

FIRST PERSON: A SAFER, HEALTHIER KANSAS IS WITHIN REACH — WITH LEGISLATIVE ACTION

Law improves drug-treatment access; more changes to justice system needed



by Kansas Rep. Stephen Owens
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Kansas' drug problem is a serious issue not only for people who are suffering from substance use disorders but also for those who work hard to keep them safe, including their families, communities and local law enforcement.

The problem is exacerbated by a flawed criminal justice system in our state that fails to appropriately treat substance use disorders and help people change their behavior. It's costly, it's bad for public safety, and it's now past time to fix it.

It's not uncommon for people with substance use disorders to cycle through arrest, incarceration, release and re-arrest without ever getting the treatment they need.

This pattern is harmful to those experiencing it, wastes hard-working law enforcement officers' time, and is a drain on valuable taxpayer dollars.

We can help break this cycle. By providing access to resources to help people suffering from addiction, we ultimately will reduce the number of people coming in and out of the criminal justice system.

This is why I urged my colleagues in the Kansas Legislature to join me in addressing these issues back in February.

During the last legislative session, a package of bills recommended by our Kansas Criminal Justice Reform Commission through the Justice Reinvestment Initiative offered a path forward. (I serve as vice chair of this commission; see sidebar.)

Some of those bills were signed into law, but a few pieces of legislation remain up for consideration next session.

I am urging my legislative colleagues

THE PATH TO REFORM IN KANSAS — AND THE ROLE PLAYED BY THE CSG JUSTICE CENTER

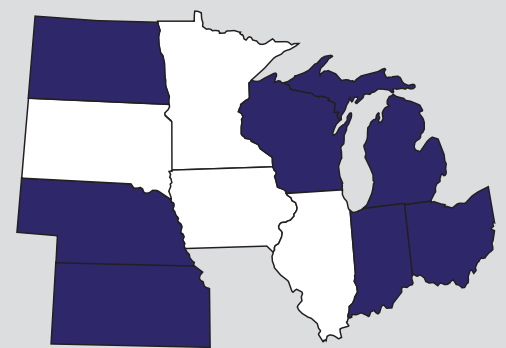
In 2019, the Kansas Legislature established the Criminal Justice Reform Commission — a multi-branch group of legislators, judges, defense and district attorneys, treatment providers, corrections officials and representatives from law enforcement. (Rep. Stephen Owens is the vice chair.)

One year later, the commission began partnering with The Council of State Governments Justice Center, which helped collect and analyze state data and to assist in developing appropriate policy recommendations. The CSG Justice Center has worked with numerous states (see map for the Midwest) on Justice Reinvestment: a data-driven approach to reduce corrections and related criminal justice spending, and reinvest these savings in strategies that improve public safety.

In Kansas, this collaboration led to a series of policy recommendations voted on by the commission in late 2020 (all but one received unanimous approval). These policy ideas were then presented to state leaders for consideration in early 2021, and some became law as the result of legislative actions this year (see main article for details). These measures focus on diverting people convicted of drug offenses and improving supervision by strengthening evidence-based practices.

From 2012 to 2013, the CSG Justice Center also worked with Kansas state leaders to develop data-driven policy options designed to reduce corrections spending and increase public safety. This Justice Reinvestment work resulted in the passage of HB 2170 in 2013.

MIDWEST STATES THAT HAVE RECEIVED OR ARE RECEIVING TECHNICAL ASSISTANCE ON 'JUSTICE REINVESTMENT' FROM THE CSG JUSTICE CENTER



● Received/is receiving assistance

“In 2019, a prison sentence for a drug offense cost our state \$26,188; that same year, a sentence to treatment in the community cost just \$3,143.”

to prioritize these remaining measures in the session ahead.

MIX OF POLICY SUCCESS, DISAPPOINTMENT IN 2021

HB 2026, signed into law in May, will allow people to receive drug treatment before conviction.

Another bill, HB 2146, would have strengthened the system further by updating Kansas' drug sentencing grid to help people access treatment and intensive community supervision sooner.

But this bill never made it to the governor's desk.

Research consistently shows that community-based treatment can reduce drug use and drug-related criminal behavior.

We also know that effective community supervision can make all the difference when it comes to motivating people to stay in treatment and start changing their behaviors.

In 2019, a prison sentence for a drug offense cost our state \$26,188; that same year, a sentence to treatment in the community cost just \$3,143. And prison costs nearly 10 times more than probation or parole.

The bottom line: Not only is treatment in the community a more cost-effective use of taxpayer dollars than prison, but it also works.

For people serving on community supervision to succeed, the people who work with them must have the tools, resources and continued support to do their jobs well.

Unfortunately, current inefficiencies have put people on supervision at risk of returning to prison even when they have not committed a new crime. HB 2077 and HB 2121, which passed last session, require the implementation of research-based supervision policies to help support behavior change.

These measures also task our Criminal Justice Reform Commission to work with practitioners to ensure that people on probation or parole will no longer be supervised by multiple agencies, as well as to correct the state's inconsistent conditions of supervision.

Through that work, people on probation or parole will soon no longer be at risk for violating a condition with one agency while simultaneously being compliant with another.



Next session, the Legislature will have the opportunity to continue exploring ways to increase success for people in the criminal justice system.

This must include updating the drug sentencing grid so more people can receive treatment after conviction (HB 2146) and fully funding the associated treatment costs.

We also should remove barriers to employment so people can afford to pay their fees, fines and restitution to victims; succeed on community supervision; and stay out of prison.

For example, another piece of legislation from 2021 (HB 2370) would reduce the number of regulations that currently prevent people with criminal records from working and contributing to our local economy.

People in the Kansas criminal justice system need more substantial support to change their behaviors and succeed in their communities. But right now, their options are extremely limited.

I urge my fellow legislators to act by prioritizing strategic improvements for a better, healthier and stronger Kansas.

Rep. Stephen Owens was first elected to the Kansas Legislature in 2018. He is vice chair of the House Corrections and Juvenile Justice Committee and of the Kansas Criminal Justice Reform Commission.

SUBMISSIONS WELCOME

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