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March 6th, 2024

Testimony in Opposition to SB 318 House Committee on Corrections & Juvenile Justice

Chairman Owens and Members of the House Committee on Corrections & Juvenile Justice:

The Northeast Johnson County cities of Prairie Village, Mission, Merriam, Roeland Park, and Westwood Hills oppose SB 318 as amended by the Senate. We appreciate the opportunity to provide testimony in opposition to SB 318, which as amended, now creates undue burden on city attorneys to review any and all evidence relevant to a case.

As amended, SB 318 adds language requiring city attorneys to inspect and review every audio and video recording relevant to the case presented or provided to the city attorney by the accused or accused's counsel. This new requirement would create unrealistic, and virtually unworkable, time demands on city attorneys to review evidence that may or may not even be admissible. City attorneys are already often overburdened; creating an entirely new evidence review burden on them is simply unfeasible. Also, "relevancy" is impossible to determine without reviewing each audio or video recording submitted. For small cities without in-house legal counsel, this new evidence review requirement could cause increased costs to cities, and thus taxpayers, because of the additional hourly charges due to outside attorneys working on city matters.

We ask that you remove the Senate amendment and advance the underlying bill.

Thank you for your consideration, and we welcome any questions or further discussion you may have on this matter.

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