

SENATE JUDICIARY COMMITTEE – Senate Bill 407
Position - Neutral - February 16, 2016

My name is Eldon Dillingham. Today, I speak to you regarding Senate Bill 407 dated February 4, 2016.

Please allow me to explain why I am neutral on this bill. As it stands today, reviving K.S.A. 59-29a18 with respect to court approval to enter conditional release will have no impact on the current treatment program. That is because in statute, 59-29a11 (b) there is a provision that is causing individuals to not be able to participate in the conditional phase of the program. Contained within that statute is language that states, in part, a person in conditional release must have as his residence a location that is a minimum of 2,000' from a person less than 18 years of age. To date every member of the organization Family, Friends and Other Concerned Citizens of SPTP residents has been unable to locate locations where these individuals may reside during their conditional placement phase of the treatment program. We are aware that many Parsons area organizations, including a representative of the local sheriff's department, staff of a local community mental health agency, the Consumer Run Organization of Hope, the Southeastern Kansas Independent Living Center, local realtors and even SPTP reintegration staff have also been unsuccessful in assisting a resident in finding a place to reside that complies with the 2,000' boundary. One individual associated with the Independent Living Center stated the statute might as well be ten miles as that would be no more unrealistic than 2,000'.

Three or four additional individuals have been approved to apply for conditional release. Not one of them has been able to locate housing that complies with the 2,000' law. The \$6,000 - \$7,000 monthly cost of housing each of these individuals at the reintegration centers is going to continue until a change is made to the 2,000' requirement. It is very likely the number of individuals approved for conditional release will continue to increase.

Our elected officials should be dealing with K.S.A. 59-29a11 (b) by removing or reducing the 2,000' requirement to a constraint that is realistic. Our advocacy group of Family, Friends & Other Concerned Citizens of SPTP residents believes 500' should be the maximum number of feet for this requirement. Today it is the Internet and other social media sites where individuals get themselves into trouble, not where they reside.

So, until the 2,000' requirement of 59-29a11 (b) is addressed, it can be anticipated that no individual will get far enough in the program to be affected by Senate Bill 407. Thank you for providing the opportunity to speak today.

Eldon Dillingham
404 Walnut Street
Wamego, Kansas 66547

59-29a11. Transitional release, conditional release or final discharge; subsequent discharge petitions, limitations; prohibition of location of facilities; facilities subject to zoning; county limitations; annual report by secretary for aging and disability services. (b) No transitional release or conditional release facility or building shall be located within 2,000 feet of a licensed child care facility, an established place of worship, any residence in which a child under 18 years of age resides, or the real property of any school upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any grades one through 12. This subsection shall not apply to any state institution or facility.