

Stephanie Springer, Chair

Laura Kelly, Governor

January 20, 2026

Written Testimony in Opposition to HB 2329 Submitted to Senate Judiciary

By Juvenile Justice Oversight Committee (JJOC) of Kansas

The Juvenile Justice Oversight Committee (JJOC) is established in K.S.A. 75-52,161 and tasked with several items related to juvenile justice reform, to include guiding and evaluating the implementation of the changes in law. The JJOC appreciates the opportunity to offer a perspective on the proposed changes in House Bill 2329.

The JJOC Legislative Subcommittee and the JJOC Chair – offer opposing testimony on HB 2329

1. If the Evidenced Based Practice Fund is used for group homes, there will no longer be funding available for the 100+ programs currently being funded across the state.
2. There should be a path where some youth may not be detained when a firearm is involved, we should allow judges and decision makers the option not to detain. Counties already have the option of internal decision making to detain youth with firearms.
3. YRC's or Group Homes have been used and shown to be unsuccessful in rehabilitating youth.
4. There are no guardrails to prevent low level youth going deeper into the justice system.

The JJOC appreciates the opportunity to provide information regarding HB 2329, which proposes increased placement of juvenile offenders in youth residential centers (YRC). Any change in policy or statute should be supported with data and research. The JJOC is committed to data driven, evidence-based policies that increase public safety and hold youth accountable. While we acknowledge there are valid concerns that have emerged following passage of SB 367, and system challenges must be addressed, legislative solutions must continue to be grounded in evidence. The decision to move away from using KDOC youth residential facilities commonly known as group homes, came after years of research, discussion, workgroups, and data analysis. The Governor, Kansas Supreme Court, and legislators recognized a need for change and convened a workgroup to make policy recommendations. That workgroup conducted comprehensive analysis of the juvenile justice system, reviewed current research, and held more than two dozen roundtable discussions, including OJA, DCF, and KDOC. The recommendations of the work group were to end the use of these youth residential centers. Reversing that direction without comparable statewide data, analysis, and research risks undermining progress that has improved outcomes for Kansas youth. While addressing the needs of medium-risk youth remains a recognized challenge, serious evaluation is needed to determine whether the language in HB 2329 would effectively and appropriately serve that population.

Since providing testimony on this issue last year, the JJOC established a workgroup to examine the topics addressed in HB 2329 and to inform the Committee through diverse perspectives from juvenile justice partners, including both proponents and opponents of the bill. There was broad support for the use of Juvenile Crisis and Intervention Centers (JCICs), or similar community-based alternatives, that avoided removing youth from parental custody and allowed youth to remain in their communities.

Workgroup participants also acknowledged systemic challenges in establishing JCICs statewide. Several participants suggested potential solutions, including adjustments to statutory language related to JCIC funding and amendments to HB 2329 that would avoid the use of YRC placements. These concepts received general support within the workgroup.

According to the Kansas 2015 YRC Study, approximately \$16 million was spent on these facilities in FY 2014, with a reported success rate of only 46%, and just 14% of youth transitioning to a lower level of care within six months. A return to this practice should occur only if supported by current statewide data and research demonstrating improved outcomes and fiscal effectiveness. For the JJOC to support such a policy shift, evidence must clearly show that YRC placements produce positive and measurable results, particularly given the significant cost associated with operating these facilities. Available research, including studies conducted in Kansas, indicates that out-of-home placements often do not improve youth outcomes and, in some cases, increase the likelihood of reoffending.

The current language of the bill offers no parameters on what youth would be going to these residential centers. It gives on no guardrail in sending low level misdemeanor youth deeper into the justice system where other options might be more appropriate. As was discussed in previous years, sending low level risk youth deeper into the justice system, creates more risk of recidivism and further criminal activity. Resulting in more intensive and costly intervention, while also adding more risk to the safety of the public and property.

JJOC believes an alternative to group homes and detention, and a way to address this challenging group of youth, is to support alternatives that keep custody status with the parents and youth in their communities. This could be done by expanding funding limits beyond Juvenile Crisis Intervention Centers to include stabilization centers, JJOC considers this a step in the right direction, and a possible solution to many of the challenges the state faces. There is fiscal concern, that a transferring of larger funds could impact the funding for current existing programs that have shown success in the community. We support the existing funding of \$2 million but have reservations about transferring of \$10 million or more out of the EBPA, as it puts in jeopardy the sustainability of the multiple programs being funded. JJOC would more support this if there was additional funding to the EBPA beyond 2027.

