

Proponent Testimony in Support of House Bill 2329

Chairperson and Members of the Committee,

Thank you for the opportunity to provide proponent testimony in support of **House Bill 2329**. I rise in support of this bill because it addresses very real, documented failures in our current juvenile justice system—particularly in Wichita and Sedgwick County—and restores both **accountability and appropriate placement options** for juvenile offenders.

1. The Need for a “Middle-Ground” Placement Option

Kansas’ juvenile justice system works well for most youth. However, there is a small but growing population of **criminogenic youth** for whom the current system offers only two practical options: foster care placement or secure juvenile incarceration. Neither option is appropriate for many of these juveniles.

HB 2329 wisely creates a **limited number of structured youth residential facility beds**—a true middle-ground option. These facilities are not prisons, but they are also not foster homes. They provide supervision, programming, and accountability for juveniles whose behaviors exceed what foster care can safely manage, but who do not warrant commitment to a juvenile correctional facility.

This fills a long-recognized gap in the system.

2. Firearm Possession by Juveniles Is a Serious and Growing Problem

Wichita is experiencing a **serious juvenile crime problem**, particularly involving firearms. Data from the **Sedgwick County Juvenile Intake and Assessment Center (JIAC)** shows that **over 200 juveniles were booked in the most recent year for misdemeanor criminal offenses while in possession of a firearm**.

Under current law—largely as a result of **Senate Bill 367 (2016)**—the ability to meaningfully prosecute, sanction, or place juveniles involved in gun-related conduct is extremely limited. Unless a juvenile commits a person felony, consequences are minimal or nonexistent.

This reality sends the wrong message:

- That firearm possession by juveniles is tolerable,
- That the justice system lacks the tools to intervene early, and
- That public safety concerns must yield to procedural limitations.

HB 2329 restores **measured but real consequences** when juveniles possess or use firearms, while maintaining judicial oversight.

3. Restoring Judicial Discretion and Meaningful Accountability

HB 2329 appropriately expands court discretion in several ways:

- Allowing **moderate-risk chronic offenders** to be placed in juvenile correctional facilities when warranted,
- Authorizing detention and placement overrides when firearms are involved, and
- Extending the detention time limit to allow courts and professionals adequate time to evaluate, place, and protect.

Judges are best positioned to assess risk, behavior patterns, and public safety concerns. HB 2329 does not mandate incarceration—it **restores discretion** that has been functionally stripped away under current law.

4. Protecting Foster Children and the Integrity of the Child Welfare System

One of the most troubling consequences of current policy is the **routine placement of juvenile offenders into foster care settings** under the authority of the Kansas Department for Children and Families (DCF).

Foster children are **Children in Need of Care (CINC)**. They are victims of abuse, neglect, or abandonment. They are not offenders.

Juvenile Offenders (JO), on the other hand, may have parents and families but cannot safely return home for a variety of legitimate reasons, including criminal behavior, safety risks, or court restrictions.

Placing JO youth alongside CINC children:

- Endangers foster children,
- Disrupts placements,
- Discourages foster family participation, and
- Blurs the mission of the child welfare system.

HB 2329's limited group-home style residential placements ensure that **offending youth are housed appropriately**, without harming vulnerable foster children or misusing the foster care system as a default correctional solution.

5. A Targeted, Data-Driven, and Accountable Solution

HB 2329 is not a mass incarceration bill. It:

- Caps beds at 35–45 statewide,
- Limits facility size,

- Requires regional data analysis,
- Uses existing evidence-based funding mechanisms, and
- Mandates oversight by the Juvenile Justice Oversight Committee.

This is a **carefully tailored response** to a clearly documented problem—one that balances rehabilitation, accountability, and public safety.

Conclusion

House Bill 2329 restores tools that communities like Wichita urgently need. It reinstates consequences for dangerous behavior, protects foster children, provides judges with flexibility, and creates appropriate placements for youth who currently fall through the cracks.

For these reasons, I respectfully urge the Committee to support HB 2329.

Thank you for your time and consideration.

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