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**Testimony to the House Judiciary Committee  
In Support of HB2488  
January 31, 2024**

Chair Humphries and Committee Members:

Our associations support HB2488, which will fill some gaps in our assisting suicide statute, K.S.A. 21-5407. The new subsections, found on page 1, lines 18-22 of the bill, create additional crimes within the statute, both for advising or encouraging another person to commit or attempt to commit suicide. The first is for when the conduct causes the person to commit or attempt to commit suicide. The second is when the conduct does not cause the person to commit or attempt to commit suicide. We believe the proposed severity levels are appropriate for the conduct.

Reducing instances of people engaging in the proscribed conduct is an important part of the puzzle of reducing suicides. Suicidal persons are on the edge of carrying out their suicide, acting toward carrying out their suicide, or calling out for help they can't obtain on their own. They need support and encouragement to not carry out the suicide. Encouraging them to carry out the act is extremely irresponsible and carries a high risk to the person contemplating suicide.

Perhaps no case can exemplify this conduct more clearly than the suicide of 21-year-old Max Coleman in Wichita in April of 2023. After expressing to two acquaintances that he was struggling with suicide, rather than help him, they reportedly chose to taunt him with text messages, encouraging him to "Do it. Kill yourself. No one cares about you."<sup>1</sup> This conduct is not illegal under current Kansas law. It should be. It is very similar to someone who "advises" or "counsels" another person to commit a crime, may be charged with that crime. (K.S.A. 21-5210)

Improving this statute is an especially important step for Kansas. A 2023 report by Mental Health America<sup>2</sup> ranked Kansas as having the highest prevalence of mental illness and lower rates of access to mental health care of all US states. Again, the suicide of Max Coleman exemplifies this horrible rating. He had been trying to get help for weeks, and his suicide reportedly came between the day he finally was able to get an appointment date set and the day of that appointment. The Mental Health America Report also shows that Kansas had the 4<sup>th</sup> highest rate of Adults with Serious Thoughts of Suicide at 6.44%.

Passage of HB2488 is just one step that is needed to reduce suicide risk in Kansas, but an important common-sense step. We encourage you to recommend it favorably for passage.

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<sup>1</sup> Wichita Eagle, <https://www.kansas.com/news/politics-government/article284824931.html>

<sup>2</sup> Reinert, M, Fritze, D. & Nguyen, T. (October 2022). "The State of Mental Health in America 2023" Mental Health America, Alexandria VA. <https://mhanational.org/sites/default/files/2023-State-of-Mental-Health-in-America-Report.pdf>