

## **FREQUENTLY ASKED QUESTIONS ABOUT SENATE BILL 367 (2016)**

### **Why do we need juvenile justice reforms in Kansas?**

- Kansas ranks 6<sup>th</sup> highest in the nation for confinement of kids.
- More than two thirds of the state's juvenile justice budget is spent on prisons and out-of-home placements.
- The state's overreliance on incarceration for juveniles is not effective: 54% of Kansas youth sent to out-of-home nonsecure facilities were not successfully discharged; 42% of Kansas Youth sent to secure juvenile prisons were incarcerated again within three years of release.
- 80% of youth sent to out-of-home placements in Kansas are only low or moderate risk. Extensive research shows out-of-home placements for low- or moderate-risk youth actually increases their risk of recidivism. Local family-based alternatives work better at holding kids accountable and reducing future offenses.

### **What does SB 367, as passed, do?**

- The bill sets case and probation length limits for misdemeanors and low-level felonies so cases don't drag on for years.
- The bill reserves placement in the state secure facilities only for high-risk youth and youth who commit off-grid or level 1-4 felonies.
- The bill reduces YRC-II out-of-home placement beds to 50 statewide.
- The bill requires the state to fund evidence-based community programs with 100% of all money that otherwise would have been spent on juvenile incarceration or other out-of-home placements.
- The bill implements additional oversight and procedural protections including the Kansas Juvenile Justice Oversight Committee to oversee the implementation of reforms and relevant data.

### **When do the reforms in SB 367, as passed, go into effect?**

- \$2 million was transferred into community programs in a February 2016 budget amendment.
- The bill instructs the Department of Corrections to transfer up to \$8 million each year into community programs, starting July 1, 2016.
- The reduction of YRC-II beds goes into effect January 1, 2018. Approximately \$16 million will be transferred into community programs each year after that date.
- The new case limits and restrictions on placements in secure facilities go into effect July 1, 2017.

### **Who supports these reforms?**

- Senate Bill 367 passed the Senate (40 to 0) and House (188 to 5) with overwhelming bipartisan support.
- The reform recommendations are supported by Governor Brownback, Chief Justice Nuss, Speaker Merrick, Senate President Wagle, Senate Minority Leader Hensley, and House Minority Leader Burroughs.
- Senate Bill 367 is based on recommendations from the Kansas juvenile justice workgroup, which included legislators, judges, prosecution and defense attorneys, and other Kansas juvenile justice practitioners. The workgroup had technical assistance from Pew Charitable Trusts and consulted with the top experts in the nation. The workgroup met for months to study national research and highly detailed Kansas data. The workgroup reached consensus on the recommendations.
- 28 Kansas Organizations (listed on reverse of this page) have signed on in support of Senate Bill 367.

## Kansas Organizations that Support SB 367

- Kansas Children's Service League
- Keys for Networking
- IBSA, Inc.
- Down Syndrome Guild of Greater Kansas City
- Susan J Whitfield Harding, PA
- Kansas Association of Community Action Programs
- Kansas Appleseed
- Mid-Kansas Community Action Program
- HandsOn Kansas State
- Community Action, Inc.
- RESULTS K-State
- Kansas Action for Children
- Thrive Allen County
- National Alliance on Mental Illness - NAMI Kansas
- Disability Rights Center of Kansas
- KSMODA
- RESULTS KC
- Economic Opportunity Foundation
- Southeast Kansas Community Action
- Big Brothers Big Sisters of Finney & Kearny Counties
- Kansas Center for Economic Growth
- Sunflower Community Action
- Oread Friends Meeting
- Communities Creating Opportunity
- Kansas Association of Criminal Defense Lawyers
- American Civil Liberties Union Kansas
- East Central Community Action Program
- Southeast Kansas Independent Living Resource Center