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Neutral Written Testimony to HB 2639
House Committee on Child Welfare and Foster Care

Chair Howerton, Ranking Member Ousley, and Members of the House Committee on Child Welfare and Foster Care,

Thank you for the opportunity to provide this neutral testimony. House Bill 2639, which would change the name of juvenile crisis intervention centers to juvenile stabilization centers, modifying the intake criteria and treatment provided at such centers and transferring moneys from the evidence-based programs account of the state general fund for use at such centers. It would also require courts to approve an override function of the detention risk assessment tool in certain circumstances.

Kansas Appleseed has a long history of unwavering commitment to advocating for the rights and well-being of children, including ending punitive youth justice practices in the state, and ensuring youth have access to the mental and behavioral health services they need. HB 2639 makes significant improvements to youth's access to care by changing juvenile crisis intervention centers into crisis stabilization centers, and modifying intake criteria to allow better access to these services; however, the detention risk overrides would not create the same benefits to youth or Kansas communities.

We support widening the door to services and reducing red tape in order to grow the availability of more preventative interventions and crisis services. These supports help keep youth from entering both the foster care and youth justice system, and prevent youth already within these systems from falling in even deeper. Approximately 50-80% of juvenile offenders have a mental health disorder, and many of these conditions increase the risk of engaging in aggressive behavior. Behavioral interventions have been shown to reduce recidivism by up to 50% thanks to the variety of issues such care addresses. These include how to handle interpersonal conflict, problem solving, anger management, and other social skills.¹

The revised Kansas juvenile justice code establishes that the primary goals for the code include promoting public safety and improving the ability of youth to live more productively and responsibly in the community.² At the time of the revised juvenile justice code, the state increasingly relied on taking children out of their homes and communities and placing them in prisons and other facilities. Those practices led to the state having the 6th highest youth

¹ Underwood, L. A., & Washington, A. (2016). Mental Illness and Juvenile Offenders. *International journal of environmental research and public health*, 13(2), 228. <https://doi.org/10.3390/ijerph13020228>

² K.S.A. 38-2301(a).

detainment rate in the country.³ This approach was simply not working to achieve any sort of meaningful outcomes for youth and their families. Research found:

- The punitive removal of youth from their homes was **ineffective and counterproductive**. A 2014 Kansas Department of Corrections report found that 54% of youth in facilities were not successfully discharged. A 2015 Council of State Governments study also found that 42% of Kansas youth who had been incarcerated were incarcerated again within three years of release. Studies repeatedly found that incarcerating or placing youth in other facility placements only increased the risk that the youth would commit an offense in the future. Further, 80% of these children were incarcerated despite low to moderate risk offenses and behaviors. Yet, as a result of the reliance of the courts on sending kids to out-of-home placements, they risked a lifetime in a cycle of incarceration and repeated offenses.⁴ To address these issues the revised youth justice code created expectations that are meant to reserve incarceration and secure facility placement only for the highest-risk youth.
- This system was fiscally **unsustainable**. Kansas' high reliance on out of home placements and subsequently high recidivism rates needed large amounts of funding that took money away from prevention and other evidenced-based programs. At the time more than two-thirds of the state's youth justice budget was spent on youth prisons and other out-of-home placements. Placing a child in an out of home setting costs significantly more money than community-based solutions. In 2015 it cost more than \$240 per day per youth housed away from their community. Meanwhile, at the time, it cost \$16 per day per youth for the state to provide community-based solutions.⁵

The detention risk assessment override provision presented in HB 2639 would set back the progress within the youth justice system. Research on the lifelong, collateral impacts of youth incarceration are clear—detention ruins lives, families, and communities. Kansas judges should maintain their ability to apply the risk assessment tool to young offenders in possession of a firearm to protect children from these consequences and give them the best chance at a better life.

