Youth incarceration in Kansas has changed significantly in the past several years. After comprehensive legislative reforms passed in 2016, youth incarceration fell 24 percent, allowing the state to close one of its two youth prisons and invest savings in community-based alternatives for youth (KDOC 2019). Youth are now incarcerated solely in the Kansas Juvenile Correctional Complex in Topeka, and 166 youth were in secure confinement there as of June 2019 (KDOC 2019). Despite reductions in youth incarceration, racial disparities persist. In 2018, Black youth were three times more likely than white youth to be arrested, nearly six times more likely to be detained, and more than seven times more likely to be in secure confinement. Finding ways to address persistent racial and ethnic disparities and build a full continuum of community-based care and supports for youth will help Kansas further reduce youth incarceration.

Youth Incarceration Fell More Than 50 Percent between 2010 and 2019

Between 2010 and 2019, the number of youth incarcerated in juvenile correctional facilities (JCFs) in Kansas declined 52 percent. During this period, the number of youth in juvenile custody—that is, in out-of-home placements, foster care, home treatment, psychiatric residential treatment centers, Youth Residential Center II facilities, and other non-JCF facilities—declined 88 percent, and the number of youth on intensive probation declined 49 percent (KDOC 2019, 19).
Admissions to Kansas’s JCFs are also falling. Between 2008 and 2019, average monthly admissions declined more than 60 percent, from 37 to 14 youth.\(^3\)

Though youth incarceration has declined, length of stay has remained consistent in recent years. In 2012, the average length of stay for youth placed in JCFs on the last day of each month was 10 months; in 2017, the average length of stay was eight months, and in 2019, it had increased back to 10 months.\(^4\) It is important to note, however, that the composition of youth’s assessed risk levels changed between 2015 and 2019, as discussed below. Given the greater share of youth assessed as high risk in 2019, length of stay would be expected to increase during this period (JJOC 2019, 12).
Most Youth Incarceration Involved Person Offenses, and Kansas Is Focusing Youth Prisons on Youth at Greater Risk of Reoffending

In 2019, 78 percent of youth incarcerated in JCFs were adjudicated for person offenses, and 34 percent of youth incarcerated were adjudicated for sex offenses specifically. Twenty-two percent were adjudicated for property, drug, other, or unknown offenses (KDOC 2019, 23).
FIGURE 3
Kansas JCF Population by Most Serious Offense Type, FY 2019
As share of all offenses

Most Youth Admitted to JCFs in 2019 Were Assessed as High Risk, Up Significantly from 2013

Between 2013 and 2019, Kansas prioritized incarceration for youth with higher Youth Level of Service/Case Management Inventory (YLS/CMI) scores. In 2013, 99 percent of youth admitted to JCFs were assessed as low or moderate risk; in 2019, 48 percent were assessed as low or moderate risk, and 52 percent were assessed as high risk (JJOC 2019, 12).

Source: KDOC (2019).
Note: “Other” person offense” means all person offenses that are not sex offenses.
Nearly Half of Youth Admitted to JCFs in 2019 Had Behavioral Health Needs Requiring Individualized Treatment Planning

In 2019, 45 percent of assessed youth admitted to JCFs were assessed as Behavioral Health Level 3, or requiring an individualized treatment plan involving mental health contacts at least monthly. Twenty-seven percent were assessed as Behavioral Health Level 2, or carrying a nonsevere diagnosis. Twenty-eight percent were assessed as Behavioral Health Level 1, or being generally stable. No youth were assessed as Behavioral Health Level 4, or having a serious mental health disorder (JJOC 2019; KDOC 2019, 22).  

Source: JJOC (2019).

Note: FY = fiscal year.
Kansas Has Significantly Reduced Youth Incarceration for Technical Violations

The 2016 Kansas Juvenile Justice Reform Act (S.B. 367) prevents youth admissions to juvenile detention centers solely for technical violations of conditional release. In 2015, 68 percent of youth admissions were new commitments and 25 percent were for technical violations. In 2019, 83 percent of admissions were new commitments and only 5 percent were for technical violations, 20 percentage points less than four years earlier.
Kansas Disproportionately Incarcerates Youth of Color

Fifty-three percent of youth incarcerated in Kansas are Black, Latino, American Indian, or Asian. Moreover, Black youth are disproportionately represented at every point in the state’s juvenile justice system. In 2018, compared with white youth, Black youth in Kansas were

- 3.0 times more likely to be arrested,
- 5.6 times more likely to be detained, and
- 7.3 times more likely to be in secure confinement.9
FIGURE 7
Racial/Ethnic Disparities across Kansas’s Juvenile Justice System, FY 2018

Shares of youth

<table>
<thead>
<tr>
<th>Placement type</th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian</th>
<th>American Indian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arrest</td>
<td>64%</td>
<td>22%</td>
<td>13%</td>
<td>2%</td>
<td>1%</td>
</tr>
<tr>
<td>Detention</td>
<td>46%</td>
<td>30%</td>
<td>21%</td>
<td>3%</td>
<td>2%</td>
</tr>
<tr>
<td>Secure confinement</td>
<td>47%</td>
<td>35%</td>
<td>17%</td>
<td>3%</td>
<td>2%</td>
</tr>
</tbody>
</table>

Source: Data are for FY 2018 and are from the Office of Juvenile Justice and Delinquency Prevention’s “Kansas Disproportionate Minority Contact Data,” available at https://ojjdp.ojp.gov/states/kansas.

