



# Data Snapshot of Youth Incarceration in Kansas

2020 Update

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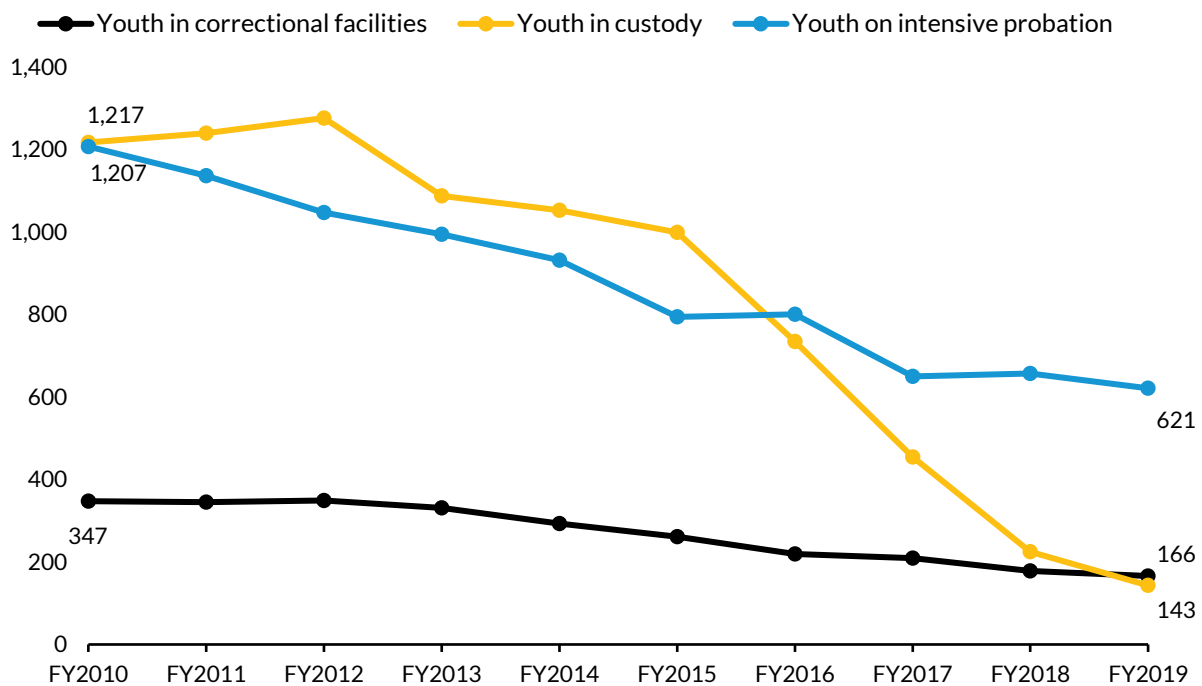
*April 2020*

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<sup>1</sup> 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.<sup>2</sup> 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).

**FIGURE 1**  
**Youth Incarceration in Kansas, FY 2010–19**  
*Number of youth*



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**Source:** KDOC (2019).

**Notes:** FY = fiscal year. The “youth in custody” population includes out-of-home placements, foster care, home treatment, psychiatric residential treatment centers, Youth Residential Center II facilities, and AWOL designations; it does not include youth in JCFs.

