



Kansas Sheriffs' Association

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Testimony to the Senate Judiciary Committee
In Support of HB2078
March 11, 2021

Committee Members,

The Kansas Sheriff's Association supports HB 2078.

The unprecedented Covid-19 pandemic has caused numerous issues within the State of Kansas including the shutdown of the court system for several months. During this time, crime did not shut down. The county jails across Kansas are seeing an increase of inmates and overcrowding.

In March of 2020, the Chief Justice of the Kansas Supreme Court suspended deadlines within the justice system including speedy trial. This order was given due to the courts being shut down and defendants not being able to have access to the courts. Starting in September of 2020, courts around Kansas started trying to re-open with safety measures in place. This has been a very slow process and trials are taking place but not near the amount needed to clear the backlog of cases. In the meantime, new cases are filed everyday all over the State of Kansas. Larger jurisdictions have been impacted the most due to the shutdown.

In 2020, Sedgwick County filed 2400 felony cases and had tried 26 jury trials prior to the shutdown. By way of comparison, in 2019 Sedgwick County filed 3,714 adult criminal cases and resolved 2,265 cases (based on journal entries of sentence). There were 16,017 separate settings for preliminary hearings and 80 cases tried to a jury in 2019 as well. These statistics were supplied by D.A. Marc Bennett.

The proposed language in the bill would stay the statutory speedy trial until May 1, 2024 for all cases already on file at the time of passage of this legislation. KSA understands that this bill could cause more overcrowding of the jailing system, however, the alternative would be even worse. Currently, the Sedgwick County Jail is housing 1498 inmates, most of which are charged with felony crimes. Of the 1498 inmates, 113 are charged with some form of murder. If this bill is not passed and speedy trial is re-enacted, the court system in Sedgwick County could not handle the influx and several of these inmates would have to be released and charged again at a later point.

The above scenario is a real issue because if the defendant does not have a speedy trial within 150 days the entire case would be thrown out and the defendant could not be charged again. KSA is very concerned about the rights of victims and the potential of the pandemic may have on victims seeking justice within our court system.

During the pandemic the State of Kansas has been faced with numerous tough decisions. KSA supports this bill as written and asks the legislature to stay speedy trial until May of 2024.

We thank you for your consideration and the opportunity to provide testimony on this bill.

Sheriff Jeffrey T. Easter
Legislative Chair for the Kansas Sheriff's Association