Note: Asian youth make up 1 percent and American Indian youth make up 2 percent of Kansas’s detained youth.

Moreover, most residents in Kansas’s youth prisons are male, and most youth who are incarcerated are 17 or 18 years old (KDOC 2019, 22).
FIGURE 8
Kansas JCF Population by Gender, FY 2019

Source: KDOC (2019).

FIGURE 9
Kansas JCF Population by Age, FY 2019

Source: KDOC (2019).
Kansas Spends $368 a Day per Youth on Youth Prisons

Despite increased investment in community-based alternatives to incarceration, Kansas still spends $134,000 a year for each youth at the Kansas Juvenile Correctional Complex (KDOC 2019, 32).

TABLE 1
Spending on JCFs, FY 2019

<table>
<thead>
<tr>
<th>Placement Type</th>
<th>Total Expenditures</th>
<th>Annual Cost per Resident</th>
<th>Daily Cost per Resident</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kansas Juvenile Correctional Complex</td>
<td>$22,012,602</td>
<td>$134,223</td>
<td>$367.73</td>
</tr>
</tbody>
</table>

Source: KDOC (2019).

In 2019, Kansas spent $368 a day on average to incarcerate one youth, compared with $148 a day on one youth in other out-of-home placements and $21 a day to supervise one youth on probation (KDOC 2019, 32).

FIGURE 10
Daily Cost per Youth by Placement Type, FY 2019

Source: KDOC (2019).

Note: “Out-of-home placement” includes youth held in a wide range of placements, including Youth Residential Center II facilities, detention, emergency shelters, transitional living and community integration programs, residential treatment facilities, and foster care.
Senate Bill 367 Reforms Show Promising Results, but Racial Disparities Persist

In 2016, Kansas passed a comprehensive set of reforms through S.B. 367, which placed limits on case and probation lengths for misdemeanors and low-level felonies, limited placement in state secure facilities to only high-risk youth, expanded community-based alternatives to incarceration, and created a reinvestment fund to finance community-based programs and other reforms. Since the bill passed, the number of youth in correctional facilities has fallen 24 percent and the number in custody has fallen 81 percent (KDOC 2019). Consequently, Kansas was able to close one of its two youth prisons in March 2017, freeing up resources for investment. The state has reinvested more than $12 million in a range of high-quality community-based programming, including functional family therapy, cognitive-behavioral therapy, and community-based treatment for sex offenses (JJOC 2019). Increasing access to this programming is a stated priority of the Kansas Juvenile Justice Oversight Committee and will require continued attention to ensure all youth have access to the services and supports they need.

Furthermore, although youth incarceration in Kansas has fallen, racial and ethnic disparities between white youth and youth of color committed to correctional facilities have persisted since S.B. 367 passed. Black youth in particular are disproportionately incarcerated in the state’s youth correctional facilities. Racial disparities remain prevalent across several stages of the state’s juvenile justice system, from arrest to detention to secure confinement. To reduce these disparities, Kansans United for Youth Justice recommends that Kansas law enforcement and youth corrections agencies partner with justice-involved youth and their families to guide reform; revise laws and policies to address disparate racial impact; develop accountability and compliance mechanisms for law enforcement agencies; and incorporate implicit bias training for law enforcement, court services, judges, jurors, and all those involved with the juvenile justice system.

Notes


2 Data are for FY 2018 and are from the Office of Juvenile Justice and Delinquency Prevention’s “Kansas Disproportionate Minority Contact Data,” available at https://ojjdp.ojp.gov/states/kansas.


5 In JJOC (2019), the Kansas Juvenile Justice Oversight Committee provides the following definitions of the four behavioral health levels: level 1 = generally stable, not on psychotropic medications and without significant mental health symptoms; level 2 = carries a nonsevere Axis I or II diagnosis, may require psychotropic medications; level 3 = requires individualized treatment plan with mental health contacts at least monthly; and level 4 = serious mental disorder—requires close monitoring due to self-injurious behaviors, aggression, or significant psychotic symptoms.
Senate Bill 367 prohibits youth from being placed in juvenile detention centers solely for technical violations of conditional release unless probable cause exists that a youth poses significant risk of harming others or damaging property, or if the applicable graduated responses or sanctions protocol allows such placement; see NJDC (2018).


Data are for FY 2018 and are from the Office of Juvenile Justice and Delinquency Prevention’s "Kansas Disproportionate Minority Contact Data," available at https://ojjdp.ojp.gov/states/kansas.

See NJDC (2018).


References


About the Authors
Colette Marcellin is a research assistant in the Justice Policy Center at the Urban Institute, where she works on projects related to criminal and juvenile justice reform, behavioral health, and trauma-informed programs.

Samantha Harvell is a principal policy associate at the Justice Policy Center. Her work focuses on bridging research, policy, and practice in juvenile and criminal justice.

Hanna Love is a former research analyst in the Justice Policy Center, where she focused on state and local justice reform efforts and improving justice system responses for survivors of violence.
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