The funding source, in the proposed legislation, is to expend up to \$10 million from the Evidenced Based Practice Fund (EBPF). The JJOC oversees the use of this and helps plan allocations from the fund. Projections tell us that if \$10 million must be reserved every year, and other required allocations and pending lapses hold the same, then the EBPF will have a negative balance by end of fiscal year 2027. After that, the EBPF would continue to receive appropriations in the amount of \$13.4 million a year. Other required allocations that have been made and appropriations total more than \$6 million. Therefore, it is apparent that the EBPF will no longer be able to fund the over 100 evidenced based programs that is currently doing now. Some of which include community sex offender treatment, substance abuse and behavioral health treatment, and Functional Family Therapy. EBPF also funds KDOC grants to community organizations and community supervision agencies, and the recent popular rolling grants. A complete list of programs and allocation amounts are in the 2025 JJOC Annual Report. The use of these funds would be at the detriment of the current programs that have had success in the community.

Under current law, after arrest, youth in the intake process may be detained at the discretion of the intake staff, prosecution office, or courts. Many counties already have a practice of doing so for youth who possess or use a firearm. This bill removes that discretion, making it a mandatory practice. In our research, we found youth that were in possession of a firearm, that had LEO contact unrelated to the

firearm, in some cases the reason for contact was not criminal. Yet in those cases, the court would not have the option not to place a youth in detention. There were 30 instances where law enforcement officers determined that the intake process was not immediately necessary and issued a notice to youth to attend intake at a later time, which would not result in detention. Youth should be held accountable in these instances, but detention may not be necessary or beneficial. We do not agree that this discretion should be removed.

After careful consideration and discussion, it is the request of the Juvenile Justice Oversight Committee that conversations and concerns in this topic continue, but that changes to current laws happen after a more statewide approach is conducted. We are opposed to this bill as it is currently written.

JJOC looks forward to being a part of the policy-making process and to fulfilling our statutory charge.



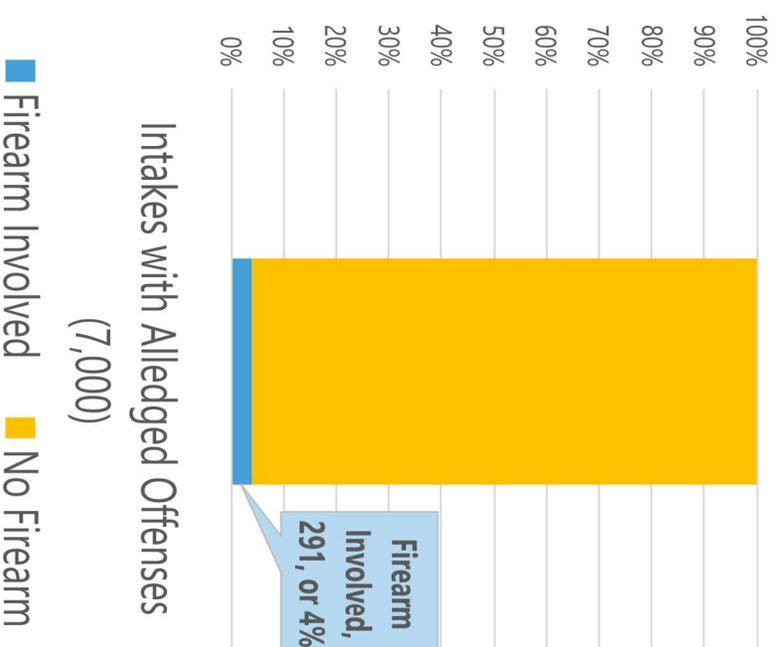
Chair, Stephanie Springer
Juvnile Justice Oversight Committee



Legislative Subcommittee Chair, Lara Blake Bors
Juvnile Justice Oversight Committee

Intake Event with firearm involved in FY 2025

Of the 7,252 intakes related to criminal behavior, 291 had a firearm involved in the incident that led to an intake event.



Intake Event with firearm involved in FY 2025

Most Overrides as written in HB 2329, would impact 15 youth (in FY 2025) that were arrested involving a firearm, brought to intake, but not detained.

