

## SENATE COMMITTEE ON JUDICIARY

Hon. Rick Wilborn, Chairman  
Hon. Eric Rucker, Vice Chairman  
Hon. Vic Miller, Ranking Minority Member

January 30, 2019  
10:30 a.m.

Chief Judge Merlin G. Wheeler  
Fifth Judicial District  
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### WRITTEN TESTIMONY IN SUPPORT OF SB 19

Thank you for the opportunity to present testimony in support of SB 19. I am Merlin G. Wheeler, Chief Judge of the Fifth Judicial District (Lyon and Chase Counties) and a member of the Executive Committee of the Kansas District Judges Association (KDJA). I also serve as one of three Legislative Co-Chairs of the association along with Chief Judge Thomas Kelly Ryan of the 10<sup>th</sup> Judicial District and Chief Judge Glenn R. Braun of the 23<sup>rd</sup> Judicial District.

KDJA wishes to take this opportunity to express our support for passage of SB 19 relating to access to the entire contents of presentence investigation reports received by the courts in advance of sentencing. The amendments to K.S.A. 2018 Supp. 21-6813 (c) proposed in SB 19 extend access to the confidential portions of the report to our community corrections staff.

Although judges have adopted a practice suggested by the Kansas Sentencing Commission to specifically authorize access to this information by community corrections personnel, a better solution is to have specific wording in the statute as was originally intended.

On behalf of KDJA we urge favorable consideration of this legislation. Thank you for consideration of this testimony.

Respectfully submitted,

Merlin G. Wheeler, Chief Judge  
Glenn R. Braun, Chief Judge  
Thomas Kelly Ryan, Chief Judge