



Kansas Sheriffs' Association

PO Box 1122, Pittsburg, KS 66762

Phone: (620) 230-0864 ★ Fax: (620) 230-0866

Sheriff Sandy Horton, Ret., Executive Director

Sheriff John R. Fletcher, Ret., Deputy Director

www.kansassheriffs.org

Testimony to the House Corrections and Juvenile Justice Committee In Opposition to HB2471

January 1, 2022

Chairman Owens and Committee Members:

Thank you for the opportunity to testify in opposition to portions of this bill. I am Lyon County Sheriff Jeffrey A. Cope. I come before you on behalf of the Kansas Sheriffs Association.

As Kansas Sheriffs we are statutorily responsible for security of our County Courthouses to include the district courtrooms which they house. My experience includes 8 years of supervising security at the Lyon County Courthouse. I mention this as I have witnessed firsthand the progression of how Juveniles are handled within the courts.

Advocates of this bill are speaking of how the juvenile brain is still developing which is true. For that very reason it has become common place to restrain juveniles who have committed crimes. They are unpredictable. I will also suggest it is uncommon for juveniles who are status offenders such as runaways, truant, or children in need of care to be restrained in the courtroom. House Bill 2471 does not make the distinction between a juvenile offender and a status offender.

The requirement of a special hearing for the ability to restrain a juvenile in the courtroom will create an unnecessary burden on the courts. Judges have control over their courtrooms for the individual decisions of whether an offender is restrained or not. It is my experience when there are concerns, conversations are already happening with the court and the deputies charged with the security to determine the level of restraint needed. Requiring a hearing prior to restraints which leaves security officers out of the process may lead to decisions made with incomplete information.

Our current Juvenile Justice system only allows for the detention of serious person crimes. The juveniles in detention are the juveniles this bill will impact. The commonsense approach would be for the defense counsel to request the removal of the restraints at the start of the hearing on the record. I personally have seen this granted as well as denied by the Judge. This works very well.

We do not support juveniles being restrained to the floor, furniture, or structure. We believe if this is currently occurring it is isolated and not common practice.

I have the privilege of an up-to-date courthouse (20 years old) which was designed with security for the public and offenders in mind. With Juvenile justice requirements of sight and sound separation between juvenile and adult offenders we are not able to utilize tunnels and holding cells which stop public display of offenders. I mention this to underscore the efforts to protect juvenile offenders' emotions though well intended often have the opposite effect in application.

We have juvenile offenders who commit very serious crimes. Don't forget the victims of those crimes! Seeing the offender unrestrained may have an emotional effect on them as well.

With these concerns we stand in opposition to HB 2471.

Thank you for your time.

Sheriff Jeff Cope, Lyon County