

Kansas Senate Judiciary Committee

Jan. 22, 2020

PROPONENT TESTIMONY ON SB215

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Chairman Wilborn and members of the Senate Judiciary Committee:

Thank you for your consideration of SB215, which holds the promise of a safer environment for current and future victims of domestic violence.

As the lobbyist for the City of Wichita in 2012, I assisted the Wichita Municipal Court in its opposition to the Batterer Intervention legislation adopted that year. The City of Wichita was the only significant opposition to that ground-breaking legislation, and I regret having played a role in its opposition. I have included the City's testimony against SB304 as part of my submission today as documentation of that circumstance.

More significantly, I was also present in Wichita's City Hall in 2014 when representatives of the Attorney General's office met with a Wichita municipal court attorney in to raise concerns about Wichita's failure to comply with the 2012 legislation. That was my last year with the City, and I lost track of the issue at that point.

However, when the Women's March, the Me2 movement and similar events brought the domestic violence issue back into the spotlight, I decided to revisit this issue over the past couple of years and look for some evidence of the 2012 legislation's impact on our community.

That search was profoundly frustrating and unsuccessful. Data is inaccessible at best, and nonexistent at worst. In the end, I prepared the synopsis included with the testimony and the unresolved questions that arose in the process.

Today, I stand in support of SB215 and commend Sen. Faust-Goudeau for initiating the discussion of a preventative approach to domestic violence. Perhaps it will provide a platform for a much-needed examination of the Wichita Municipal Court and its role in dealing with domestic violence. Directing offenders into the BIP on FIRST offense under SB215 is a logical expansion of the current program, which requires a SECOND offense before the BIP is applied.

If the documented success of SB304 is valid in communities where the BIP was actively used, you would think that Wichita would rush to embrace the program. If Wichita could achieve even a fraction of the success recorded in other communities, it would represent huge savings in law enforcement costs and the more important reduction of personal tragedy among domestic violence victims. But that hasn't happened. Or, at least, nobody is talking about it.

My support is qualified by these concerns:

The current system is grossly underserved with the necessary judicial and law enforcement tools needed to ensure the success of the Batterer Intervention Program. Without the necessary personnel and legislative directive to ensure compliance, there is little reason to believe it will succeed in Sedgwick County.

The program's documented success in other communities is sufficient reason to pass SB215. But the huge volume of domestic violence cases in Sedgwick County demands a more focused effort to deal with the problem.

My recommendation is that the Legislature authorize a Legislative Post Audit study that would examine and quantify the outcomes of the 2012 legislation. Such a study would provide the necessary data to reinforce the mission of the current BIP, and help ensure the success of SB215.