

HB 2366
House Committee on Judiciary
March 16, 2021
WRITTEN TESTIMONY
PROPONENT

Chairman Patton, Vice Chair Ralph, and Ranking Member Carmichael and Members of the House Judiciary Committee:

The Kansas Coalition Against Sexual and Domestic Violence (KCSDV) submits this written testimony in support of HB2366, specifically section (d) requiring victim notification. KCSDV is a statewide non-profit organization whose members are the 25 sexual and domestic violence programs serving victims across Kansas. KCSDV provides information; training; and analysis and policy work on issues impacting victims of sexual and domestic violence, their families, and their communities.

HB2366 section (d) provides an avenue for victims to be notified in the event that a jailhouse witness receives “any benefit in connection with offering or providing testimony against a defendant.” While Kansas law requires prosecutors to inform victims before any dismissal or declining of prosecuting charges, as well as the nature of any proposed plea agreement, the definition of “benefit” contained in this bill is more expansive.

KCSDV believes that the wishes and safety needs of victims should always be at the forefront of criminal justice and prosecutorial decisions. While KCSDV supports the provision in this bill that provides victims with access to information that they may not otherwise have, KCSDV believes this bill could be strengthened. Specifically, the bill could require that victims be notified of and have the right to be present at any hearing where such “benefits” are reviewed or accepted, as well as allow victims to submit written arguments to the court prior to such hearings.

Thank you for your consideration of this testimony.

Respectfully submitted,

Sara Rust-Martin
Director of Legal and Policy
KCSDV