



Kansas County & District Attorneys Association

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To: Chairman Wilborn and Members of the Senate Judiciary Committee

From: Kim T Parker, Prosecutor Coordinator:

Kansas County and District Attorney's Association

Date: February 13th, 2020

Re: Neutral Testimony Senate Bill 333

Good Morning Chairman Wilborn and Honorable Committee Members,

Thank you for the opportunity to testify neutral to the proposals of SB333 and to support the passage of this very important measure with slight modification that will not defeat the overall intent of the measure. Today I testify on behalf of the Kansas County and District Attorney's Association and the many prosecutors they represent across this state. The primary responsibility of all prosecutors is to uphold the law of this state, and to protect of the citizens of this state. The exercise of prosecutorial discretion is important to the criminal justice system and is one entitled to protection as the duties of the prosecution balance the rights of the citizens, victims and defendants. SB333 encroaches on the elected prosecutors' ethical responsibilities and duty to justice. SB 333 passes that critical responsibility to the court when it allows the court to dismiss prosecutions pending competency to stand trial determinations. We request that the current language of the bill that gives the court that authority be replaced with County and District Attorney and requiring a quick determination of the need to dismiss the prosecution without prejudice based on the circumstances and facts of the case as they are already sworn to do.

We also caution the amount of resources that may be unnecessarily expended by including substance addicted individuals and individuals with antisocial personality disorder diagnosis as they are often recoverable diagnosis with treatment.

Thank you for your consideration.

Respectfully Submitted

Kim T Parker

Prosecutor Coordinator

Kansas County and District Attorney's Association

