



## End discrimination based on sexual orientation and gender identity

Statement of Thomas Witt in Opposition to HB 2445  
Executive Director, Equality Kansas  
House Committee on Corrections and Juvenile Justice  
January 28, 2020

Good afternoon Mr. Chairman and members of the committee.

I am Thomas Witt, Executive Director of Equality Kansas, which works to eliminate discrimination based on sexual orientation and gender identity. I am here today to speak in opposition to HB 2445, and I thank you for the opportunity to do so.

Our opposition to this centers on the proposal to allow the incarceration of runaway youth in juvenile detention facilities for up to 24 hours or, in the case of weekends and holidays, several days.

A 2014 study<sup>1</sup> concluded that **up to 40% of all runaway youth identify as LGBT**, with the largest representation being among transgender youth. This is a population already at risk for violence, trafficking, substance abuse, emotional distress, and mental health challenges. Many are on the streets because of violence and abuse at home, often precisely because of their sexual orientation or gender identity.

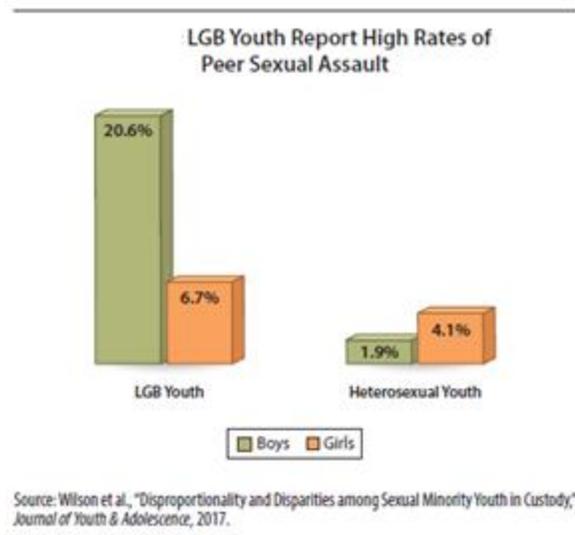
Prison is never a good solution for children, and even less so for LGBT youth. A 2017 study<sup>2</sup> found that incarcerated LGBT youth are **eleven times more likely** to be sexually assaulted than their non-LGBT peers.

While we understand the goal of this bill is to help get runaway youth off the streets and into places of safety, placing runaways – especially LGBT children - in juvenile detention facilities likely *increases* the risk to the lives, health, and well-being of an already vulnerable population.

This committee has done outstanding work over the past several years in reforming Kansas' juvenile justice system. In our view, this bill is a large step backwards in your campaign to improve the lives of at-risk youth. Runaway kids aren't criminals – they are often desperate, damaged young people trying to escape circumstances most of us have never had to confront. Locking them up with potentially violent offenders will create more problems than it attempts to solve.

I urge the committee to reject this bill.

Thank you for your time and attention. I'm happy to stand for questions at the appropriate time.



<sup>1</sup> Andrew Burwick, Vanessa Oddo, Laura Durso, Daniel Friend, Gary Gates. Identifying and Serving LGBTQ Youth: Case Studies of Runaway and Homeless Youth Program Grantees, *Mathematica Policy Research* (2014). <https://aspe.hhs.gov/report/identifying-and-serving-lgbtq-youth-case-studies-runaway-and-homeless-youth-program-grantees>

<sup>2</sup> Wilson, B.D.M., Jordan, S.P., Meyer, I.H. et al. Disproportionality and Disparities among Sexual Minority Youth in Custody. *J Youth Adolescence* **46**, 1547–1561 (2017). <https://doi.org/10.1007/s10964-017-0632-5>