

# Legislative Testimony

In **Opposition** to HB 2444  
Senate Committee on Judiciary  
March 3, 2026

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## *In-Person Testimony*

Chair Warren and Members of the Committee:

My name is Logan DeMond, and I am the Director of Policy and Research at the American Civil Liberties Union of Kansas. The ACLU of Kansas is a nonprofit, nonpartisan organization with more than 35,000 supporters statewide that works to protect and strengthen the civil rights and liberties of all Kansans. On behalf of the ACLU of Kansas, I stand in opposition to House Bill 2444, which would expand pre-trial detention practices by reducing how jail credits are applied, impose more rigid sentencing rules broadly, and set mandatory minimum bond amounts. These changes raise serious concerns regarding due process, sustainability, and public safety. In effect, these blanket provisions attempt to establish a “one-size-fits-all” approach, resulting in individuals spending even more time in detention with no evidence for improving public safety.

### **The Harms of Pre-Trial Detention**

If enacted, HB 2444 would lengthen incarceration by limiting how jail credit is applied and by mandating presumptive imprisonment for individuals with criminal history scores A through E who commit a felony while on probation or post-release supervision, categories that include not only the most serious prior felonies but also individuals whose records reflect lower-level offenses elevated to felony status. Not only will this increase the number of individuals detained pre-trial, but because this provision is retroactive, this bill risks extending sentences for those who were sentenced under different legal conditions, those whose cases are on appeal, or those in the post-conviction phase. Pretrial detention is linked to increased rates of recidivism, resulting in deeper involvement in the justice system over time (Social Policy Lab, 2026; Vera Institute of Justice, 2023). Detention destabilizes people’s lives, separating them from their families, jobs, and other responsibilities while compounding financial burdens at home.

Additionally, this bill would impose minimum bond amounts based on criminal history scores. In most cases, this would mean automatic detention for those who cannot afford bail, further entrenching a two-tiered justice system where wealth determines freedom. Imposing rigid financial floors and a presumption of imprisonment replaces individualized assessments with blanket policy that will increase the number of individuals behind bars. Public safety decisions should be based on individualized assessments, not blanket exclusions tied to ability to pay or prior contact with the justice system.

### **Broad, Punitive Sentencing Policy**

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The special sentencing rule would make imprisonment automatic for any individual who commits a felony offense while on probation, regardless of flight risk or the severity of a crime. This mandatory sentencing practice makes incarceration automatic for individuals with criminal histories ranging from A-E. In effect, presumptive imprisonment eliminates judicial discretion and the court's ability to decide beyond a reasonable doubt. Defendants are entitled to procedural due process, which includes notice and an opportunity to be heard. HB 2444 denies individuals this basic right.

## **Unsustainable Increases in the Prison Population**

Limiting the applicability of jail credits, expanding the criteria for presumptive imprisonment, and setting mandatory minimum bonds will undoubtedly lead to a larger incarcerated population supported by State General Funds and, ultimately, Kansas taxpayers. The Kansas Sentencing Commission notes that the enactment of HB 2444 would mean an increase of 106 adult prison beds by the end of FY 2027, and an additional 225 by FY 2036. With the annual cost to house incarcerated individuals nearing \$6,000 annually, taxpayers will be forced to shoulder this additional burden. The money, space, and resources needed to meet the increases in Kansas jail and prison populations raise concerns about the sustainability of such policies.

## **Conclusion**

HB 2444 does not move Kansas towards a fairer, evidence-based system of justice. Rather, it would expand punitive, unsustainable pretrial detention practices and increase jail and prison populations. These provisions raise serious concerns regarding the right to due process and further contribute to increased incarceration costs and the destabilization of communities without a clear benefit to public safety. On behalf of the ACLU of Kansas, I respectfully encourage the members of this Committee to oppose HB 2444 and to pursue policies that preserve constitutional rights and improve the safety of Kansas communities.

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Director of Policy and Research

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