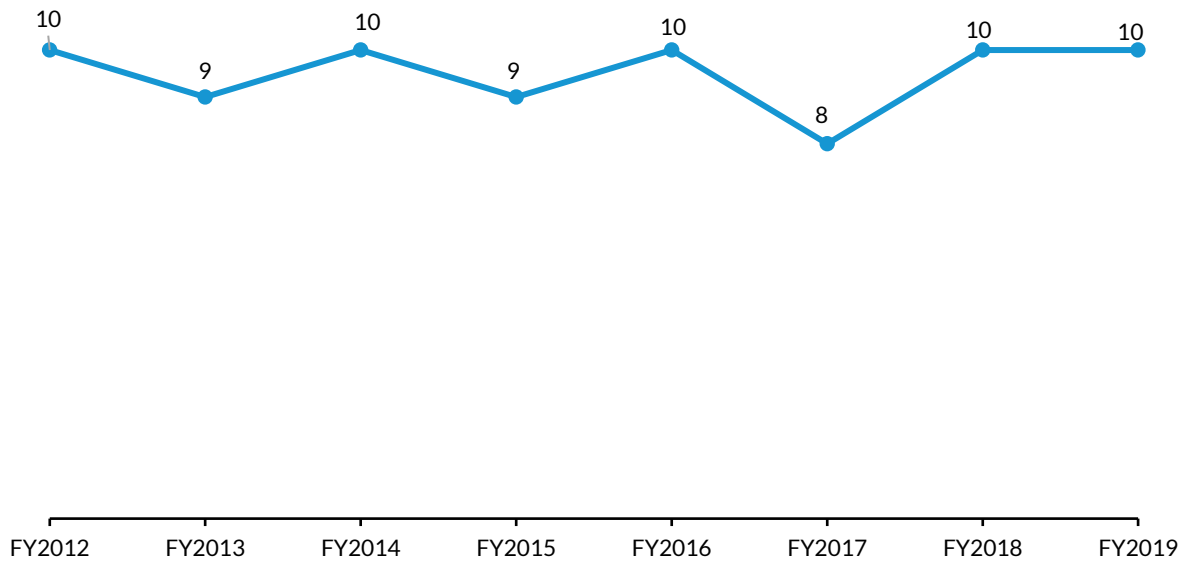
Admissions to Kansas’s JCFs are also falling. Between 2008 and 2019, average monthly admissions declined more than 60 percent, from 37 to 14 youth.<sup>3</sup>

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.<sup>4</sup> 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).

FIGURE 2

Average Length of Stay for Kansas Youth Placed in JCFs, FY 2012–19

By number of months



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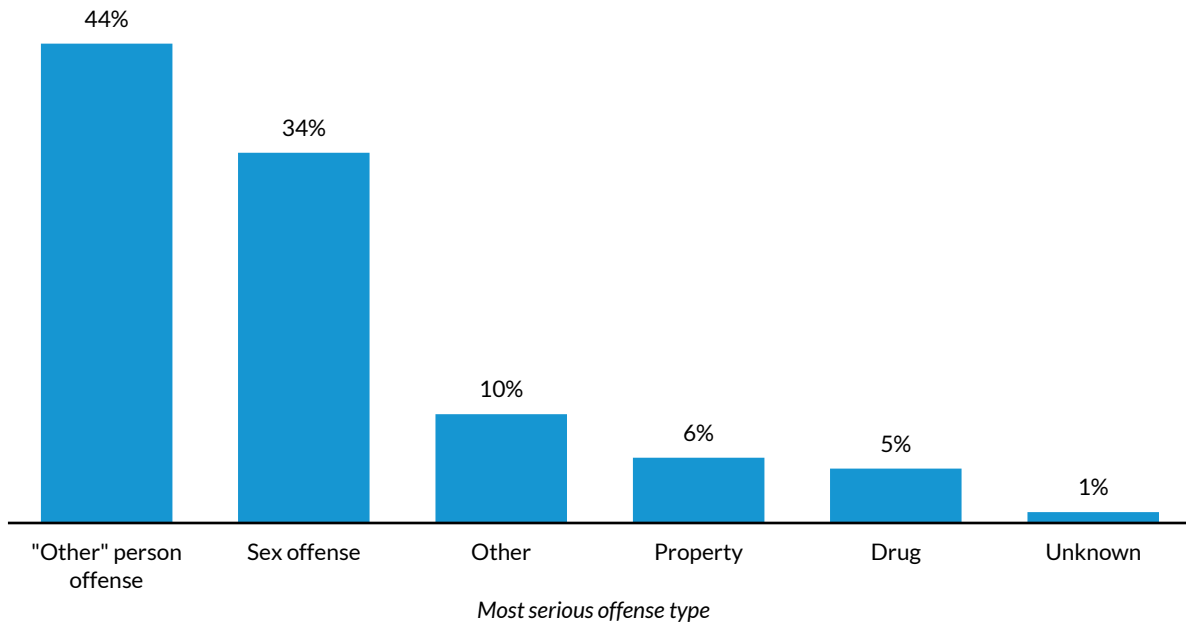
Source: Kansas Department of Corrections “Juvenile Correctional Facility Population Activity Reports,” FY 2012–19.

