

STATE OF KANSAS  
HOUSE OF REPRESENTATIVES

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NICK HOHEISEL  
CHAIRMAN  
97TH DISTRICT

Chair Humpries, Vice-Chair Maughan, Ranking Member Osman, and Honorable Members of the House Judiciary Committee:

Thank you for your time in considering HB 2488, which aims to amend our state's laws on suicide prevention by adding "advising" and "encouraging" to the anti-suicide statute. A specific instance in my district last spring served as a catalyst for the introduction of this legislation. However, out of respect for the family directly affected, I will defer to the conferees who will share their personal story. It is their story to tell, and their experiences underscore the need for this legislative action.

In addressing this critical issue, I want to draw attention to the pressing concern surrounding the encouragement of suicide, particularly in the context of social media and text messaging. The widespread impact of social media and text messaging has presented new challenges, particularly in cases where individuals are coerced, often through bullying and harassment, into self-harm or suicidal behavior. The ease of sending messages that encourage self-harm, shielded by the anonymity of online interactions, amplifies this issue. This method of communication allows the sender of such messages to distance themselves from the immediate consequences, as opposed to confronting the victim face-to-face, where the sender may see the real-world consequences of such actions.

I want to emphasize that the intent of this legislation is not to criminalize casual comments such as "go jump off a bridge" or "go kill yourself," and it does not seek to impede upon First Amendment rights regarding free speech. The primary motivation behind this legislation is to protect vulnerable individuals, particularly those experiencing mental health challenges, from self-harm. The First Amendment presents a delicate balance between upholding public safety and preserving the right to free speech. It is imperative to ensure that any measures taken to prevent the encouragement of suicide are crafted meticulously to avoid infringing upon constitutional rights. I trust the expertise of this committee in refining the language to narrow the scope and clarify the goals if needed.

Several states, including California, Louisiana, Mississippi, South Dakota, and Oklahoma, incorporate the specific "encouraging" language into their anti-suicide laws. The language used in various other states includes terms such as "causes," "advises," "deception," "incites," "solicits," "promotes," "coerces," and "use of psychological pressure." Our state should adapt

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our laws to effectively combat the evolving challenges posed by digital platforms, social media, and text messaging.

The proposed legislation is not only a proactive response to the growing concern of encouraging suicide through various means, but it also demonstrates our commitment to the mental well-being and safety of our constituents. I ask the Committee to carefully consider the importance of this legislation in safeguarding our communities against the negative influences that contribute to suicide encouragement.

Thank you for your time and attention to this important matter.

Sincerely,

*Rep. Nick Hoheisel*

State Representative, 97<sup>th</sup> District