A rehabilitative youth justice system should help children, not retraumatize them. Research shows that youth in the justice system, overall, have experienced more trauma than their peers. Removing a young person from the family when they commit an offense almost always makes the situation worse and does not support trauma-informed approaches. Extensive research also finds that youth who are taken out of their families are more likely to commit crimes in the future than similar youth who are kept in their homes. Being taken away from home and family is a

³ Office of Juvenile Justice and Delinquency Prevention "Statistical Briefing Book" 2015.

⁴ Kansas Department of Corrections "Cost Study of Youth Residential Centers for Juvenile Offenders – Pursuant to Senate Substitute for House Bill 2588" January 2015; Council of State Governments "Reducing Recidivism for Youth in the Juvenile Services Division of the Kansas Department of Corrections: Analyses and Recommendations" March 2015; US Department of Justice "Kansas State DMC Assessment" 2013; National Research Council "Reforming Juvenile Justice: A Developmental Approach" 2013; University of Pittsburgh "Pathways to desistance: A study of serious adolescent offenders as they transition to adulthood and out of crime; Estimating a Dose-Response Relationship between Length of Stay and Future Recidivism in Serious Juvenile Offenders" 2009.

⁵ Kansas Division of the Budget "FY 2016 Comparison Report" Updated September 2015; Kansas Department of Corrections "Annual Report" 2013; Washington State Institute for Public Policy "Benefits and Costs of Prevention and Early Intervention Programs for Youth" 2004; Colorado Department of Public Safety "What Works: Effective Recidivism Reduction and Risk-Focused Prevention Programs: A Compendium of Evidence-Based Options for Preventing New and Persistent Criminal Behavior" 2008; Washington State Institute for Public Policy "Benefits and Costs of Prevention and Early Intervention Programs for Youth" 2004.

traumatic experience for children, and that trauma often creates a negative cycle that leads to increasingly severe juvenile justice placements.

With the passage of SB 367, Kansas has seen vast improvements in outcomes for youth, with reduced recidivism, increased engagement in programs, and better compliance with court expectations. For example:

- In 2015, prior to Youth Justice reform, 96 out of the 296 (32%) admitted youth returned to JCF within a year. Since then, KDOC reports that the number of admitted youth has plummeted by 90% and the recidivism rate has declined by 12%.⁶
- Most children involved in the youth justice system are referred to Immediate Intervention Programs (IIP), mental health services, or other treatment programs. Resources not spent on the incarceration of children can be spent on these types of in-demand services that keep children out of jails. Further, the reduction of reentry since youth justice reforms in 2016 shows that these programs have more success and better outcomes than incarceration and other secure placements.⁷ In fact, data from the Juvenile Justice Oversight Committee indicates that these **IIPs have an over 90% completion success rate for children diverted through the programs.**⁸
- Since 2015, the number of youth in correctional facilities has fallen by nearly 50% in Kansas.⁹
- Prior to youth justice reforms, Kansas had the 8th highest rate of confinement per 100,000 youth. Since youth justice reforms, that rate has fallen significantly (about 66%), and Kansas now ranks 26th in the nation.¹⁰
- Now, close to 80% of all youth justice intakes result in community-based placements, with only 20% resulting in a detention placement.¹¹

These successes have been realized despite an ongoing mental health crisis in the state, limited community-based resources for youth involved in the justice system, and legislative efforts to roll back reforms.¹² Since the reforms' initial years, officials have failed to invest fully in their promises of restorative and equitable justice. Deep tax cuts and COVID-19 economic conditions caused pressure on the state budget, and lawmakers have shifted \$21 million from money for justice-involved youth services and community programs to other areas of the budget.¹³

⁶ KDOC, JCF Admissions and Releases Dashboard, <https://www.doc.ks.gov/dashboards/annual-report-dashboards>

⁷ KDOC, JCF Admissions and Releases Dashboard, <https://www.doc.ks.gov/dashboards/annual-report-dashboards>

⁸ Kansas Juvenile Oversight Committee. "Annual Report." 2025.