Note: FY = fiscal year.

## 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*



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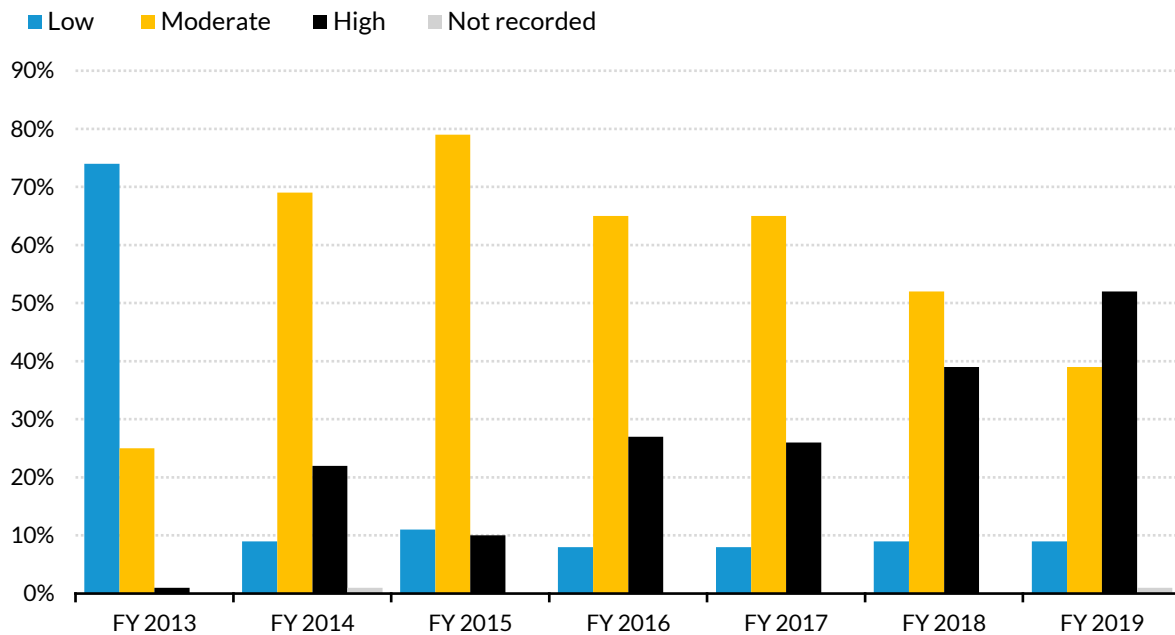
Source: KDOC (2019).

Note: "Other" person offense means all person offenses that are not sex 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).

**FIGURE 4**  
**Admissions to JCFs by YLS/CMI Risk Level, FY 2013–19**  
*Percent of admissions*



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Source: JJOC (2019).

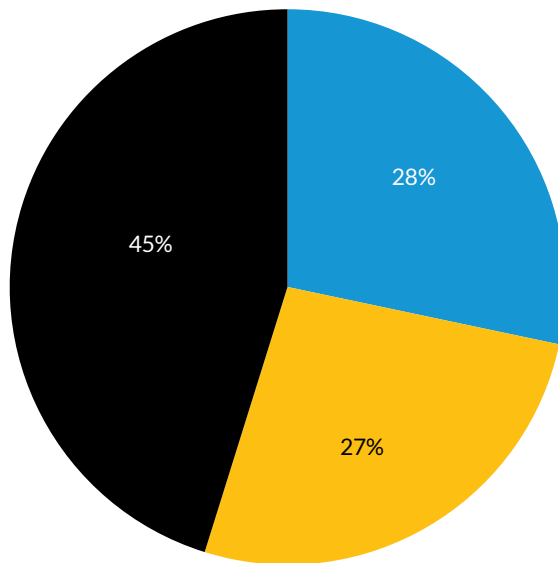
Note: FY = fiscal year.

