



29TH JUDICIAL DISTRICT OF KANSAS

January 24, 2019

TESTIMONY IN SUPPORT OF HB 2020

As the District Attorney of Wyandotte County, Kansas, I am in full support of House Bill No. 2020. Specifically, I am in full support of the portion of the bill which repeals K.S.A. 2016 Supp. 20-2917. As that statute currently reads, if a lawyer wants to exercise his or her abilities to vote in the judicial nominating commission election, they must submit personal information to the court, which will be transferred to the secretary of state. At that point, any person can obtain an attorney's name, residential address, date of birth, gender, and the last four digits of the attorney's social security number or the full driver's license number by simply submitting an open records request. That means any defendant in a criminal case can obtain a prosecutor's residential address by simply asking the State to give it to them.

HB 2020 eliminates this statutory requirement and serves as a protection for prosecutors and prosecutors' families. In criminal prosecution, especially in dealing with violent felonies, the crucial aspect of prosecutor safety cannot be overlooked. In my years of practice, I have personally been and know of prosecutors who have been sent death threats and, as such, have been subjected to intense personal monitoring for once own protection. Kansas prosecutors are exposed to defendants who have committed heinous acts. These defendants can quickly become disgruntled with the prosecutor on their case. It is likely that such a defendant could quickly develop a vendetta against the person who put them behind bars. Allowing a defendant to simply submit an open records request to obtain personal information about the prosecutor on their case, such as the prosecutor's residential address, puts that prosecutor and the prosecutor's family in great danger.

Prosecutors take on a great responsibility by representing the People of Kansas in the courtroom. As representatives of the Kansas Legislature, I ask you to shield these prosecutors from potential harm by voting in support of HB 2020.

Be Blessed,

Mark A. Dupree, Sr.
District Attorney