

Ellis County Attorney

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Thursday, March 16, 2023

Senate Judiciary Committee
Attn: Barbara Moore, Committee Assistant
Kansas Capitol Building, Room 346-S
Topeka, Kansas 66612

Re: HB 2216 - Proponent

Senators:

My name is Robert A. Anderson, Jr. and I am the duly elected and serving Ellis County Attorney. I wish to share my support for HB 2216, and I ask that you vote in favor of this bill.


Nearly anytime the legislature is willing to trust the judicial system with discretion, I am in favor of it. There are certainly exceptions, but in the case of HB 2216, I am a proponent of removing the mandatory term of imprisonment as a penalty for driving with a license that is canceled, suspended, or revoked for failure to pay fines and/or failure to appear for court.

In rural Kansas, our citizens do not have access to an abundance of public transportation. In most instances, driving, while technically a privilege, is an absolute necessity. The current mandatory minimums do very little in terms of deterrence – people need to get to work or drop their kids off at school and they are going to risk getting caught driving while suspended because they don't have any viable alternatives.

Again and again, these same people find themselves in court facing a charge of "Driving While Suspended". As if trapped in a cyclone, they cannot escape. They were suspended in the first place because they are indigent and couldn't pay their fines; now they've got more fines and a mandatory jail sentence which causes them to lose their job; now they REALLY can't pay those fines; so they get a new job but need to drive to get there . . . but they're not allowed to drive and if they get caught they will have to go back to jail. A vicious and unjust cycle that could be broken if only the Judge had the discretion to show a little mercy under the circumstances.

Thank you for taking the time to read my written testimony. I ask that you vote in favor of HB 2216.

Sincerely,


Robert A. Anderson, Jr. # 26495
Ellis County Attorney