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Chair Warren, Vice-Chair Wilborn, Ranking Minority Member Corson, and members of the committee,

I am the state policy manager for the Justice Action Network (JAN), and I am writing in support of Senate Bill 416 ending the counterproductive practice of imposing fines and fees on kids in the juvenile justice system. JAN works in nearly states across the country—from Louisiana, Missouri, and Arkansas, to Oregon, Washington, and New Mexico—to support lawmakers like yourselves interested in enacting bipartisan justice reform laws that improve lives and protect the safety of the public.

This legislation, which will enact the American Legislative Exchange Council (ALEC) model policy passed at the organization’s 2023 gathering, is the right thing to do to strengthen families, bolster government accountability, and, most importantly, keep communities safe. Eliminating fines and fees is a bipartisan reform that makes sense no matter your ideological vantage point. Similar reforms are the law of the land now in red, blue, and purple states. For example, fees are no longer imposed in the Texas juvenile justice system after the enactment of SB 1612 last session.¹ The same year, the Arizona legislature enacted a similar policy, passing Senate Bill 1197 by a wide margin.² JAN believes that Kansas can follow leaders from those states, as well states like Louisiana, where lawmakers eliminated juvenile justice system fines through a unanimous vote in 2021.³ Building on these successful laws, Rep. Stephen Owens proposed and enacted at ALEC last summer the Elimination of Youth Fines and Fees Act, which calls for the very policy that SB 416 would codify in Kansas.⁴

As several prominent national conservative groups, including Americans for Prosperity and Right on Crime, wrote in a letter calling for an end to youth fines and fees, “costs imposed on youth and their families for a young person’s involvement in the justice system operate in part as a regressive tax on vulnerable communities.” SB 416 simply aims to eliminate this tax and replace the cost (estimated by the courts at roughly half a million dollars per year in revenue) with more consistent funding for juvenile justice system operations.

¹ Texas Senate Bill 1612 (2023), <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=88R&Bill=SB1612>

² Arizona Senate Bill 1197 (2023), <https://apps.azleg.gov/BillStatus/BillOverview/78807>

³ Louisiana House Bill 216 (2021), <https://www.legis.la.gov/legis/BillInfo.aspx?i=240058>

⁴ Elimination of Youth Fines and Fees Act, American Legislative Exchange Council (ALEC), July 2023, <https://alec.org/model-policy/elimination-of-youth-justice-fines-and-fees-act/>

There is no evidence that imposing fines and fees on kids makes Kansans safer—and some evidence that financial obligations can increase the victimization of communities through higher recidivism. One strong study of juvenile justice-involvement young people in Pennsylvania found that financial obligations like fines and fees was correlated with higher rates of reoffending, even after the researchers “controlled” for many other factors (prior history, risk to recidivate, etc.) to isolate that fines and fees were a driver of youth crime. In other words, research shows fines and fees like the one this bill eliminates can in fact make communities *less* safe.

In addition, imposing fines and fees on young people are so bureaucratically inefficient that they may even lose taxpayers money in the collection process. Fines and fees do not achieve what is ostensibly their main purpose: collecting funds to pay for system operation. Some lawmakers have looked at their own state’s data and found that the rate of successful fine and fee collection from kids is so *low*—and the administrative cost of paying for these collection efforts so *high*—that this tax by another name ends up losing money for the state in terms of net revenue. The vital work that juvenile probation officers, victim advocates, judges and many others do every day deserves a better funding source.

When a kid must work to pay a fine to the county government, their scarce time is diverted from the process of rehabilitation and transition into successful adulthood. Focusing a young person’s limited time, attention, and resources on earning money to fund their local government keeps them from the interventions that work best to keep the public safe—the exact type of programs that Kansas has focused on expanding in recent years. These programs include family therapy, substance use treatment, and better community supervision by training probation officers in motivational interviewing and other evidence-based techniques.

Thank you for the opportunity to speak about this important issue and for taking the time to consider Senate Bill 416. This bill does the right thing for kids, families, community safety, and taxpayers. We urge the committee to support it.

Sincerely,

Noah Bein
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