### 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).<sup>5</sup>

**FIGURE 5**  
**Admissions to JCFs by Behavioral Health Level, FY 2019**  
*Share of admitted youth with behavioral health needs*

■ Level 1 ■ Level 2 ■ Level 3



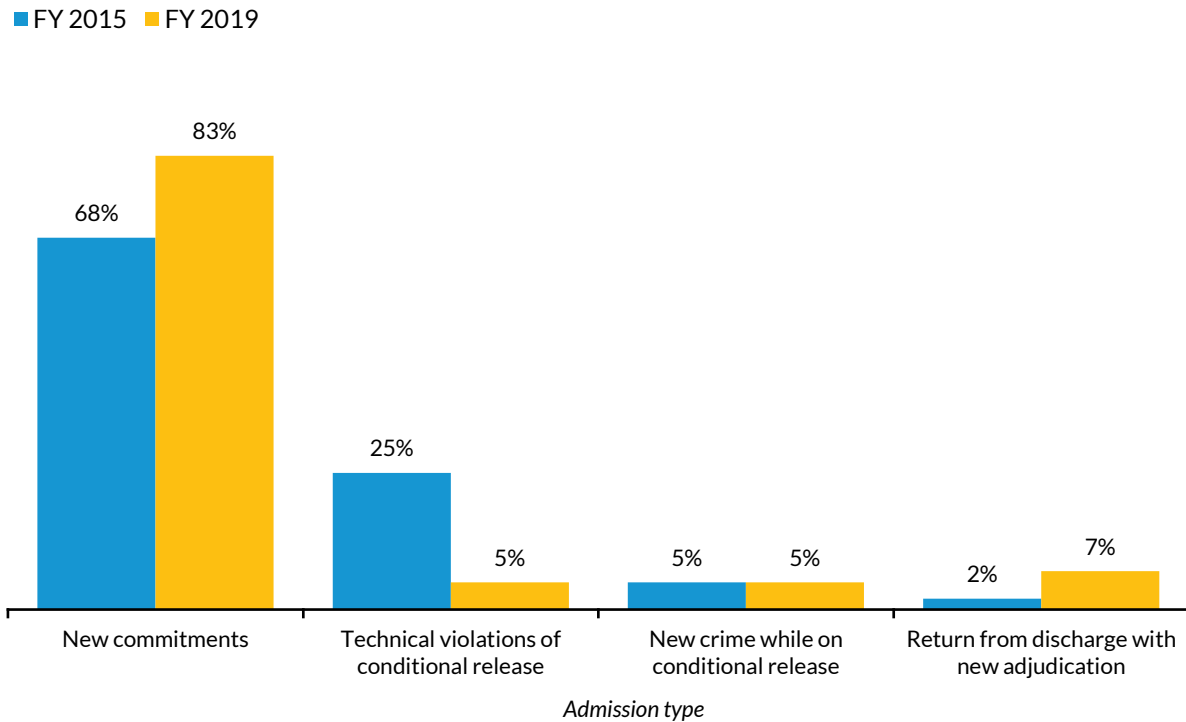
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Source: KDOC (2019).

## 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.<sup>6</sup> In 2015, 68 percent of youth admissions were new commitments and 25 percent were for technical violations.<sup>7</sup> 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.<sup>8</sup>

**FIGURE 6**  
**Types of Admissions to JCFs**  
*By share of admissions*



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**Sources:** “Juvenile Correctional Facility Population Activity: Fiscal Year 2015,” Kansas Department of Corrections; “Juvenile Correctional Facility Population Activity: Fiscal Year 2019,” Kansas Department of Corrections.

