

Legislative Testimony

In **Support** of HB2228
Senate Judiciary Committee
March 10th, 2025

Written Only

Chair Warren and Members of the Committee:

My name is Rashane Hamby, and I serve as the Director of Policy and Research at the American Civil Liberties Union (ACLU) of Kansas. The ACLU of Kansas is a nonpartisan, nonprofit organization with more than 35,000 supporters statewide, dedicated to preserving and strengthening the civil rights and liberties of every Kansan. I submit this testimony in support of HB2228, which enshrines into law the effective reentry practices already implemented by the Kansas Department of Corrections (KDOC). This bill ensures that all future KDOC leadership continues the critical practice of equipping residents with essential identification and employment-related documentation before release, improving their ability to reintegrate into their communities.

The Challenges of Reentry

In 2020, nearly 550,000 people were released from state and federal prisons across the U.S. after serving their sentences, according to the Bureau of Justice Statistics. Here in Kansas, 95% of incarcerated individuals will eventually return to their communities, with 33% serving less than a year, 47% serving less than two years, and 66% serving less than five years. However, returning home is fraught with challenges—securing housing, finding employment, and accessing healthcare all require valid identification (Fanning, 2024).

Without ID, even basic necessities—such as signing a lease, opening a bank account, or applying for a job—become nearly impossible. Recognizing this reality, the Federal Bureau of Prisons is required to assist federally incarcerated individuals in obtaining essential identification documents—such as birth certificates, Social Security cards, and driver’s licenses—prior to release. Some states have followed suit by passing laws or implementing administrative policies to facilitate this process (U.S. Government Accountability Office, 2023).

HB2228 and the KDOC Reentry Process

HB2228 ensures that incarcerated individuals in Kansas are equipped with the critical identification and employment-related documents necessary for reentry. Under this bill, KDOC must determine whether an individual has the required identification at least nine months before their release and assist them in obtaining any missing documents (HB2228, §1(a)(1)).

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Specifically, HB2228 mandates that KDOC provide the following documents:

- Identification documents (HB2228, §1(a)(2)):
 - A certified copy of a birth certificate
 - A Social Security card or replacement card
 - A Kansas driver's license or state-issued identification card, if eligible
- Employment-related documents (HB2228, §1(a)(3)):
 - A vocational training record, if applicable
 - A work record, if applicable
 - Any educational certifications or diplomas received
 - A resume summarizing any trades or skills learned

These documents are essential for securing employment, accessing housing, and rebuilding a stable life upon release. Ensuring individuals leave incarceration with them removes unnecessary barriers that hinder successful reintegration.

Exceptions Under HB2228

HB2228 does not apply to individuals who:

1. Are released to another jurisdiction on a warrant or detainer (HB2228, §1(b)(1)); or
2. Are physically or mentally unable to return to the workforce, as determined by KDOC (HB2228, §1(b)(2)).

By specifying these exceptions, HB2228 focuses on individuals who will return to Kansas communities and need documentation to support their reentry.

The Importance of Codifying KDOC's Reentry Policies

The Kansas Department of Corrections already follows strong reentry policies to improve reintegration success. As Secretary of Corrections Jeff Zmuda testified in support of a similar bill last year:

"Providing opportunities for residents to reenter society as fully engaged citizens is essential to public safety and is key to reducing recidivism rates. Having the proper documentation upon return to the community helps returning citizens obtain a job and, in turn, support their success" (Zmuda, 2024).

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By codifying these practices, HB2228 guarantees that future KDOC leadership will continue providing these essential documents, removing uncertainty and ensuring uniformity across all facilities.

Conclusion

For these reasons, I urge you to support HB2228. Returning home after completing a sentence is already challenging; it should not be made harder by failing to provide essential documentation needed to function in society. Ensuring that individuals leave incarceration with valid identification and employment records removes unnecessary barriers to reentry, reduces recidivism, and increases public safety. This bill aligns Kansas with best practices in reentry policy, as seen at the federal level and in other states.

Previous versions of this bill earned the support of the Secretary of Corrections, because it directly contributes to reducing recidivism and improving public safety. I encourage you to pass HB2228 and strengthen Kansas' commitment to evidence-based reentry policies.

Thank you for your time and consideration.

Sincerely,

Rashane Hamby
Director of Policy and Research
American Civil Liberties Union of Kansas

References

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