



March 4, 2024

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*Kansas House Committee on  
Corrections and Juvenile Justice*

**RE: Opposition to SB 318**

Dear Committee Members,

Please consider this letter on behalf of the City of Newton and its staff in opposition of the recently amended portions of Senate Bill 318, which will change the evidentiary review requirements for city prosecutors under K.S.A. 12-4410. However, we are not opposed to the entire bill which originally only covered removal of unnecessary fingerprinting requirements for convictions of traffic infractions previously required under K.S.A. 12-4517. As the City Attorney for Newton, I can attest directly to the burden the imposition of mandatory video and audio review would cause our office. These new requirements would also hinder the due process rights of all those who come through municipal courts in the state.

Not all evidence is created equal. Some media submitted by defendants strikes at the heart of case's relevance. Review of that evidence is in every party's interest and is not in dispute. But some media only serves to obscure case facts and steal precious time from an already overburdened office. A prosecutor's discretion is of the utmost importance in ensuring a speedy and fair trial. The proper time for fringe evidence to be reviewed and weighed is during the trial and by the court. There is no need for a statutory mandate requiring that prosecutors look at every conceivable video or audio file that a defendant deems relevant.

We ask that you vote to reject SB 318 on these bases, and for other good consideration.

Best,

A handwritten signature in blue ink, appearing to be "CJT", written over a large, faint yellow watermark of a gear or sunburst.

Christopher J. Towle  
City Attorney

CJT/mjc