



March 19, 2020

The Honorable Laura Kelly, Governor

State of Kansas
300 SW 10th Ave
Topeka, KS 66612

Dear Governor Kelly,

On behalf of Progeny, we are writing to share our concerns about the impact of the Coronavirus (COVID-19) on incarcerated youth.

My name is Tyler Williams, and I am a youth leader and community organizer for Progeny. I am requesting that we in the state of Kansas make a change for our youth in this current pandemic of COVID-19. I spent several years in custody and I understand first-hand that when we put our youth in close quarter facilities, sickness and disease spread rapidly. During my stay at Larned Juvenile Correctional Facility, as well as Kansas Juvenile Correctional Complex, there was almost always something being passed around. Illnesses like MRSA and scabies were common, especially in places like long-term segregation units, but also in the gym and in the school area.

During flu season, it was very common for ailing staff to come in to work because they were afraid to call in sick, and the young people in the units where these staff worked in would immediately start getting sick. Given the close spaces, shared air, and close contact among youth in the units, viral infections spread rapidly. This was a problem not only in the living units but also in the school, in the cafeteria and during rec time when youth were in close contact.

As a formerly incarcerated youth in these Kansas Juvenile Facilities, I ask for your help and support in finding an alternative to incarceration during this pandemic time. We feel that our youth in these facilities are at a high risk and we need to support and help them in this time of need.

As states across the country undertake steps to stop the spread of the COVID-19 virus, closing schools, canceling events, and shifting to supporting children in their homes and communities, one group of young people is being left behind. In Kansas we have roughly 202 young people in custody and nearly 50,000 youth in custody in the United States.

Research by health care experts shows that incarcerated populations are most at risk during a public health crisis. COVID-19 spreads quickly in enclosed spaces such as cruise ships and nursing homes and it will spread just as quickly in detention centers, prisons, and jails.

Contagious viruses such as COVID-19 spread much faster in detention centers and prisons as incarcerated youth are in close quarters and sometimes in unsanitary conditions. Behind bars, youth are not able to participate in proactive measures to keep themselves safe, such as social distancing, frequently washing hands, or staying in sanitized spaces. Infection control is a challenge in these situations as incarcerated youth are often in large congregate and communal settings. Even if youth are in individual cells, ventilation is often inadequate. When traveling to and from court, hearings or legal appointments, it is harder to stop the spread of a virus while handcuffed or shackled.

While some jurisdictions have canceled visitation, we believe that this is not a time for youth to be separated from their support systems. This will only exacerbate mental health issues and further isolate youth. Further, youth detention and correctional facilities are unlikely equipped to meet the medical needs of youth if a COVID-19 outbreak inside juvenile detention or correctional facility should occur. Youth will not have many options to stay away from other youth if they become ill and there are limited infirmary beds. If staff become ill, it will be difficult to provide care and support to youth and if lockdowns are utilized, that will only intensify virus infection rates.

To prevent the spread of COVID-19, we urge you to publicly share your emergency plan for addressing COVID-19 in the juvenile justice system, including the adoption of these measures to protect youth under the supervision of the juvenile justice system:

1. Immediately halting new admissions to juvenile detention and correctional facilities and initiating the removal of youth from juvenile detention and correctional facilities by:
 - a. Examining all pre- and post-adjudication release processes and mechanisms and begin employing these as quickly as possible;
 - b. Removing youth who have COVID-19 symptoms; chronic illnesses, such as asthma or diabetes; other serious illnesses; or are in need of medical care;
 - c. Eliminating any form of detention or incarceration for youth unless a determination is made that a youth is a substantial and safety risk to others.
2. While youth are awaiting release:
 - a. Provide written and verbal communications to youth on Covid-19, access to medical care, and community based supports;
 - b. Ensure continued access to education;
 - c. Ensure access to legal counsel through confidential visits or teleconferencing;
 - d. Ensure access to family contacts and support networks;
 - e. Guarantee access to free unlimited phone calls.
3. Create transitional plans for youth released from custody to:
 - a. Ensure they have a place to live;
 - b. Meet their basic needs;
 - c. Receive immediate & adequate medical care;
 - d. Ensure immediate access to Medicaid.

4. For youth on probation:
 - a. Eliminate incarceration as an option for technical violations of probation;
 - b. Allow youth to travel and access medical care, stay isolated when necessary, and take care of themselves and their loved ones;
 - c. Eliminate requirements for in-person meetings with their probation officers;
 - d. Place a moratorium on all requirements to attend and pay for court and Probation- ordered programs, community service and labor.

5. Expand community-based programs for youth in the justice system by investing funds so that they are effectively supported in their communities.

We understand the state of emergency of the country and the state of Kansas. We want our most vulnerable to be included in your top five priorities in implementing measures to protect people from the spread of the COVID-19 virus. We will be following up with you by email to schedule a conference call with you and other decision-makers in the juvenile justice system in the coming days. We want to move with urgency to protect Kansas youth.

Thank you for your time and consideration. We will reach out to you later today.

Sincerely,

Youth Leaders of Progeny &
Invest Don't Arrest KS Campaign Steering Committee

cc:

Jeff Zmuda, Sec. of Corrections
Wendy Leiker, KJCC Superintendent
Susan Wagle, President of Senate
Jim Denning, Majority Leader
Anthony Hensley, Minority Leader
Ron Ryckman, Speaker of House
Dan Hawkins, Majority Leader
Tom Sawyer, Minority Leader
Brandon Whipple, Mayor of Wichita
Brandon Johnson, City of Wichita, District 1