

Date: February 5, 2018

To: House Corrections and Juvenile Justice Committee

From: Mike Fonkert, Advocate, Kansas Appleseed Center for Law and Justice

Subject: HB 2535

My name is Mike Fonkert; I am the juvenile justice advocate for the Kansas Appleseed Center for Law and Justice, a nonprofit, nonpartisan organization dedicated to the belief that Kansans, working together, can build a state full of thriving, inclusive, and just communities.

Kansas Appleseed supports House Bill 2535.

The state's decision to change the definition of a speedy trial in 2014 seems to have created negative unintended consequences. Douglas County, for example, has seen a nearly 41% increase in the average length of stay for individuals in the county jail since 2014.<sup>1</sup> Multiple factors, including local implementation decisions related to the longer time limit on speedy trials, have contributed to that increase in pre-trial jail time.

By increasing the amount of time a defendant can spend in jail awaiting trial, the 2014 law may have inadvertently increased the recidivism risk in Kansas communities. Research has shown that placing a low-risk defendant in jail pre-trial can damage pro-social supports (and increase anti-social connections), increase unemployment, worsen health, and increase the risk of recidivism.<sup>2</sup> These costs are also borne by the defendants' families and communities, and they have a disproportionate impact on Kansans of color, Kansans with mental illness, and Kansans in poverty.

Because these harms appear to outweigh the potential benefits envisioned by the 2014 legislation, we urge this committee to support House Bill 2535.

Respectfully submitted,

Mike Fonkert, Advocate

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<sup>1</sup> <http://www2.ljworld.com/news/2017/may/14/data-supports-state-redefinition-speedy-trial/>

<sup>2</sup> Incarceration's Front Door: The Misuse of Jails in America. The Vera Institute of Justice. 2015.