

Legislative Testimony

In **Opposition** to House Bill 2329
Senate Committee on Judiciary
January 22, 2026

In Person Testimony

Chair Warren and Members of the Committee,

My name is Logan DeMond, and I am the Director of Policy and Research at the American Civil Liberties Union of Kansas. The ACLU of Kansas is a nonprofit, nonpartisan organization with more than 35,000 supporters statewide that works to protect and strengthen the civil rights and liberties of all Kansans. On behalf of the ACLU of Kansas, I am writing in opposition to House Bill 2329. While this bill has been framed as a public safety measure, it would significantly expand the use of juvenile detention while signaling a commitment to correctional facilities in ways that are costly, harmful, and inconsistent with evidence-based juvenile justice policy. Perhaps most concerning, HB 2329 rolls back years of successful Kansas reforms by expanding eligibility for placement in juvenile correctional facilities to youth assessed as having only a moderate risk for reoffending.

Expanded Detention Limits Increase Harm Without Improving Safety

HB 2329 would double the maximum cumulative detention time for juveniles from 45 days to 90 days over the life of a case. Increasing allowable detention time does not address the underlying causes of youth behavior; instead, it deepens youth involvement in the justice system.

Longer detention stays come with significant financial and social costs for youth and their families. Families often accrue court fees, supervision costs, fines, restitution, and other financial obligations associated with extended system involvement. Extending detention limits compound these burdens while separating young people from their families, schools, and support systems for longer periods of time. Prolonged detention disrupts educational continuity, limits access to community-based services and weakens the stabilizing relationships that are critical to positive youth development. Rather than promoting accountability or rehabilitation, extended detention often exacerbates existing trauma and increases the likelihood that youth will become more deeply entangled in the juvenile justice system.

Mandatory Detention for Firearm Possession Too Broad

HB 2329 would require mandatory detention for youth found merely in possession of a firearm—regardless of whether the firearm was used, threatened, or discharged. Mandatory

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detention removes judicial discretion and ignores the individual circumstances of a case, including a youth's background, intent, risk level, and access to community-based interventions.

Blanket detention policies have repeatedly been shown to increase incarceration without improving public safety. Automatically detaining youth for possession alone risks pulling more young people, particularly young people of color, into secure facilities unnecessarily, even when community-based supervision or services would be more appropriate and effective.

Widening the Pipeline to Juvenile Correctional Facilities

HB 2329 expands who may be sentenced to a juvenile correctional facility. Under current law, youth must be assessed as *high risk* to reoffend to be committed as a "chronic offender." HB 2329 would lower that threshold to include youth assessed as *moderate risk*. Risk assessment tools are designed to guide interventions, not justify harsher punishment. Moderate-risk youth are widely understood to benefit most from community-based services, not secure confinement. Research consistently shows that placing lower- and moderate-risk youth in correctional facilities increases recidivism by exposing them to more serious offenders, disrupting positive community ties, and intensifying trauma (Lipsey; National Institute of Justice; Annie E. Casey Foundation).

By expanding correctional facility eligibility to moderate-risk youth, HB 2329 abandons the principle that incarceration should be a last resort. This change would significantly increase the number of youths sent to secure facilities, inflate state costs, and undermine rehabilitation while making communities less safe in the long term.

Kansas spends approximately \$134,000 per year to incarcerate a single youth in a juvenile correctional facility, a cost that far exceeds the price of effective, community-based interventions and produces worse outcomes for moderate-risk youth (Urban Institute). Expanding eligibility to moderate-risk youth is not only harmful policy, but fiscally irresponsible when proven, less costly community-based alternatives exist.

Kansas Reform Has Worked—HB 2329 Moves Backward

Kansas has already demonstrated that juvenile justice reform works. Legislative changes enacted in 2016 led to dramatic reductions in youth incarceration, particularly for technical violations, while keeping communities safe. Between 2010 and 2019, youth incarceration in Kansas juvenile facilities declined by more than half, and admissions for technical violations dropped from 68 percent to just five percent (Urban Institute).

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HB 2329 threatens to reverse this progress by expanding detention, mandating confinement, and widening the pipeline to correctional facilities. These changes move Kansas away from rehabilitation and toward a punitive model that evidence shows is less effective and more harmful.

Conclusion

HB 2329 would increase detention, mandate incarceration without regard to individual circumstances, and expand commitment to juvenile correctional facilities to moderate-risk youth who are least likely to benefit and most likely to be harmed by secure confinement. Detention should not be the default response for young people. Kansas should continue investing in community-based, restorative, and rehabilitative approaches that reduce recidivism and strengthen families rather than expanding costly and counterproductive incarceration.

For these reasons, on behalf of the ACLU of Kansas, I respectfully urge the committee to reject HB 2329.

Logan DeMond
Director of Policy and Research

References

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