



**House Committee on Corrections and Juvenile Justice  
Hearing on SB 318**

**Written Testimony in opposition to SB 318 on behalf of the City of Manhattan  
By Katie Jackson, City Attorney**

Chairman Owens and Committee Members,

**The City of Manhattan opposes SB 318** with Senator Olson’s amendment to Section 1.

Section 1 of SB 318 amends K.S.A. 12-4410, requiring the prosecuting attorney to review every audio and video recordings a municipal court defendant, or their defense attorney, submits to the prosecuting attorney as “relevant to the case.” If SB 318 is passed with this requirement, the City’s ability to prosecute cases in a timely manner will be significantly hindered and the City’s resources will be further strained.

In 2023, the Manhattan Municipal Court processed more than 5,200 misdemeanor and traffic offenses. That same year, the Riley County Police Department recorded and saved more than 660 days of video recordings, because it is common practice for law enforcement to use body cameras and vehicle-mounted cameras. While a snippet of a recording may be legally relevant to the prosecution of a case, a defendant/defense attorney could request that the prosecuting attorney review an officer’s full shift, or all the officer’s other similar contacts. This could add many hours to the prosecution of a single case.

Further, Senator Olson’s amendment is not limited to an obligation to watch law enforcement videos. A defendant/defense attorney can submit videos from any other source that they deem relevant to their case. For example, a prosecuting attorney could be required to watch a weeks-long video course on DUI enforcement for a single case. The limitation that the prosecuting attorney only has to review the recordings that are “relevant to the case” does not help this burden. The only way to determine if the submitted recording is relevant is to fully view it. The “relevancy” could arise at any time in the recording.

The majority of Manhattan Municipal Court defendants are *pro se*, proceeding without the assistance of a defense attorney. A *pro se* defendant’s belief that a YouTube video or weeks of an officer’s shifts are relevant to their case does not mean they are legally relevant to the case. A well-intentioned *pro se* defendant, or a savvy defense attorney, could delay or prevent prosecution for months by overloading an overworked prosecuting attorney with audio or video recordings.

If the Committee decides to advance SB 318, the City of Manhattan asks that the amendments to Section 1 be deleted. Thank you for accepting this testimony.