



# Kansas Sheriffs' Association

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## Testimony to the Committee on Corrections and Juvenile Justice In Opposition to HB2291-Transferring Prisoners from KDOC Custody to Sheriff's February 16, 2017

Committee Members,

The Kansas Sheriff's Association submits testimony in opposition to HB2291.

The issue at hand is when a KDOC prisoner's time has expired; KDOC can no longer hold the prisoner. The same state statutes apply to jails under the sheriff's jurisdiction. Kansas sheriffs cannot hold prisoners solely based on the individual being committed to a state psychiatric hospital.

This bill would cause Sheriff's Offices across Kansas to take custody of a released KDOC prisoner and transport them to the state psychiatric hospital, the same hospital that is struggling to accept individuals not in our custody but being committed. Currently, Sedgwick County has individuals on the waiting list to be taken to Osawatomie Psychiatric Hospital. These individuals are housed at a local hospital, who has stated if the psychiatric hospital situation is not fixed by the State of Kansas, they are going to quit accepting these patients. Several communities have these same issues throughout Kansas.

It is the believe of the Kansas Sheriff's Association that KDOC should transport these prisoners directly to the state psychiatric hospital and not involve local sheriff's in this process. Secondly, the local sheriffs are already burdened with housing KDOC prisoners without any reimbursement from the State of Kansas. Below are seven (7) examples:

1. 8-1025 Refusing evidentiary DUI test
2. 8-2,144 DUI Commercial Vehicle
3. 8-1567 DUI
4. 21-5415 (b)(3) 3<sup>rd</sup> or subsequent conviction in 5 years for domestic battery
5. 21-5823 (b)(3) or (b)(4) Forgery
6. 21-6412 Cruelty to animals
7. 21-6416 Harming Police Dog

Local sheriffs are already burdened with prisoners that should be in KDOC custody and do not believe we should be State of Kansas mandated to conduct another function for KDOC without proper reimbursement.

It is our belief this bill is being introduced due to the on-going issues at state psychiatric hospitals and the waiting lists. These waiting lists affect local sheriffs every week. We believe a fix is needed to the state psychiatric hospitals and not instituting quick fixes that affect sheriff offices.

The Kansas Sheriff's Association is opposed to HB2291 in its entirety.

Thank you for allowing this opportunity to provide testimony on this bill.

Sheriff Jeffrey T. Easter  
Legislative Chair for the Kansas Sheriff's Association