



SUPPORT FOR HB 2469 – Extending terminal medical release to inmates in the custody of the department of corrections with a condition likely to cause death within 90 days.

Testimony of Austin Spillar

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CORRECTIONS AND JUVENILE JUSTICE COMMITTEE - Feb. 3, 2020

Chairman Jennings and Members of the Committee,

Thank you for the opportunity to present testimony today. My name is Austin Spillar. I am the Policy Associate with the ACLU of Kansas. We are a nonpartisan, non-profit organization that works to preserve and strengthen the constitutional liberties of every person in Kansas. We support HB 2469 as a positive step in ongoing criminal justice reform efforts in our state.

HB 2469 is good policy in that it affirms the fact that people who are facing death due to a terminal illness no longer pose a public safety risk to the community. Expanding the timeframe for this humane act from 30 days to 90 days is a small but important measure. While per the Fiscal Note the effect on prison overcrowding and cost reduction will be limited in the near term, as of last June fully 19% of the prison population was age 50 or older. Enacting HB 2469 could therefore prove fiscally beneficial in coming years as well.

As Kansas's prison population continues to age, continued consideration of policies addressing the particular circumstances of this population will be necessary. HB 2469 is a positive step, one we strongly support. We also look forward to policies and laws addressing the aging prison population in Kansas could be further expanded, finding alternatives to incarceration for these people without posing a substantial risk to public safety.

I want to thank this Committee once again for this opportunity to address the positive impact of HB 2469 and sincerely hope that this Committee will work to address the other issues noted about the aging prison population in our state. The ACLU of Kansas urges this Committee to take the necessary steps to see that HB 2469 is passed into law.

Additional Resources for this Committee:

1. *At America's Expense: The Mass Incarceration of the Elderly*
https://www.aclu.org/sites/default/files/field_document/elderlyprisonreport_20120613_1.pdf
2. *Video: Elderly in Prison (5:01)*
Our extreme sentencing policies and a growing number of life sentences have effectively turned many of our correctional facilities into veritable nursing homes — and taxpayers are paying for it: <https://www.aclu.org/video/elderly-prison?redirect=criminal-law-reform/elderly-prison>
3. *Photo Gallery: The Aging Prisoner Boom: Picturing Our Elderly Behind Bars*
Striking photos by Tim Gruber give an inside look at our nation's growing elderly prisoner population: <https://www.aclu.org/photo-gallery-americas-expense-mass-incarceration-elderly?redirect=slide-show-americas-expense-mass-incarceration-elderly>