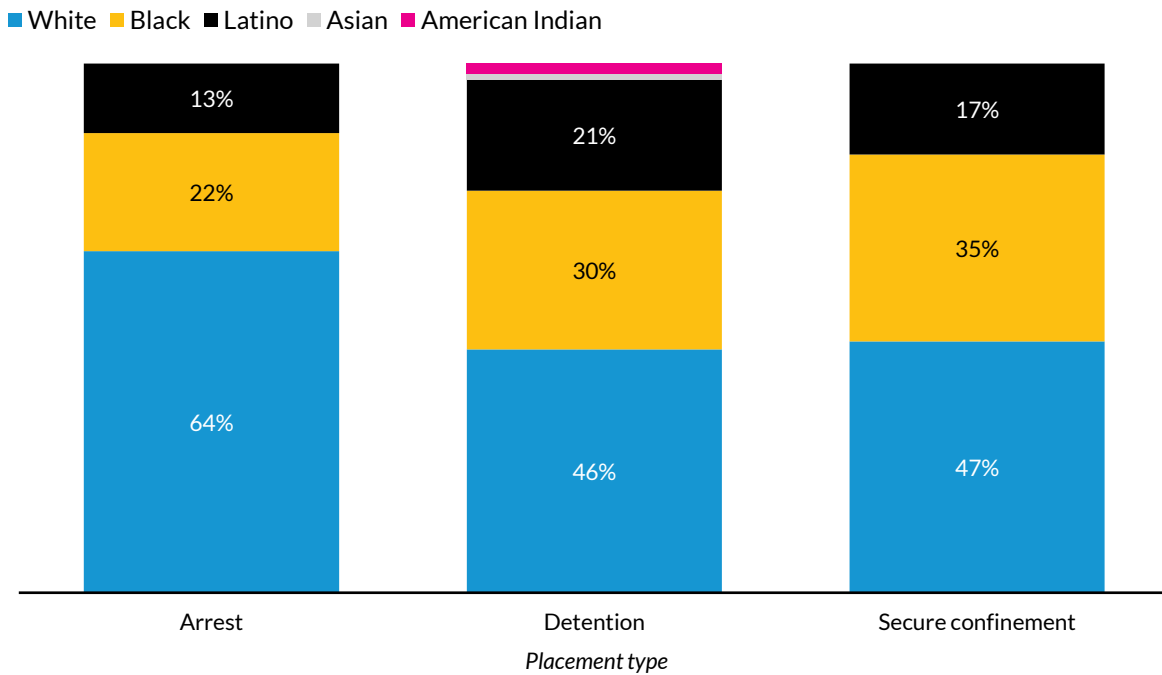
**Note:** FY = fiscal year.

## 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.<sup>9</sup>

**FIGURE 7**  
**Racial/Ethnic Disparities across Kansas's Juvenile Justice System, FY 2018**  
*Shares of youth*



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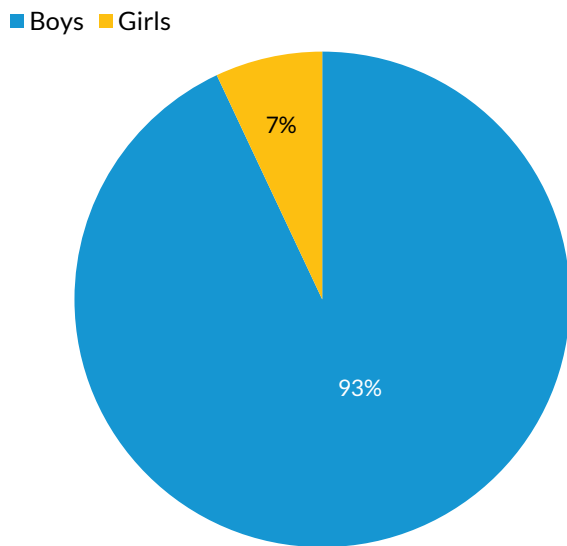
**Source:** Data are for FY 2018 and are from the Office of Juvenile Justice and Delinquency Prevention's "Kansas Disproportionate Minority Contact Data," available at <https://ojjdp.ojp.gov/states/kansas>.

