



My name is Jonathan Lueth, and I am the Kansas Deputy State Director of Americans for Prosperity (AFP). As one of the largest grassroots organizations in the country, AFP is driving long-term solutions to some of the country's biggest problems. Our organization, and its thousands of activists across Kansas, are dedicated to breaking barriers that stand in the way of people realizing their full potential. That is why we support HB 2073; a reform that will help reduce unnecessary roadblocks for thousands of Kansas families trapped in a cycle of debt from our current juvenile justice system.

The primary goals of a well-functioning justice system should be to 1) maximize public safety; 2) create accountability measures commensurate with the underlying crime; and 3) limit barriers to a successful future. However, Kansas' current system of doling out fines, fees, and costs within the juvenile justice system does not keep communities safer, has shown to increase recidivism, unduly burden children and their families based on financial status rather than their underlying wrongdoing, and create unnecessary roadblocks to successful reentry.

Kansas law authorizes a significant amount of fines, fees, and other costs on juveniles and their families, [even for minor offenses](#).¹ According to a 50-state analysis performed by the [Juvenile Law Center](#),² Kansas law allows for more types of fines, fees, and costs on juveniles than almost any other state in the country. These can lead to hundreds or thousands of dollars of debt that ultimately falls on the family, who are all too often already living in poverty. Inability to pay can [lead to consequences](#)³ that hinder successful reentry such as supervision being extended, prevention of record expungement, and [garnishment of wages](#).⁴

Kansas' current juvenile fines and fees structure makes our state less safe and limits opportunities for juveniles to leave the justice system better than when they entered. Many costs of supervision, counseling, treatment, etc. ultimately can fall on the child and their families. Either juveniles cannot take advantage of these recidivism-reducing mechanisms due to their cost, or must be anchored by the financial burden they impose. A [large](#)⁵ [body](#)⁶ of [evidence](#)⁷ suggests that large amounts of juvenile justice debt can significantly increase the likelihood of recidivism and thwart a child from successful reentry.

¹ Feierman, Jessica; Et. Al. *Debtors' Prison for Kids? The High cost of Fines and Fees in the Juvenile Justice System*. Juvenile Law Center. 2016.

² Juvenile Law Center. *Fees Established by State Law Map*.

³ Kaseke, Karuva. *Court Fines and Fees Hurt Kansas Children and Their Families*. Kansas Action for Children. August 2022.

⁴ K.S.A. 2022 Supp. 38-2361.

⁵ Piquero, Alex; Jennings, Wesley. *Justice System-Imposed Financial Penalties Increase Likelihood of Recidivism in a Sample of Adolescent Offenders*. Debt Free Justice. September 2016.

⁶ Bannon, Alicia; Nagrecha, Mitali; Diller, Rebekah. *Criminal Justice Debt: A Barrier to Reentry*. Brennan Center for Justice. 2010.

⁷ Fines and Fees Justice Center and Juvenile Law Center. *Dreams Deferred: The Impact of Juvenile Fees on Florida's Children, Families, and Future*. January 2022.

Not only do juvenile justice fines, fees, and costs unnecessarily burden children and their families to the detriment of public safety, they also are incredibly expensive to collect and revenues are quite minimal and burdensome. [A report from the Brennan Center](#)⁸ analyzed collection data from ten counties in Texas, Florida, and New Mexico. The analysis showed that counties in Texas and New Mexico spent 41 cents of every dollar collected from fines and fees on court hearings and jail costs. Some counties spend more money collecting than they do raise from fines and fees. [Another study analyzing data from Florida](#) showed that only 11% of fees and other costs imposed on youth was collected.⁹ In 2020, Kansas only collected about a [half a million dollars in fines and fees](#) imposed from juvenile justice system.¹⁰

Not only are the revenues from these financial obligations minimal and difficult to collect, evidence shows the more reliance governments have on fines, fees, and similar revenue streams to fund core functions, such as their criminal justice system, [can lead to solving crime at significantly lower rates](#).¹¹ Our resources and bandwidth within the criminal justice system should go to more important tasks, such as the speedy administration of justice on high-risk individuals, and solving crime.

In conclusion, the current imposition of fines, fees, and costs on juveniles in their families has minimal upside and significant downside. Five states including Delaware and New Mexico have already eliminated [all juvenile fines and fees](#), four others including Colorado, Louisiana, and Nevada have eliminated all juvenile fees, and seven others have abolished or capped certain juvenile fees, including Texas, Utah, Indiana, and Virginia.¹² This doesn't [include local jurisdictions all across the country](#) that have taken similar actions.¹³ It's time for Kansas to be a leader in the juvenile justice space when it comes to eliminating unnecessary financial barriers to the American dream for children and their families.

I appreciate the Committee's dedication to this issue and urge for passage of HB 2073.

Sincerely,

Jonathan Lueth

Deputy State Director

Americans For Prosperity Kansas

⁸ Menendez, Matthew; Et. Al. *The Steep Costs of Criminal Justice Fees and Fines*. The Brennan Center. November 2021.

⁹ *Dreams Deferred*. Fines and Fees Justice Center.

¹⁰ Bahl, Andrew. *Kansas Criminal Justice Reformers Want End to Juveniles Fines, Fees*. Topeka Capital-Journal. February 19, 2022.

¹¹ Myers, Currie Sheriff (Ret.) PH.D., MBA. *The Impact of Fines, Fees, and Forfeitures on Policing*. Americans for Prosperity. 2022.

¹² *The Landscape of Reform*. Arnold Ventures.

¹³ Chambers, Jaclyn; Martin, Karin; Skeem, Jennifer. *Eliminating Fees in the Alameda County Juvenile Justice System Meaningfully Reduced Financial Burdens on Families*. California Policy Lab. November 2021.