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## Juvenile Justice Reform

A Golden Opportunity to Invest in Kansas Families

Kansas's juvenile justice system is at a crossroads. As a response to youth offenses, the state has increasingly relied on taking children out of their homes and communities and placing them in prisons and nonsecure placements. Currently the state has the 6th highest youth detainment rate in the country.<sup>1</sup> But those strategies aren't working to keep our communities safe: 42 percent of Kansas youth sent to a secure juvenile prison were incarcerated again within three years of release,<sup>2</sup> and 54 percent of Kansas youth sent to out-of-home, non-secure juvenile justice facilities were not successfully discharged.<sup>3</sup> Kansas must decide either to continue to spend tens of millions of dollars on failed incarceration strategies, or to change course and invest in family and community alternatives instead.

While incarceration of youth often increases the likelihood of future crime, family-based juvenile justice programs produce better outcomes. Along with being safer than confinement, family-based approaches are better at holding young people accountable for their behavior in their communities, and the public supports redirecting money away from facilities to support these programs. Youth crime in Kansas has fallen over 50 percent in the last decade, but the state's incarceration of youth is still much higher than the national average. A large number of the youth Kansas incarcerates or sends to other out-of-home placements are not a threat to public safety: 80 percent of youth sent into the custody of the Kansas Department of Corrections are low- or moderate-risk;<sup>4</sup> 35 percent of youth discharged from Kansas juvenile prisons last year were convicted of misdemeanors only.<sup>5</sup> Kansas legislators have a golden opportunity this year to reduce youth confinement and invest in family-based approaches to juvenile justice that are safer and more effective.





## **A Golden Opportunity to Invest in Kansas Families**

*“Recidivism rates were high for youth coming out of prison and juvenile institutions, suggesting that policies based heavily on incarceration were not serving their avowed purpose of protecting the public and reducing crime.”<sup>6</sup>*

Reforming Juvenile Justice: A Developmental Approach.

The National Research Council of the National Academies (2013).

*“Research demonstrates that outcomes improve when families and youth are active participants in their own treatment, particularly when youth and families are given leadership roles in making treatment decisions. While the research is clear that families and youth have improved outcomes when they are active participants in decision-making, these perspectives have been slow to filter down to decision-making practices in the justice system.”*

Families Come First: A Workbook to Transform the Justice System by Partnering with Families (2012).

Removing a young person from the family when they commit an offense almost always makes the situation worse. Extensive research shows 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 home.<sup>7</sup>

Being taken away from home and family is a traumatic experience for children, and that trauma often creates a negative cycle that leads to increasingly severe juvenile justice placements. Studies have shown the trauma of incarceration is a larger predictor of recidivism than gang membership, parental abuse, or carrying a weapon.<sup>8</sup> Research also shows that incarceration of youth increases the “crime school” phenomenon where a child learns to commit worse offenses from higher-risk youth in the prison.<sup>9</sup>

Taking a child from their family and placing them in a juvenile justice facility breaks important connections to family, community, and school, making it less likely that the child will get back on the right path. Family- and community-based juvenile justice programs keep those connections intact, allowing the programs to address the full causes of the child’s offense and to hold the child and the family truly accountable.

Research shows family involvement increases a young person’s participation in community- and home-based treatment programs<sup>10,11</sup> and reduces recidivism.<sup>12</sup> But when a child is taken out of their home by the juvenile justice system, family participation in treatment plummets.<sup>13</sup> Youth placed in the two juvenile prisons in Kansas, in Topeka and Larned, are often hours away from home, making family visits and participation in rehabilitation programs prohibitively difficult. Research in other states has shown daily family participation when a young person is in a local program but seldom or no participation from family after a youth is incarcerated in a distant facility.<sup>14,15</sup>

## **A Smarter use of Juvenile Justice Dollars Helps Families, and Kansas, in the Long Run**

States across the country are embracing community-based alternatives to youth incarceration and experiencing great results. Texas,<sup>16</sup> Ohio,<sup>17</sup> Connecticut,<sup>18</sup> Georgia, Kentucky, and many other states<sup>19</sup> have implemented these reforms and have seen continued reductions in youth offenses and millions of dollars reinvested in better strategies. Since 1997, 29 states have reduced confinement of children more than Kansas has, and those states continue to see falling juvenile crime rates.<sup>20</sup>

Kansas spends over \$53 million a year to put youth in prison or place them outside of their home. In the long-run, this ends up costing taxpayers even more as youth incarceration increases the chances of them ending back in the juvenile or adult corrections system.<sup>21</sup> Using these dollars more wisely can produce a better juvenile justice system for Kansas that has a sizable return-on-investment for the state in the future.

Kansas’s current juvenile justice system uses dollars ineffectively. It costs about 10 to 15 times more to put one youth in prison or out-of-home placement than to supervise them in their own community.<sup>22</sup> While a small percentage of youth cannot be safely supervised at home in the community, the vast majority of those currently in secure residential care are candidates for community-based alternatives.

Further, Kansas is spending dollars that treat the symptom, not the problem – only a small fraction of the juvenile justice budget is used on preventing juvenile offenses.<sup>23</sup>

These funds need to be re-directed towards efforts that would make our youth justice system more financially sustainable while generating social and economic dividends in the future. For example, each dollar invested in Life Skills Training generates up to \$25 to be redirected toward community approaches and prevention programs.<sup>24</sup> Furthermore, keeping youth out of incarceration gives them a better chance to finish high school, which would yield a median of \$5,400 more in their future annual earnings and thus, greater taxable revenue for Kansas.<sup>25</sup> It may also prevent Kansas citizens from having to spend around \$30,000, on average, over the lifetime of a non-high school graduate for crime-related costs.<sup>26</sup>

Reforming Kansas' juvenile justice system is a bipartisan issue that should rally support from a variety of perspectives, including the faith community, pro-family groups, and all taxpayers who expect a public safety returns on their investment in the system. The approach outlined in this issue brief will ensure taxpayer dollars are stewarded in a sensible fashion – now and in the future. Kansas should take the dollars it currently spends and pivot those funds into smart, effective investments that benefit our families and all of Kansas now and in the future.

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