

Testimony on HB 2505

Submitted To

The House Corrections and Juvenile Justice Committee

By

Kansas Department of Corrections

February 18, 2020

The Kansas Department of Corrections appreciates the opportunity to offer a perspective on the proposed changes in House Bill 2505. We are neutral on this bill.

As the Committee reviews this proposal, we encourage you to retain, and not amend, the current elements of paragraph (g) of K.S.A. 38-2361. Continuing to require that the Court exhaust all other alternatives and make specific findings of significant risk of harm, while prohibiting the Court from using juvenile detention solely for technical violations, contempt, violation of a valid court order, protection from self-harm, or due to failure of the state or county to find adequate alternatives, and placing limits on the total number of days in detention are features of current law that must be retained. If these are retained, Kansas will maintain its current strong foundation of basing juvenile justice policy on research and best practices.

We recognize these policies adopted in 2016, which placed limits on the use of detention, are unpopular among some stakeholders. For too long, and for too many kids, Kansas law permitted use of detention without these reasonable limits. The proposal of HB2505 is a reasonable amendment that we assume will satisfy these stakeholders and bring stability to this area of juvenile justice policy for the foreseeable future.

While we are neutral on this proposal, it is important to highlight that the proposed practice is unlikely to benefit public safety and does come at some financial cost to counties for the bed days a youth would reside in a juvenile detention center. Further, we are not aware of any research that suggests that placing a youth in detention is likely to make any change in the presenting behavior(s) that cause some to seek this option in Kansas law. To the contrary, research indicates such confinement is more likely to harm the youth, contributing to increased risk for suicide and exposure to violence.

Thank you