



Kansas County & District Attorneys Association

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To: Chairman Jennings and Members of the House Corrections and Juvenile Justice Judiciary Committee

From: Kim Parker, Prosecutor Coordinator
Kansas County and District Attorneys Association

Date: February 5th, 2018

Re: Opponent Testimony for House Bill 2535

Good Afternoon Chairman Jennings and Committee Members,
Thank you for the opportunity to provide opponent testimony for HB2535. I am addressing you on behalf of the Kansas County and District Attorney's Association and the many Kansas prosecutors they represent. We are opposed to HB2535 as it seeks to return to a 90-day speedy trial deadline that was changed only three years ago from 90 days to 150 days. In 2014 our Association the Kansas County and District Attorneys, Kansas Attorney General, Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association all supported the increased deadline to 150 days to help ease the demand on overflowing criminal trial dockets around the state. It is suggested by the proponent that the 150-day speedy trial deadline is responsible for jail overcrowding. In the words of Ellen Mitchell Saline County Attorney and current president of our association, "*jail overcrowding was a problem long before the statutory change to 150 days*". Our current Board of Directors is comprised of County and District Attorney's representing Sedgwick County, Johnson County, Saline County, Leavenworth County, Osage County, Anderson County, Butler County and Douglas County each of them are extremely concerned that this change will not only fail to fix the jail overcrowding problem in Douglas county or any other county but that it would seriously jeopardize current pending criminal trials applying the 150 day deadline.

The right to a speedy trial is guaranteed by the United States constitution and does not require that a statutory time be designated but that the time to begin trial be a reasonable one. The current 150day deadline for speedy trial is reasonable and not unconstitutional.

We urge you to consider that most of the individuals held in jail custody awaiting trial are being held on very serious criminal charges. Most continuances and delays of a criminal trial are not at the request of prosecutors but at the request of the defendants and their attorneys so that they may adequately prepare for trial.

We ask that you to decline the passage of HB2535.

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