



**DISTRICT COURT OF KANSAS**  
TENTH JUDICIAL DISTRICT  
JOHNSON COUNTY COURTHOUSE

CHAMBERS OF:  
ROBERT J. WONNELL  
DISTRICT JUDGE  
DIVISION NO. 6  
robert.wonnell@kscourts.org

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February 6, 2024

Representative Stephen Owens  
Chair, House Committee on Corrections and Juvenile Justice  
Capitol Office Room 274-W  
Topeka, KS 66612-2391

Dear Chairman Owens,

I am submitting this written testimony in my individual capacity as a District Court Judge in the State of Kansas and not on behalf of the entire Kansas Judicial Branch.

I offer this letter in support of HB 2353. Since its origination in the 2023 session, this proposed legislation is the product of collaboration of not only representatives from different branches of government, but also coordination with both the Disability Rights Center of Kansas and Mental Health America of the Heartland. I have been involved in the process and offer that it has been a picture of civil discourse and cooperation.

I preside over the AOT docket and Behavioral Health Court in the 10<sup>th</sup> Judicial District in Johnson County. Presiding over these cases for many years now, I have witnessed the benefits of an outpatient treatment order in transitioning a patient from inpatient hospitalization back to full integration into the community. The changes contained in HB 2353 seek not only to allow for more initial stabilization during the involuntary hold period (48 hours increased to 72 hours) but also allow courts to continue oversight of the patient's transition back into the community for a reasonable period of time.

Our AOT docket operates within the current statutory structure contained in K.S.A. 59-2967. Our district has interpreted this to mean that someone can be on an Outpatient Treatment Order only if they meet current criteria for inpatient treatment but are deemed likely to comply with an order for outpatient treatment. Commonly, when someone is progressing in mandatory outpatient treatment, they reach a point where they no longer meet statutory criteria for inpatient care but only because of the community based treatment and supervision of the order. This proposed language will allow community health centers and the courts the additional time, in certain circumstances, to bridge that final gap and allow the patient to complete the outpatient treatment process prior to full discharge.

All of the stakeholders who met to discuss this bill in 2023 worked intentionally towards a solution that would help reduce the possibility of frequent admission to our state hospitals through additional and



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appropriate outpatient treatment while at the same time respecting and honoring an individual's constitutional rights and freedoms.

*It is my opinion that passage of HB 2353 will help reduce the number of individuals with serious mental illness who have contact with the justice system.*

I apologize that I cannot be at the hearing Thursday to offer live testimony and answer any questions, but I will be presiding, ironically, over my AOT docket at the exact same time. Thank you again for your time and consideration.

Sincerely,

Hon. Robert J. Wonnell  
District Court Judge  
10<sup>th</sup> Judicial District  
State of Kansas