**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).



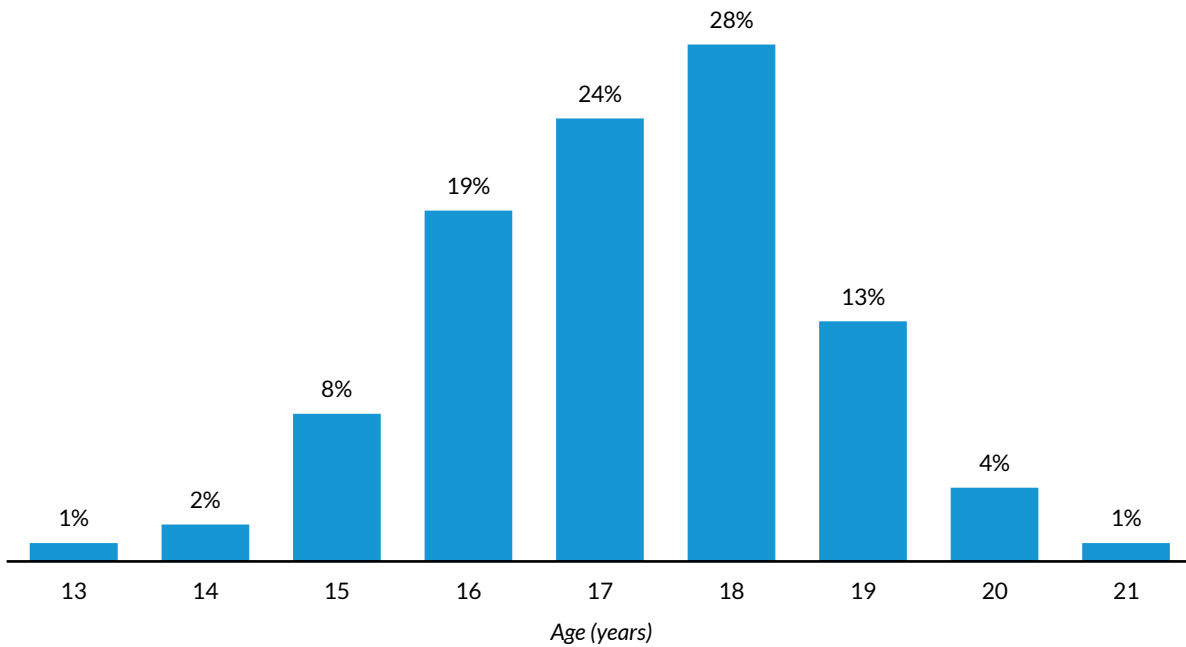
**FIGURE 8**  
**Kansas JCF Population by Gender, FY 2019**



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Source: KDOC (2019).

**FIGURE 9**  
**Kansas JCF Population by Age, FY 2019**



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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).

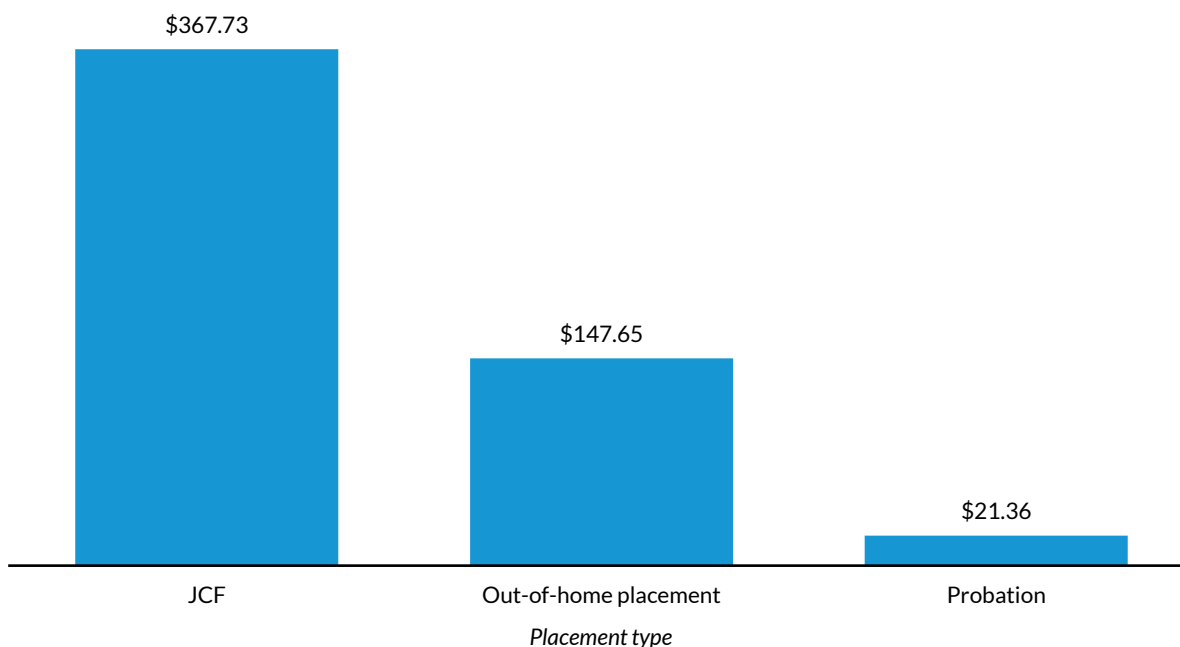
**TABLE 1**  
**Spending on JCFs, FY 2019**

