



KANSAS APPLESEED
Justice for all.

TESTIMONY OF BENET MAGNUSON
EXECUTIVE DIRECTOR
KANSAS APPLESEED CENTER FOR LAW AND JUSTICE
BEFORE THE KANSAS HOUSE COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE

IN OPPOSITION TO HOUSE BILL 2453

JANUARY 25, 2018

My name is Benet Magnuson; I am the executive director of 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 opposes House Bill 2453.

Kansas already authorizes more fees on juvenile defendants and their families than most other states. Kansas is one of only 4 states with mandatory fees for juvenile probation; Kansas is one of only 11 states with specific fees for juvenile substance abuse evaluation or assessment and also one of only 11 states with a statute linking payment with expungement or sealing of juvenile records. All together, Kansas statutes authorize at least 7 different categories of fees on juvenile defendants and their families, one of only a handful of states to authorize so many juvenile fees.¹

In creating the immediate intervention process for juveniles in Senate Bill 367 (2016), the legislature made the policy decision that, for eligible youth, the immediate intervention programs are more effective and less expensive than formal court proceedings.² Senate Bill 367 (2016) also envisioned funds allocated through grants directly to immediate intervention programs.³ In creating a separate stream of funding based on fees on juvenile defendants, House Bill 2453 risks working at cross purposes with the policy decisions previously made by the legislature – that immediate intervention programs are better public policy because they are more effective and more cost effective, and that they should therefore be funded directly through grants from the Department of Corrections.

House Bill 2453 prohibits denying eligible youth from participation in an immediate intervention program due to inability to pay, and allows youth who are unable to pay the full application fee to pay a portion of the fee or to participate in community service in lieu of payment. However, evaluating “inability to pay” can be a complicated process for many youth and families, and research has shown placing financial burdens on juvenile defendants and their families risks increasing recidivism and ultimately harming public safety.⁴

Respectfully submitted,
Benet Magnuson, Executive Director

¹ Juvenile Law Center "Debtors' Prison for Kids? The High Cost of Fines and Fees in the Juvenile Justice System" 2016. Available online at: <https://debtorsprison.jlc.org/documents/JLC-Debtors-Prison.pdf>

² See, e.g., “Kansas Juvenile Justice Workgroup Final Report” available online at: <https://www.doc.ks.gov/juvenile-services/Workgroup/report/Final/view>

³ Senate Bill 367 (2016) New Sec. 11 (b)

⁴ See, e.g., Alex R. Piquero and Wesley G. Jennings, “Justice System–Imposed Financial Penalties Increase the Likelihood of Recidivism in a Sample of Adolescent Offenders Youth Violence and Juvenile Justice” 2016.

Kansas Appleseed Center for Law and Justice, Inc.

1535 W. 15th St, Lawrence, KS 66045 | 785-864-9294 | bmagnuson@kansasappleseed.org