



House Judiciary Committee
March 13, 2025
Senate Concurrent Resolution 1611
Testimony of the BIDS Legislative Committee
Opponent

Dear Chairperson Humphries and Members of the Committee:

Thank you for the opportunity to testify regarding Senate Concurrent Resolution 1611. The undersigned members of the Board of Indigents' Defense Legislative Committee strongly oppose this resolution.

A major corruption scandal led to Kansas' adoption of the current merit-based selection system for Supreme Court justices. The current system emphasizes qualifications, expertise, and accountability to the public. For over 60 years, that system has served Kansans well. Now, S.C.R. 1611 threatens to upend that system in favor of contested elections, which would instead emphasize politics, favoritism, and public distrust.

A contested election system, as applied to criminal justice cases, gives us great concern. Fundamentally, criminal prosecutions force a single person to face the full weight of the government. In recent years, more and more Americans have become aware of the potential for the politicization and abuse of the criminal charging process. Our agency's clients, and all defendants in criminal cases, are the targets of outrage before legal proceedings even begin. Many of them are already a source of political anger in our state. By injecting politics into a neutral body, S.C.R. 1611 will only compound the unfairness for those facing criminal prosecution.

The merit selection system has worked for many decades. Qualified individuals are seated on our Court, and voters can still hold judges accountable. The lack of failed retention campaigns suggests that our justices are upholding the law and maintaining the public trust. SCR 1611 does not solve an existing problem, and instead only threatens to create new dangers in the criminal justice system.

No one agrees with every decision of the Supreme Court. However, our attorneys appearing before that Court need the assurance that the rule of law will prevail over special interests. Our clients, whose lives and livelihoods often depend on the justices' decisions, need the assurance that justice will prevail over politics. Our Founders wrote the Bill of Rights to protect individual people from the government, and neutral, apolitical courts are the best way to support that vision of freedom.

For these reasons, we strongly urge this committee to reject S.C.R. 1611.

Sincerely,

Kelson Bohnet, BIDS Legislative Committee Member

Clayton J. Perkins, BIDS Legislative Committee Co-Chair

Jason King, BIDS Legislative Committee Member

Jorge DeHoyos, BIDS Legislative Committee Member

Jackie Hanzok, BIDS Legislative Committee Member

3Jennifer Roth, BIDS Legislative Committee Member

Sydney Studer, BIDS Legislative Committee Member

Grace Tran, BIDS Legislative Committee Member

Laura Stratton, BIDS Legislative Committee Member

Chance Berndt, BIDS Legislative Committee Member

J. Houston Bales, BIDS Legislative Committee Member

Peter Conley, BIDS Legislative Committee Member

Hannah Eubanks, BIDS Legislative Committee Member