

**House Corrections and Juvenile Justice Committee
February 3, 2020**

**House Bill 2469
Testimony of the Kansas Association of Criminal Defense Lawyers (KACDL)
Presented by Clayton J. Perkins
Proponent**

Dear Chairman Jennings and Members of the Committee:

Thank you for the opportunity to express the support of the Kansas Association of Criminal Defense Lawyers for HB 2469. We support HB 2469 because it helps provide the possibility of compassionate release for inmates in the final stages of terminal illness. There are three groups that are impacted by this bill that I would like to highlight for you.

The first group consists of those inmates in the late stages of terminal illness that will have greater access to the possibility of compassionate release under HB 2469. To those inmates who qualify, this will provide that they can spend the final days of their lives with loved ones. This will be a tremendous comfort to those that qualify. I would emphasize that this will be a limited group as K.S.A. 22-3729(a)(7) already provides strict criteria for determining if an inmate qualifies for compassionate release. I would also emphasize that the law already exempts those convicted of off-grid offenses, so those who are serving life sentences are ineligible for release.

The second group consists of the families of those inmates who qualify for compassionate release. This will provide that those families can spend a few days with their loved one before they pass, something they may not have been able to do in years. It will also relieve those families of the anxiety that comes with having a terminally ill loved one in prison. It is frequently difficult to communicate with a person who is in prison, and doubly so when they have moved to somewhere abnormal like the prison infirmary. HB 2469 will hopefully provide for a few more families to avoid the hardship that comes with not being able to know what is happening as their loved one dies in prison.

The final group consists of the defense lawyers who represented the people in the criminal justice process that are now those terminally ill inmates. To do a good job defending a person requires you know them well enough to tell their story to a judge, a jury, or an appellate court. That means that almost every inmate who dies in prison is someone that some criminal defense attorney knew well. As a profession, it brings us a great deal of comfort to think that HB 2469 could bring a few more of our clients access

to compassionate release in their final days.

Thank you for your time and consideration.

Sincerely,

Clayton J. Perkins
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