in the criminal justice system and victimizing more people. This proposed language only carves out juveniles who are in possession of firearms or repeat offenders. It has been our experience that juveniles who are possessing firearms while committing a crime are an extreme risk to public safety.

The amendments to paragraph (a)(13) on page 3, starting on line 5, are sorely needed. This section deals with a juvenile using a firearm during commission of a crime. A juvenile even possessing a firearm while committing a crime places the victim at a high risk of offender's willingness to use it.

The new proposed language adds the term, "*possessed or*" prior to the term "used" on page 3, line 17. KSA believes this language should be adopted. The difference between shooting someone or pointing a gun at someone to facilitate another crime is minuscule. If these acts are done by an adult, they would be felony crimes with the potential for prison time after conviction. Currently, if a juvenile possesses a firearm, and in most cases, facilitating another crime, the juvenile does not face any potential of incarceration. There is also a thin line from mere possession of a firearm while committing another crime and pulling it out and using it if the victim is non-compliant. There is little reason to possess a firearm while committing a crime if you don't intend to use it.

The other changes on page 3, involves the increase of penalty if convicted on lines 21-22. Current law only allows for minimum sentence for using a firearm to be 6 months to the maximum of 18 months confinement. The new language proposes a minimum of 12 months incarceration to a maximum of 24 months incarceration. This change is essential to address the defendant's history and the facts of the case.

We believe a change needs to be made in the provisions for chronic offenders on page 15, lines 3-17. We strongly believe a juvenile committing a felony crime while awaiting adjudication or on probation or conditional release for a earlier felony offense should be considered a chronic offender. This is a time when a juvenile offender should be demonstrating their best behavior, not committing new felonies. For example, **add a new paragraph (iv) after line 12: “committed while the offender was awaiting adjudication for a prior felony offense or on probation or release from a prior felony adjudication.”**

We also believe a juvenile who commits a new felony crime while possessing or using a firearm after being adjudicated on a prior felony offense while possessing or using a firearm should not be subject to the risk assessment restrictions provided on page 15, lines 13-15. Perhaps by **adding after the word “assessment” on line 15: “, unless the offender is adjudicated for a new felony offense while possessing or using a firearm after being adjudicated on a prior felony offense while possessing or using a firearm.”**

We urge you to amend the bill as presented in bold in the two above paragraphs and to pass the bill favorably.

Thank you for your consideration.

Sheriff Jeff Easter  
KSA Legislative Chair