

# CITY OF SHAWNEE

## CITY HALL

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Date: February 19, 2024  
To: Chairman Owens and the House Corrections & Juvenile Justice Committee  
From: City of Shawnee  
Re: Written Testimony in Opposition of SB 318

Chairman Owens and the House Corrections & Juvenile Justice Committee,

Thank you for the opportunity to testify in opposition of Senate Bill 318 on behalf of the City of Shawnee. Section 1 of SB 318 would permit the introduction of irrelevant information, strain resources of municipal prosecution offices, and seriously harm the ability to efficiently process municipal court cases.

The City supports the open and thorough dialogue between defense attorneys, pro-se defendants, and the prosecuting attorney in an effort to expeditiously resolve matters within the judicial system. However, any requirement which requires a City Attorney to inspect and review all presented audio and video recordings relevant to the case, including recordings made and retained by law enforcement using a body camera or vehicle camera submitted to them by a defense attorney or pro se litigant, would have the exact opposite effect.

As proposed, SB 318 would allow pro se litigants to submit hours of video, from multiple sources, that they feel is relevant to a prosecutor. TikTok and YouTube videos on the reliability of certain evidence, regardless of the basis of the research or knowledge of the producer, might be relevant or important to a defendant representing themselves, but completely irrelevant to the prosecution of the case. Requiring the prosecution to fully review any submission could effectively stall prosecution for months, if not longer. The bill is not clear; this leaves ambiguity on which party would be responsible for speedy trial purposes.

SB 318 essentially places a duty upon the prosecution to do the review and analysis work of a self-represented defendant or defense attorney; thereby placing the prosecution in an ethical conundrum. While a pro se litigant or defense counsel can always submit exculpatory or any other relevant evidence to the prosecution as they see fit, making a requirement that the prosecution review every submission made is an unreasonable and essentially an unenforceable burden. Thank you for accepting the City's comments in opposition to SB 318. At this point, we are asking the committee to not hold a hearing on SB 318 or, at the very least, remove the amendments to K.S.A. 12-4410