⁹ KDOC, Annual Report, <https://www.doc.ks.gov/dashboards/annual-report-dashboards> and KDOD, Annual Report, 2015, <https://www.doc.ks.gov/publications/Reports/Archived/2015/view>; Kansas Department of Corrections, "Current Population Totals," last modified December 5, 2025, accessed December 5, 2025, https://www.doc.ks.gov/current_population_totals

¹⁰ KDOC, Annual Report, <https://www.doc.ks.gov/dashboards/annual-report-dashboards> and Justice Center, The Council of State Governments, 2015. <https://www.doc.ks.gov/juvenile-services/csg/PPT2015/view>; The Sentencing Project. (2025, November 20). *Youth justice by the numbers*.

<https://www.sentencingproject.org/policy-brief/youth-justice-by-the-numbers/>

¹¹ Kansas Juvenile Oversight Committee. "Annual Report." 2025.

¹² For example, HB 2021, which went into effect July 1, 2023, effectively eliminated case length limits that SB 367 established. It also increases the length of time a juvenile can be detained and allows for detainment for probation violations, including technical violations. H.B. 2021. K.S.A. 38, 65, 75 (2023).

https://www.kslegislature.org/li/b2023_24/measures/documents/hb2021_enrolled.pdf

¹³ Sanders, C. "State Juvenile Justice Reforms Can Boost Opportunity, Particularly for Communities of Color." Center on Budget and Policy Priorities. 2021.

[https://www.cbpp.org/research/state-budget-and-tax/state-juvenile-justice-reforms-can-boost-opportunity-particularly-f](https://www.cbpp.org/research/state-budget-and-tax/state-juvenile-justice-reforms-can-boost-opportunity-particularly-for)
[or](#)

Secure placements cost significantly more than community-based services. It costs the state about \$134,000 a year for each youth incarcerated in a correctional facility.¹⁴ Costs for community-based interventions and probation are significantly less. SB 367 allowed those savings to fund the reinvestment funds to pay for community-based interventions and services instead. The JJOC has been able to increase those reinvestment funds due to the savings from reduced use of secure placements. In doing so, they have been able to support the implementation of community-based, evidence-based practices that have proven results. In FY 2024, over \$26 million was reinvested into community programs for Kansas youth.

In 2024, 74% of all juvenile cases (8,750 out of 11,900 cases) in Kansas were for misdemeanors. These are minor crimes. Most of the children are ages 14-17.¹⁵ There are so many vital experiences and growth opportunities a youth will unnecessarily miss with a return to increased use of incarceration, not even considering the trauma and risk for exposure to more negative behaviors placement in these facilities can present.

Frustrations over the continued issues in the youth justice system are understandable, but we cannot continually ask the same children we aim to help to pay the costs and bear the burden of those failures. Returning to a punitive system that causes harm and sets children up for a life where they have to fight against a vicious cycle is not the answer. We've been there. **It doesn't work.**

The answer is to expand the availability of services to prevent system involvement like the shift to crisis stabilization centers, and changes in criteria and treatment availability presented in HB 2639; however, the answer is also to fully implement and fund the youth justice reforms we promised Kansas children and families almost a decade ago. We should follow what the data and research shows about the effectiveness of mental health supports, early intervention, and restorative justice practices in achieving true accountability, building empathy, and addressing harmful behaviors. Efforts must focus on widening the door to interventions that are successful and in alignment with best practice, not widening the door to detention.

Thank you for your time,
Brenna Visocky

¹⁴ Urban Institute, 2020, "Data Snapshot of Youth Incarceration in Kansas," <https://www.urban.org/sites/default/files/publication/102130/data-snapshot-of-youth-incarceration-in-kansas-2020-update.pdf>

¹⁵ This calculation excludes Child In Need of Care (CINC) intake cases. When those cases are included in the total, misdemeanors are still the majority of youth intakes at 58%. KDOC. Annual Reports Dashboard. Juvenile Report Home Page—Juvenile Intakes by Crime Type. <https://dashboards.doc.ks.gov/dashboards/view>.