



SUPPORTING TESTIMONY on SB 8 – Increasing good time and program credits for certain offenders.

Testimony of: Kendall Seal, Director of Advocacy,
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**Senate Judiciary Committee – Tues. Jan. 26, 2021 at
10:30 a.m.**

Chairwoman Warren and Members of this Committee,

Thank you for the opportunity to present testimony today. My name is Kendall Seal, and I am the Director of Advocacy with the ACLU of Kansas. We are a nonpartisan, non-profit organization that works to preserve and strengthen the constitutional liberties of all Kansans. The ACLU of Kansas supports SB 8 as a positive step toward alleviating overcrowded prisons in Kansas.

First, this bill starts to address an exploding prison population. Since 1980, the Kansas prison population has nearly quadrupled. In 2019, over 10,000 people were imprisoned in Kansas — a 12 percent increase since 2000. While other states have downsized their prison systems, Kansas expanded its prison capacity by nearly 20 percent between 2000 and 2017 to accommodate such rapid growth—and still our prisons are beyond capacity.

Second, this bill begins to respond to systemic racism in the state's criminal justice system. The acceleration of mass incarceration disproportionately affects people of color, especially Black Kansans. As of 2016, data from the U.S. Bureau of Justice Statistics shows the per capita imprisonment rate for Black Kansans was the 16th highest in the country. From 2015 -2019, Black Kansans constituted nearly 30 percent of the Kansas prison population, but accounted for only 6 percent of the state's population.

Third, this bill could blunt the striking rate that Kansas is incarcerating women. Over the past decade, the number of incarcerated Kansas women grew at three times the rate of men. In 2017, more than half of incarcerated women were convicted of an offense not involving violence, and 38 percent were convicted of a drug offense. It does not have to be this way. Earned time credits, like those proposed in SB 8, are an integral part of reducing mass incarceration and constructively addressing systemic problems in our criminal justice system.

Finally, this bill benefits all stakeholders, which is likely why 32 states have enacted earned time credits in one form or another. The availability of good time credits based on the merits of a person's actions can make the prison environment safer for other inmates and correctional officers. Additionally, good time credits are an effective management tool for correction officials.

We support every effort to develop policies and programs aimed at rehabilitating the people in Kansas's prisons and reducing prison sentences. Good-time credits incentivize good behavior rather than simply punishing bad behavior. This helps residents develop positive habits, and reduces recidivism rates. Earned time programs that incorporate vocational training, education opportunities, and rehabilitation help reduce crime by better preparing offenders for reentry into the Kansas communities and job market.

The ACLU of Kansas urges this committee to take action to pass SB 8 into law. Thank you.