	Total expenditures	Annual cost per resident	Daily cost per resident
Kansas Juvenile Correctional Complex	\$22,012,602	\$134,223	\$367.73

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**



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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.<sup>10</sup> 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.<sup>11</sup> 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.<sup>12</sup> 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.<sup>13</sup> To reduce these disparities, Kansas 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.<sup>14</sup>

## Notes

- <sup>1</sup> "Staff Say Farewell at Closing of Larned Juvenile Correctional Facility," Kansas Department of Corrections, March 3, 2017, <https://www.doc.ks.gov/newsroom/releases/archive/2017/ljcf>.
- <sup>2</sup> 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>.
- <sup>3</sup> "Juvenile Correctional Facility Population Activity: Fiscal Year 2019," Kansas Department of Corrections, accessed April 20, 2019, <https://www.doc.ks.gov/publications/juvenile/archived/2019/facility/view>; all data from this source refer to fiscal year.
- <sup>4</sup> "Juvenile Correctional Facility Population Activity: Fiscal Year 2019," Kansas Department of Corrections.
- <sup>5</sup> 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.

- <sup>6</sup> 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).
- <sup>7</sup> “Juvenile Correctional Facility Population Activity: Fiscal Year 2015,” Kansas Department of Corrections, July 7, 2015, <https://www.doc.ks.gov/publications/juvenile/archived/fy-15/jcf/view>; all data from this source refer to fiscal year.
- <sup>8</sup> “Juvenile Correctional Facility Population Activity: Fiscal Year 2015,” Kansas Department of Corrections.
- <sup>9</sup> 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>.
- <sup>10</sup> See NJDC (2018).
- <sup>11</sup> “Staff Say Farewell at Closing of Larned Juvenile Correctional Facility,” Kansas Department of Corrections, March 3, 2017, <https://www.doc.ks.gov/newsroom/releases/archive/2017/ljcf>.
- <sup>12</sup> “Racial Disparities in the Kansas Juvenile Justice System,” Kansans United for Youth Justice, February 2019, [https://www.kuyj.org/uploads/2/1/9/2/21929892/racial\\_disparities\\_in\\_the\\_kansas\\_juvenile\\_justice\\_system\\_2019.pdf](https://www.kuyj.org/uploads/2/1/9/2/21929892/racial_disparities_in_the_kansas_juvenile_justice_system_2019.pdf).
- <sup>13</sup> “Kansas Disproportionate Minority Contact Data,” Office of Juvenile Justice and Delinquency Prevention, available at <https://ojjdp.ojp.gov/states/kansas>.
- <sup>14</sup> “Racial Disparities in the Kansas Juvenile Justice System,” Kansans United for Youth Justice.

## References

- JJOC (Kansas Juvenile Justice Oversight Committee). 2019. *2019 Kansas Juvenile Justice Oversight Committee Annual Report*. Topeka: Kansas Juvenile Justice Oversight Committee.
- KDOC (Kansas Department of Corrections). 2019. *Annual Report 2019*. Topeka: Kansas Department of Corrections.
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