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Testimony of the Kansas Association of Counties to the
House Committee on Health & Human Services
Neutral on HB 2549 (Human Trafficking) • February 7, 2018

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify as a neutral conferee on House Bill 2549, which changes two different state policies: (1) access to psych evaluations regarding competency to stand trial and (2) eliminating catchment areas that direct inmates to either the Larned State Hospital or the Osawatomie State Hospital depending on the county of incarceration. Our counties are in full support of expediting the evaluation process to determine competency, but we are concerned over the elimination of the catchment areas and ask this committee to preserve the current catchment definitions. Because of the contradictory policies, KAC is neutral on this bill.

We view these are contradictory policies because the first change—expanding options to conduct competency examinations—will save counties money. We would welcome a change that decreases the necessary time to evaluate competency because it could decrease incarceration time in county jails. But the second change—eliminating the catchment definitions—runs counter to a concern I have often heard from county officials: transportations costs are expensive and risky.

When our counties have to transport inmates over long distances, it forces law enforcement to leave the county. The time and expense of having one and often two officials transport a prisoner is a significant cost in itself. But particularly for our rural counties, this can leave a significant portion of the community without adequate coverage to address law-enforcement needs because there is not additional staff to serve during the transport. The catchment area does not cure this concern, but it places a sensible directive that western counties will send inmates west and eastern counties will send inmates east. For these reasons, we ask this committee to consider keeping the current catchment language on the books.

When it comes to complex and layered issues like law enforcement and community mental health, KAC must operate with deference to experts like the Kansas Sheriffs' Association and the Association of CMHCs of Kansas. Yet we can pass on the themes we have heard from county officials who must work with the policy implications of these laws, and we ask this committee to keep the county's costs in mind when deciding on HB 2549.

Respectfully,

A handwritten signature in blue ink that reads "Nathan Eberline".

Nathan Eberline

Kansas Association of Counties