



TESTIMONY OF MIKE FONKERT
ADVOCATE
KANSAS APPLESEED CENTER FOR LAW AND JUSTICE
KANSAS SENATE COMMITTEE ON WAYS AND MEANS

IN SUPPORT OF SENATE BILL 14

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My name is Mike Fonkert; I am the juvenile justice advocate for the Kansas Appleseed Center for Law and Justice, a nonprofit, nonpartisan organization dedicated to the belief that Kansans, working together, can build a state full of thriving, inclusive, and just communities.

Kansas Appleseed Supports Senate Bill 14.

Reinvestment Fund and Its Original Purpose

Senate Bill 367 (passed in 2016) was a comprehensive juvenile justice reform act that, among other things, set up a reinvestment fund to support evidence-based community programs with funds that otherwise would have been spent on juvenile incarceration pre-reform. The intent of the reinvestment fund established in SB 367 was to fund programs and services that build out a full continuum of care for youth in the juvenile justice system. The act states that these reinvestment funds “shall be for the development and implementation of evidence-based community programs and practices for juvenile offenders and their families....”

Reinvestment is a Vital Element of Kansas’s Juvenile Justice Reform

Kansas enacted the juvenile justice reforms in SB 367 to address serious and specific systemic problems. The high rates of recidivism were of particular concern. A 2015 study found 42% of Kansas youth sent to secure juvenile prisons returned to prison within 3 years. Research has also consistently demonstrated that when youth offenders are able to remain in evidence-based community programs, both the youth and the community have better outcomes.

A primary feature of Kansas’s juvenile justice reform is its 100% reinvestment mechanism - Every dollar saved by Kansas from reduced youth incarceration is placed into a reinvestment “lockbox” that can only be spent on evidence-based community programs for juvenile offenders and their families.

Reinvestment is a vital component of the reforms, and it’s working: According to the 2018 Kansas Juvenile Justice Oversight Committee Annual Report, youth placed in Youth Residential Centers (YRC-IIs) before SB 367 were successfully discharged only 46% of the time, but after the reforms, youth who otherwise would have been in YRC-IIs are now enrolled in evidence-based community programs, which have so far seen successful discharges at rates between 63% and 88%.

Raiding the reinvestment fund endangers the progress in our state’s juvenile justice system

In an appropriations act passed at the end of the session in 2018 (House Substitute for Senate Bill No. 109, Section 68) the Kansas Legislature took \$6,000,000 from the Evidence Based Programs Account (the juvenile justice reinvestment fund) and re-appropriated it to the Department of Health and Environment - Division of Health Care Finance.



The juvenile justice reinvestment fund must be used for the community services it was originally intended to support. A quick rush to remove the money from the reinvestment fund sets an unfortunate precedent and would likely result in Kansas youth and their families not having access to the full continuum of evidence-based community services they desperately need.

Conclusion

For these reasons, Kansas Appleseed strongly supports returning the \$6,000,000 to the Evidence Based Juvenile Programs Account through HB 2027 / SB 14.