



Kansas County & District Attorneys Association

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To: Chairman Jennings and Members of Corrections and Juvenile Justice

From: Kim T Parker Kansas County and District Attorneys Association

Date: February 19th, 2020

Re: Opponent Testimony House Bill 2686

Good Afternoon Chairman Jennings and Committee Members,

Thank you for the opportunity to provide opponent testimony regarding HB2686. I am addressing you on behalf of the Kansas County and District Attorney's Association. This bill proposes releasing from prison, probation and community corrections individuals who have a felony charge of possession of marijuana. The first pragmatic concern is the proposed statutory language does not clearly state whether this is a complete release and whether this recalculation of sentence includes the individuals entire sentence or only that portion that is felony possession of marijuana. Secondly, we urge you to consider that most criminal convictions and attending sentences are based on negotiated pleas of guilt. This means that in most instances other more serious crimes may have been negotiated away to allow a charged defendant to arrive at a lower felony sentence. For example, the defendant may have been selling, distributing or manufacturing marijuana or other illegal substances and negotiated a lower prison sentence or a probation disposition in order to avoid prison and get treatment. Finally we urge this body to think about the resources required to make this calculation change and the lack of resources available for individuals who have either not yet completed treatment or when released from

prison may need treatment or other assistance that would be unavailable to those whose sentences were simply eliminated and the normal post release process would not apply.

Thank you for your consideration.

Kim T Parker

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